

YELLOW SHEET REPORT

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Friday, January 07, 2022

NEWS NOTES AND GOSSIP

THEY DIDN'T LIKE LOGROLLING ANYWAY

Bolding and Rios both hope the recent AZ Supreme Court ruling banning “log rolling” to build a budget will force the GOP to cooperate with Democrats instead. “The reality is there has been an arbitrary rule at the state Legislature in place that you can only pass a budget with members of one party,” Bolding said at the Arizona Chamber of Commerce’s yearly Legislative Forecast luncheon at Chase Field. Rios agreed, saying that collaboration on a budget



across the aisle could help to marginalize both the “far-left” and the “far-right” and lead to a budget that better reflects Arizonans. Fann agreed that it was a problem that any Republican member could insist on their pet project being included in the budget as the price of their vote. “That's why we were there 171 days last year. ... To tell the truth, the Court actually did us a favor, didn't they Speaker Bowers?” Bolding expressed hope that lawmakers could turn down the rhetoric this year and work together, and that the sort of partisan vitriol that is common on social media does not become the norm in the legislative chambers. “It's going to take strong leadership and it's also going to take us being willing to piss a couple people off,” he said. Bowers agreed, saying some people are “conflict entrepreneurs” who derive power from causing fights and putting others back on their heels. “Our process encourages a meat grinder, but out of that we can make good sausage,” he said. Among other legislative tidbits from the ballpark luncheon, both chamber President and CEO Danny Seiden and board Chairman Nick Goodman expressed hope that the Legislature will tighten the rules of the initiative process this year, changes Seiden called “common sense” measures that would stop “out-of-state activists” from running ballot measures.

THE NUMBERS MATTER EXCEPT WHEN THEY DON'T

At the Chamber of Commerce's legislative forecast luncheon on Friday, Ducey seemed to respond to criticism of the Department of Child Safety. Talking about his approach to state agencies, he said he's installed good directors and tasked them with improving performance on key metrics. However, the governor continued, there's some work that can't be reduced to a single metric, like the duties carried out by Child Protective Services – the former name of the agency that's now called DCS. Last month, a DCS report showed troubling trends including a case backlog that had grown from 95 at the beginning of 2021 to 1,879 by the time of the report ([LINK](#)). Also last month, *ProPublica* published a story detailing how Arizona spends most of its federal welfare money on DCS, which investigates family situations, rather than putting that money in the pockets of needy families ([LINK](#)). But Ducey said on Wednesday that the agency's work is about providing important services to Arizonans, not just hitting particular numbers. “From that standpoint, CPS and these other agencies have been models of success,” he said.

THE SANCTITY OF LIFE AND WHATNOT

Though the Arizona House is taking Covid precautions for next week's State of the State address – including limiting the number of reporters allowed in attendance – some members are concerned those measures will go out the window when the festivities end. Salman, who is due to give birth on Tuesday, blasted the GOP leadership on Twitter for ignoring her request to work remotely to reduce her Covid risk ([LINK](#)). She sent a letter she sent to Bowers on January 4 expressing her concerns but said she did not receive a response. “It is my understanding that committees will not allow any remote testimony or participation by members ... and that you are limiting remote floor participation to only members who are in their offices, and that those members will only be allowed to vote and will be barred from debating the measures or explaining their votes,” she wrote. Salman told our reporter she heard the House plans to require lawmakers to attend committee meetings in person and not to require mask use, social distancing or temperature checks. House GOP spokesman Andrew Wilder said the rules about what, if any, accommodations will be made to let lawmakers participate or vote remotely haven't been set yet. He said there are “continuing discussions underway,” and he expects to have more information next week. Salman said she heard rumors that a couple of Republican lawmakers have Covid currently, and she is worried about exposing her baby. “In order to participate on the floor, they've arbitrarily decided we have to be in the building, so again, I have to expose myself to an environment that's going to be very crowded,” Salman said. “There's going to be people that are sick and not disclosing that information. They're making these decisions in the midst of the worst Covid surge that we've seen all pandemic,” she said. Salman said she had planned to work remotely until she gives birth, and then take a leave of absence. She said it makes “absolutely no sense” to not let her participate remotely, since the accommodations she is requesting are the same ones that were available to House members during the 2021 session. “I feel not respected, I feel not heard, and neither do I feel valued as someone who's about to give birth and be responsible for the survival and care of a newborn human being,” Salman said. “I'm being forced into an environment that significantly jeopardizes my life and significantly jeopardizes the life and well-being of my future baby. ... It's just cruel.”



THE PARTY OF FAMILY VALUES

Mendez, Salman's husband, also has concerns about returning to the Senate in person, but he told our reporter Fann did not respond to his request to attend meetings virtually. In an interview on Thursday, Fann said both chambers want to get back to normal as much as possible, and the Senate will meet in person with limited exceptions. “Our plan right now is that our chamber will be open to the public,” she said. “Our committee meetings will be open to the public, our gallery will be open to the public, and if a member has a medical excuse from their doctor and they need to zoom from their office for floor votes or committee votes that will be allowed.” Fann said members voting remotely will not be allowed to explain their votes. “If they need to explain their votes, they need to come down here to the floor,” she said. Mendez said he heard about the option to vote from his office from Senate Dem leadership but is not a fan of the plan. He said it “would

defeat the purpose of my newborn and Rep. Salman quarantining at home.” Mendez said his letter to Fann included concerns about airborne transmission of the Omicron strain of Covid. “Requiring me to be in my office to utilize a virtual option is asinine,” he said. “The Republican leadership in the Senate is playing games with my soon to be newborn and my family's lives.” Fann declined to say if any legislators have already asked for a medical exemption.

BUILD (18 MILES OF) THE WALL

Kari Lake has made “finishing” the border wall in Arizona a centerpiece of her campaign and she hyped that promise earlier this week before dropping her border policy on Wednesday. But the policy document itself ([LINK](#)) contained a much more modest proposal: completing 18 miles of wall projects initiated under Donald Trump. According to an estimate in that same document, there's 128 miles of state border lacking a border wall – though the document cites a U.S. Customs and Border Protection map that's not entirely

up to date. The policy also states that Lake will declare Arizona is being invaded by undocumented migrants, which – according to a theory circulating in Trump-adjacent circles – would give the state constitutional power to take immigration enforcement into its own hands and even deport migrants on its own. In an interview on Monday with former Trump press Secretary Sean Spicer, Lake explained the legal theory behind the plan, leading Spicer to say, “I feel like I just got a constitutional law degree there.” Paul Bender, a constitutional law professor at ASU, has previously dismissed the suggestion that the Constitution's references to invasion could be interpreted as referring to undocumented migration. He said they refer to invasions by a foreign military ([YS, 10/28](#)).

Kari Lake talking about building the wall



Kari Lake's plan to build the wall



DALESSANDRO: BEACHES > LEGISLATURE

Dalessandro has decided not to run for another term. One of the longer-serving Democrats in the Legislature, she was elected to the House in 2012, moved up the Senate a couple of years later and successfully ran for the House again in 2020. But Dalessandro's home of Quail Creek is being redrawn on the new legislative maps into a heavily Republican southern Arizona district. As well as redistricting, Dalessandro said her health is a major reason why she will be leaving after finishing her current term. “I’m not dying any sooner than I will under normal circumstances, but I do have incurable blood cancer,” she said. Dalessandro said her mother and grandmother both lived into their 90s and that other people who have been diagnosed with the same form of cancer as her have lived for decades. Dalessandro thanked the University of Arizona Cancer Center for the treatment she has received. “I’m just very grateful for the excellent diagnosis and medical care,” she said. Another factor in her retirement, she said, is she has relatives with serious illnesses who she can’t take care of at a distance. And, she said, she would like to travel more once Covid dies down and it becomes safer. “When everybody in January 2023 is pressing up their bills, it would be nice to be in Curacao in an AirBnB on the beach,” she said.

BUT SHE'S NOT DONE YET

Dalessandro still has some issues she wants to work on during her last session. One is to push for the reopening of the Tucson Postal Processing and Distribution Center, which used to serve southern Arizona. A resolution she sponsored calling for keeping the Cherrybell facility open made it through House gov-elect last year. But it later stalled, because former Rep. Becky Nutt, who headed House ways-means at the time, wanted to see if it had 16 Republican votes on the floor before letting it advance and Dalessandro only had 13, she said. Dalessandro said Toma supported the resolution, but that Covid made it difficult to build support across the aisle since she wasn't physically at the Capitol as much as she would be otherwise. While she had relationships with some of the longer-serving GOP members, "it was difficult with some of the newer members to reach out with them," she said. Dalessandro also said she wants to push a proposal to provide incentives for municipalities to use electric vehicles and support rural charging stations. She also wants to work on legislation to give municipalities more of a say in siting cell towers. Other issues she wants to tackle include ways to provide medical debt relief, such as updating the assets that you can shield from being taken and putting limits on interest. "I always say Arizona is like the Tale of Two Cities – it's the best of times to some people and to some people it's the worst of times," she said.

SESSION 2022 SNEAK PEAK



Some House committees are already posting agendas in advance of their first meetings next week. When House gov-elect gavels in for the first time in 2022 at 9 a.m. Wednesday ([LINK](#)), it will be hearing four bills, among them H2010 (first responder flags; homeowners' associations), a rerun of a Kavanaugh bill last year that would add first responder flags the list of flags HOAs are required to let people fly. It will also hear H2023 (electronic ballot images; public record), a Finchem-sponsored measure to require digital images of ballots to be posted

online after an election in a way that makes them searchable by precinct ([LINK](#)). Adrian Fontes, who is running for the Democratic nomination for Secretary of State (Finchem is running for the Republican nod), put out a statement Friday saying he supports H2023 accompanied by a photograph of him and Finchem speaking at Chamber of Commerce breakfast. "I fully support this legislation, it's something I wanted as County Recorder, it's something I'll be proud to defend as Secretary of State," he said. "The irony here is that the far-right Republican sponsors of this bill, in their rush to grasp at straws to feed their conspiracies, have actually opted for a procedure that will weaken their argument about election fraud." Fontes said he is suggesting an amendment stating that precincts with fewer than 10 ballots cast be combined into a single catch-all precinct to protect voter privacy. However, Fontes made a point of saying he does not support "holograms, watermarks, or QR codes, none of which add to the security of ballots and may be cost-prohibitive" – and all of which are part of Biasiucci's H2041 (ballot fraud countermeasures; paper; ink).

IF EVERYONE'S A DOCTOR, NOBODY IS

Burges wants Brnovich to weigh in on whether doctors, pharmacists and others can legally refuse to fill prescriptions to treat Covid with drugs such as ivermectin and hydroxychloroquine, and whether pharmaceutical companies, hospitals, state and federal regulatory agencies and others committed RICO violations by discouraging the use of these treatments in favor of medically approved Covid prevention measures such as vaccines. In a three-page letter, Burges asked if what she called “coordinated efforts and activities to suppress the ability of consumers to obtain COVID preventative and treatment therapeutics” violate Arizona’s antitrust and consumer protection laws and the Racketeer Influenced and Corrupt Organizations Act ([LINK](#)). She alleged the denial of the unapproved treatments “appears to have enriched and financially benefitted select pharmaceutical companies, and those companies and individuals working with them, or supporting those activities ... all to the detriment of Arizona consumers seeking full disclosure of available medical options for the prevention and treatment of COVID.” Brnovich’s office received Burges’ letter on December 21; he has not yet issued a response.



CHUCK RYAN IN SCUFFLE WITH TEMPE PD

ABC15 reported today that former ADOC Director Chuck Ryan shot himself in the hand and is expected to face charges after allegedly pointing his gun at Tempe Police officers during an incident at his home on Thursday night ([LINK](#)). According to the report, police responded to a call about a possible self-inflicted gunshot wound. Ryan eventually exited the house and allegedly pointed a gun at officers, who used “less than lethal force” but were unable to take him into custody. Ryan later exited the home and police took him into custody before he was transported to the hospital for treatment.

·WAKE UP CALL·

[AZ response to Covid surge may be too late](#)

Arizona Capitol Times

Fueled by the highly transmissible omicron variant, surging Covid cases in Arizona have inspired another round of fractured, largely uncoordinated reactions around the state.

[Repeal, replace '21 tax cut aims at Prop. 307](#)

Arizona Capitol Times

Education groups pushing a referendum to repeal the almost \$2 billion in tax cuts passed last year say a new Republican plan to repeal and replace the cuts, which would nix their effort, is an attempt to undercut the will of the voters.

[School funding a ticking time bomb](#)

Arizona Capitol Times

Arizona schools are counting down to a March 1 deadline for the Legislature to override a cap on spending or face not being able to spend \$1.1 billion already approved for them.

[Court makes statement, rules against lawmakers](#)

Capitol Media Services

The Arizona Supreme Court on Thursday issued a broad ruling that will change forever how state budgets are adopted.

[Lawmaker withdraws demand attorney general investigate Pima County's vaccine policy](#)

Capitol Media Services

Pima County government is out of danger, at least for now, of having its state funds slashed for requiring most of its employees to be vaccinated.

[Cyber Ninjas faces fine over Arizona election review records](#)

Associated Press

A judge said January 6 he will fine Cyber Ninjas, the contractor that led Arizona Republicans' 2020 election review, \$50,000 a day if the firm doesn't immediately turn over public records related to the unprecedented inquiry.

[Virus-related emergency room visits rise in Arizona as more seek tests](#)

Associated Press

Virus-related emergency room visits have set a pandemic record in Arizona, where hospitals are crowded and cases are up even though deaths from COVID-19 have tapered off a bit.

[Theresa Hatathlie appointed to District 7 Senate vacancy](#)

Arizona Daily Sun

Theresa Hatathlie will fill the District 7 Senate seat left vacant following the December resignation of Democratic state Sen. Jamescita Peshlakai.

[Governor Ducey announces \\$7.5 million to bolster law enforcement training](#)

Yuma Sun

Gov. Doug Ducey announced on Thursday a \$7.5 million investment to expand the Arizona Western College Law Enforcement Training Academy in Yuma.

[Test shortages, delays arise as COVID-19 cases mount](#)

Nogales International

As residents and health professionals try to identify and respond to new COVID-19 infections, they are being hamstrung by a shortage of tests, as well as delays in receiving the results.

[State House District 7 race may turn into Republican civil war](#)

Payson Roundup

Redistricting has handed Republicans a safe seat that includes all of Rim Country and the White Mountains.

[Arizona Protesters Fury Stoked by Right-Wing Politicians before and after U.S. Capitol Riot](#)

Phoenix New Times

A year ago, today, the world watched events unravel at the U.S. Capitol as if in a stupor.

[Karrin Taylor Robson raises \\$3.7M for governor's race, half from her own pocket](#)

Arizona Mirror

Republican gubernatorial hopeful Karrin Taylor Robson announced that she raised \$3.7 million for her campaign in 2021, with half coming out of her own deep pockets.

[Indigenous communities see COVID-19 increase, but at slower rate because of higher vaccination rates](#)

Arizona Mirror

As COVID-19 cases surge across the country and reach near-record levels in Arizona, many of the state's tribal nations are also seeing an increase in new cases.

[Cyber Ninjas shutting down after judge fines Arizona audit company \\$50K a day](#)

The Hill

Cyber Ninjas, a firm hired by the Arizona state Senate to conduct a review of Maricopa County's election results, on Thursday announced that it is shutting down after a county government report slammed the firm and a judge ordered it to pay \$50,000 a day in fines.

[Kelly raises nearly \\$9 million for reelection bid](#)

The Hill

Sen. Mark Kelly (D-Ariz.) saw his best fundraising stretch since winning his Senate seat in the last three months of 2021, pulling in nearly \$9 million for his reelection bid.

[Why doesn't the Arizona Legislature have a filibuster?](#)

Arizona Republic (Opinion, EJ Montini)

If a filibuster rule is as great as Republicans (and some Democrats, like Sen. Kyrsten Sinema) say, why do so few state legislatures have one?

[Rep. Mark Finchem demonstrates once again that he has no shame](#)

Arizona Republic (Opinion, Laurie Roberts)

On a solemn day when the country marks the one-year anniversary of the appalling attack on democracy, Rep. Mark Finchem shows us once again who and what he really is.

[Kari Lake would deport immigrants if elected Arizona governor? Seems laughable. Or is it?](#)

Arizona Republic (Opinion, Elvia Diaz)

Kari Lake's border plan may seem laughable, but don't ignore it. As a leading GOP contender, this may be the least of what she'd try to do if elected.

[Build Back Better's clean energy mandate is a bad deal for Arizona](#)

Arizona Republic (Op-ed, Rick Gray)

The Clean Electricity Performance Program, a key part of Build Back Better, wouldn't do more than the free market to address climate change. And it would cost us.

·PRESS RELEASES·

Blueprint for a Better Arizona: Democratic Leaders to Present 2022 Legislative Priorities

PHOENIX, State Capitol – Senate and House Democratic leaders will present their 2022 Blueprint for a Better Arizona Monday morning before the opening gavel of the new legislative session and the Governor's State of the State address. Democratic leaders will share a bold vision addressing the challenges our fast-growing state faces during an ongoing pandemic, and right-wing attacks on voting rights, reproductive freedom, and public education.

WHO: Senate Democratic Leader **Rebecca Rios**
House Democratic Leader **Reginald Bolding**
Democratic Caucus members

WHEN: Monday, January 10th at 9:30 a.m.

WHERE: Rose Garden, north of old Capitol building
1700 W. Washington

Please wear a mask and social distance

Board of Supervisors Looks to Appoint New East Mesa Justice of the Peace

The Maricopa County Board of Supervisors is seeking applicants for Justice of the Peace in the East Mesa Precinct. Judge Keith Russell retired effective December 31, 2021.

The district spans from Gilbert Road on the West to Ellsworth on the East and from Baseline on the South to McDowell in the North. You can see the [full precinct boundaries here](#).

Per state law, the appointee, like Judge Russell, must be a Republican who lives in the East Mesa Justice Precinct. This person must be a registered Arizona voter. The person selected will fulfill the remainder of the current term which runs through the end of December 2022.

Applicants should send their letters of interest along with a resume to the Office of the Clerk of the Board of Supervisors, 301 W. Jefferson, 10th Floor, Phoenix, AZ 85003 or email it to ClerkBoard@maricopa.gov. All documents filed with the Clerk's Office will become public records. Applicants are subject to a background check. Applications are due no later than January 20, 2022 at 5:00 pm.

###

Arizona Voters Gather at Capitol for Legislative Opening Day

Phoenix - A group of everyday Arizona voters is gathering to hear Governor Ducey's Opening Day remarks and coordinate efforts for the upcoming Legislative session. They will gather on the Capitol grounds for a "watch party" and then share their reactions and concerns on the topics that matter most in their communities with a goal of increasing voter engagement.

- A **retired teacher** will be listening for Ducey's comments on education funding, especially private school vouchers.
- A **single mother** will be watching for information on Ducey's plans for education policy.
- A **retired U.S. Army officer** will be in attendance to hear the governor's plans to address inadequate state support for veterans.
- A **young college student** will be listening for Ducey's plans to manage education inequities.

After the governor's speech, the group will plan ways to influence Arizona's state representatives, namely Senator Vince Leach, Representative Mark Finchem and especially Sen. J.D. Mesnard.

When: January 10 at 10 AM

Where: The lawn bench East of the House of Representatives @ 1700 W. Washington St.

To meet with these Arizona voters, contact Brandy Reese at 630-881-2849 or media@cebv.us

###

Salmon For Arizona Governor Announces New Endorsement From Four Arizona Business Leaders

Phoenix – Former Congressman and Republican gubernatorial candidate Matt Salmon today announced the endorsements of Rick Price, president of R.B. Price and Company Inc; Sam Scarmardo, owner of Sam's Shooters Emporium; Steve Snyder, CEO of 21st Century HealthCare; and Phil Townsend, president and owner of Sunlund Chemical Co.

"I am very proud to welcome this endorsement from these respected Arizona business leaders. Rick, Sam, Steve, and Phil understand the hard work and commitment it takes to operate a successful business, and their perspective is incredibly important at a time like today. I look forward to working with the business community as Arizona's next governor to advance policies that empower workers, small business owners and entrepreneurs to thrive," said Salmon.

Price, Scarmardo, Snyder, and Townsend said, "Matt's proven record fighting for the people of Arizona makes it clear that he is the governor our state needs. His unique insight into the sophisticated relationship between policymakers and job creators will provide businesses both small and large with stability and confidence, setting the groundwork for a booming economic future. We are excited to endorse Matt Salmon as the next governor of Arizona."

You can read Salmon's Economy and Workforce Policy Paper [here](#) and learn more about the founding members of his Economy and Workforce Coalition [here](#).

###

Crystal Ball Moves Arizona Congressional Races Right

PHOENIX (January 7, 2022) — In another sign that Republicans are poised to take back the U.S. House by winning districts in Arizona, the [Crystal Ball](#) recently moved three Arizona Congressional race ratings to the right:

- AZ Congressional District 1 --> “Leans Republican”
- AZ Congressional District 2 --> “Leans Republican”
- AZ Congressional District 6 --> “Leans Republican”

This is another indication of Democrat Tom O’Halloran’s diminishing prospects for re-election. O’Halloran, who has a record of voting with Nancy Pelosi [100 percent of the time](#), is too far left for his district. Here’s what stories are saying about O’Halloran’s troubles:

- [POLITICO](#): “The state’s redistricting commission on Wednesday approved a layout [...] very possibly dooming Democratic Rep. Tom O’Halloran in the northeast half of the state.”
- [Capitol Media Services](#): “The incumbent who could face the biggest hurdle is Democrat Tom O’Halloran who will be running in CD 2...”
- [AP](#): “The redrawn district tilts strongly toward Republicans, and voting patterns in the past nine elections cast serious on O’Halloran’s prospects for reelection.”

“Arizona voters are ready to change course after a year of Joe Biden’s failures on the economy, COVID-19 and the border. Republicans are playing offense to retake the House, aided by Biden’s sinking approval ratings. The question now for Tom O’Halloran — retire or lose?” – RNC Spokesperson Ben Petersen

###

At Valley Metro Northwest Extension Project, Sinema Highlights How Her Bipartisan Infrastructure Law Invests in Arizona Jobs and Transportation

PHOENIX – Arizona senior Senator Kyrsten Sinema toured Valley Metro’s Northwest Light Rail Extension Phase II Project at Phoenix Metrocenter and highlighted the historic transportation investments her bipartisan *Infrastructure Investment and Jobs* law makes for Arizona.

“Today’s tour offered an exciting look as Valley Metro’s Northwest Light Rail Extension continues its final stages of completion, creating jobs and economic opportunities in Phoenix Metrocenter. We look forward to supporting continued infrastructure development through implementation of our historic legislation,” said Sinema, lead negotiator and co-author of the bipartisan *Infrastructure Investment and Jobs* law.

The Northwest Light Rail Extension Phase II will expand access to major destinations, including educational institutions, employment centers, entertainment areas, and Phoenix Sky Harbor. The 1.6-mile extension will connect 19th Avenue and Dunlap, and includes three transit stations, a multi-modal transit center, a parking garage, and public art. In October 2021, Sinema applauded the U.S. Department of Transportation’s announcement of a \$158 million Capital Investment Grant that would complete the funding for the project.

Sinema’s bipartisan *Infrastructure Investment and Jobs* law provides funding for Valley Metro and other regional transportation projects to enhance mobility and opportunity for Arizonans that use public transit.

Click [HERE](#) to learn more about how the bipartisan *Infrastructure Investment and Jobs Act* impacts **Tribal communities**

Click [HERE](#) to learn more about how the bipartisan *Infrastructure Investment and Jobs Act* impacts **wildfire mitigation**

Click [HERE](#) to learn more about how the bipartisan *Infrastructure Investment and Jobs Act* impacts **water systems and drought resilience**

Click [HERE](#) to learn more about how the bipartisan *Infrastructure Investment and Jobs Act* impacts **airports**

Click [HERE](#) to learn more about how the bipartisan *Infrastructure Investment and Jobs Act* impacts **electricity and power grids**

Click [HERE](#) to learn more about how the bipartisan *Infrastructure Investment and Jobs Act* impacts **natural resources and energy production**

Click [HERE](#) to learn more about how the bipartisan *Infrastructure Investment and Jobs Act* impacts **Land Ports of Entry**

Click [HERE](#) to see the full text of the bipartisan *Infrastructure Investment and Jobs Act*

Click [HERE](#) for more photos.

“QUOTE OF THE DAY”

“Our process encourages a meat grinder, but out of that we can make good sausage.”

- *Bowers on the prospect of passing a budget without logrolling*