

YELLOW SHEET REPORT

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NEWS NOTES AND GOSSIP

HOLY CRAP ABOUT SUMS IT UP

After Kelli Ward wouldn't commit to spearheading a recall effort against Ducey during an interview with Garret Lewis of Tucson talk radio Friday, Lewis lambasted her leadership of the state Republican Party, asking her why she wouldn't resign ([LINK](#)). "You're chasing people away from the party right now," he said. "This is why they're going to the Patriot party." Ward spent much of her interview criticizing Ducey but stopped short of agreeing with Lewis' call for a recall, though she endorsed the idea of getting rid of the lawmakers who attacked her legitimacy as chair. She said Ducey has "fought tooth and nail" to keep the Republican Party from being successful, that his banning of hydroxychloroquine "killed people" and his pandemic response hurt businesses. However, Ward said she wanted to focus on the 2022 election and the Senate audit, not a recall. "To me, there are so many bigger things than recalling the guy who'll be gone in a year," Ward said. Lewis wasn't buying it. "You basically just laid out every reason why we need to get rid of Doug. So then, why not as the head of the Republican Party in Arizona, call every legislative district, call on every PC to say we are not going to do anything for any state lawmaker – including Doug, by the way – but any state lawmaker, unless they decide to impeach this guy, or get a giant recall?" he asked. Ward said she had been pressuring Republicans to speak up against Ducey. She said that rabble rousing has caused lawmakers to push back against her authority as chairman of the party. "The legislators that signed that letter saying that Kelli Ward should redo her election or resign, they're on Doug's side; they're on McCain's side," she said. "Look at that list and you'll know who they are and who we need to replace." Ward specifically mentioned Finchem, who responded to her interview in an email to state executive committee members saying Ward "leveled despicable accusations at some of our most proven, consistent conservative legislators." The call for a do-over wasn't only about Kelli Ward's race, he wrote, noting that the call letter does not demand or suggest that Ward resign. After Ward left the call, Lewis ended the segment by saying "Holy crap."



NOW FOR THE OVERRIDE?

Ducey today vetoed his first bill of the legislative session, Kavanagh's H2360 (committee; driver license voter registrations), which lawmakers in both chambers unanimously approved. The bill would give authority to the Secretary of State's Office to operate and maintain the online voter registration system, removing it from the Dept of Transportation. Kavanagh had pitched the bill as putting the voter registration system in its rightful place under the Secretary of State's Office, but Ducey's office panned it as unnecessary. "The Arizona Department of Transportation has developed a site and a system that Arizonans recognize and appreciate," Ducey wrote in his veto letter. Ducey has not used his veto pen often, and this is his first veto since 2019. Since 2015, Ducey has signed 2,016 bills and vetoed 80 – including today's veto. His predecessor, Gov Jan Brewer, vetoed bills at much higher rate (141 vetoes to 1,782 bills signed into law). "This falls under the category of it ain't broke don't fix it," Ducey spokesman CJ Karamargin said.

MR. DUCEY GOES TO DC

Ducey is in DC until Wednesday for several meetings, including with Kelly (but not Sinema), as well as with Grover Norquist and Trump's former campaign manager, Bill Stepien. Ducey also tweeted photos of meetings today with Senators John Cornyn of Texas and Susan Collins of Maine ([LINK](#)) ([LINK](#)) (both Republicans who have made recent trips to the border). Ducey was last in DC during the inauguration, in a "whirlwind" trip that didn't allow much time for socializing, Ducey spokesman CJ Karamargin noted. Three months later, "much has changed about Covid and border issues so we wanted to get in front of some people who can help make a difference," Karamargin said. "There's nothing like face-to-face meetings." Today's meeting with Kelly focused on the border, Covid and economic development, Karamargin said. Tomorrow, he plans to meet with senior White House officials to talk border policy, as well as O'Halleran. And that meeting with former Trump campaign manager Stepien? Don't read too much into it, Karamargin said, noting the two got to know each other on the campaign trail and Ducey just wanted to keep in touch. The trip comes as Biden today tapped Tucson Police Chief Chris Magnus, a progressive, to lead Customs and Border Protection.



MORE FODDER FOR THE RECALL!



Boyer says he plans to withhold his vote from any budget that doesn't include at least \$160 million in ongoing funding for higher education and another \$20 million for firefighters with cancer. And if his colleagues think that's too much, he said they could give up some of the hundreds of millions they want to allocate to permanent tax cuts. Boyer told our reporter he's trying to line up support for a higher education funding package that now totals about \$162.5 million in new ongoing spending: \$100 million

divvied up among the three universities, \$50 million for statewide financial aid packages for Arizona students to attend state universities and \$12.5 million for the same kind of financial aid for community college students. Ducey's budget would have allocated \$35 million in ongoing funding for universities – the amount they received in FY20 and a step up from the \$0 they received from the General Fund in this year's skinny budget – and the Senate Republican framework released in January had no additional funding. Both Ducey and legislative Republicans have pointed to the money universities received through federal Covid relief, but Boyer said that isn't a substitute for ongoing funding from the state. "I just don't see why we should think that one-time funding from the feds is sufficient when a lot of my caucus wants to do permanent tax cuts," Boyer said. "I don't know why we would do something speculative when we know what the return on investment will be with targeted investments." An economic impact study commissioned by the Arizona Board of Regents from Rounds Consulting Group, which Boyer said he's sharing with other senators, predicts the \$100 million per year given to the three universities would result in \$14.4 billion in state and local tax revenues over the course of 20 years. All three universities would break even, with revenues generated surpassing the cumulative amount spent, by year 10 at the latest, according to Rounds' analysis. Boyer's funding for firefighters could indirectly result in a \$20 million ongoing appropriation from the General Fund. Since 2015, cities have paid fees totaling about that much for the Dept of Revenue to administer municipal sales taxes, but Boyer said there was always the understanding that cities would stop paying those fees and the state would take over the cost after three years. Cities are willing to continue paying the fees, provided they're used for a priority like protecting firefighters, he said.

DOES THIS MEAN SINE DIE IS COMING?

Boyer threatening to withhold his vote on the budget unless he gets concessions has become almost an annual tradition at the Legislature. In 2019 he and then-Sen Heather Carter secured more opportunities for survivors of sexual abuse to seek justice in civil court, as well as millions more for affordable housing, school counselors and doctor training, as the result of a stalemate over the budget. In 2020, the pair was less successful after then-Democratic leader David Bradley agreed to give Fann her 16th vote on the “skinny” budget. This year, with a 16-14 margin, Boyer doesn’t need a budget buddy to cause headaches for Senate leadership, but he’s still trying to find allies to hold out for university and firefighter funding. He said he’s talked a lot with Bowie, a fellow advocate for the New Economy Initiative, and is also working with Shope. A Boyer-Bowie mutual admiration festival on Twitter over the past couple weeks caused one railbird to question whether the two were signaling that they’ll be budget buddies – but Boyer said he’ll work with anybody. “I’d love it if Shope or Pace or Burges or anybody would do the same. I’ll be singing their praises whoever they are,” Boyer said.



THE PICTURE IS WORTH 13 MINUTES WORTH OF WORDS



Ken Bennett on *12 News’ Sunday Square Off* this weekend said Biden did, in fact, win Maricopa County, at least on paper, but whether those results were accurate are still up for debate in the former secretary of state’s mind. “There’s nothing about this audit that has to do with trying to overturn the November election results,” Bennett said, to which an exasperated Resnik responded, “But, it can’t overturn the election.” In a tense and sometimes testy interview ([LINK](#)),

Bennett and host Brahm Resnik sparred over the need for such an audit – and Bennett acknowledged that according to the canvass, Biden won. However, when Resnik asked if Bennett personally believes Biden won, the answer was less clear. “Probably,” he said, adding, “whenever you’re counting votes, there’s issues that could come up in that process, and unless you look into every possible issue, you’re never sure.” Bennett compared the audit to his own business, noting that he used to check deposit slips twice to ensure the count was accurate. “And if the first result was different from the second result... I’d do it a third time until I found a match,” he said. (Of course, the county already did an audit and the results were not different from the canvassed results.) Bennett noted that the only time the state has had to do a major recount was under his watch – in 2010 a proposition won by 126 votes, then by 168 votes after a recount. “We confirmed it, and that’s all we’re doing in this audit, is confirming the results,” he said. When Resnik refused to believe that Bennett would get bipartisan auditors to do the hand recount, Bennett politely hit his tipping point. “If you’re interviewing me to ask what’s going to happen, Brahm, then let me tell you what’s going to happen,” he said. “If you’ve already decided what is going or not going to happen then you don’t need me on the interview.” When Resnik questioned the credibility of Doug Logan, CEO of Cyber Ninjas, Bennett said it wasn’t him on trial. “We’re not auditing the opinions of the owner of one of the companies, we’re auditing the election,” he said.

2022 IS HERE

Twice-failed CD1 candidate Tiffany Shedd is running for Attorney General in 2022 and is the first person to officially throw her name in the ring for the open seat. “We need a conservative attorney general who will hold the line and protect the people of Arizona against Washington’s dangerous socialist policies,” Shedd said in her announcement. Brnovich is termed out so the Republican and Democratic primaries are expected to field several candidates, but Shedd, who set up a campaign finance committee last week, can start raising money before anybody else joins her. Shedd ran for CD1 in 2018 and 2020, but came up short both times. She placed third behind Rogers and former lawmaker Steve Smith in the GOP primary in ‘18 and won in a two-way primary last year against Nolan Reidhead, but lost to O’Halloran after raising a respectable \$1.7 million (he doubled that). Railbirds have been speculating that Shedd would run for AG more than a month ago ([YS, 3/5](#)) alongside names such as former Supreme Court Justice Andrew Gould, former US Attorney of Arizona Mike Bailey or even Rodney Glassman. On the Dem side, Rodriguez already told our reporter he was running ([YS, 3/8](#)), 2018 candidate January Contreras is widely expected to run again and several railbirds have started speculating that Stanton is setting his eyes on the AG race instead of having to go against Hobbs for governor.



BUT IS IT A SOCIALLY DISTANT EXECUTION?

As Arizona moves closer to ending its nearly seven-year execution hiatus, Dale Baich, a lawyer for death row prisoner Clarence Dixon, still has a long list of unanswered questions about the process. Baich sent the Dept of Corrections three letters in the past month full of questions about the process but has received no response, other than a notice the letters had been added to an online system, he said. A spokesman for the DOC said Friday that the department “is reviewing his letters and a response will be forthcoming.” Baich’s March 8 letter requested execution team training guides and materials, as well as information about how the lethal drugs were procured, including the department’s correspondence with state agencies, other departments of corrections and the US Bureau of Prison about the drugs and documents regarding the drugs’ importation and testing. *The Guardian* last week reported that Arizona spent \$1.5 million in October 2020 on 1,000 vials of pentobarbital sodium salt that were to be shipped in “unmarked jars and boxes,” according to a document ([LINK](#)). In another letter on March 16, Baich asked about the lack of provisions in the department’s execution protocols for allowing condemned prisoners to have a spiritual adviser remain with them in the execution chamber, an allowance the Supreme Court affirmed earlier this year. Protocols regarding the administration of lethal gas were added to the DOC’s execution protocols for the first time in March, but Baich was concerned that there was no information about how the lethal gas team would be selected or trained. (Because Dixon and death row prisoner Frank Atwood committed their crimes before 1992, they have the choice of lethal injection or lethal gas.) Baich also asked for information about what Covid precautions would be in place in the witness room, execution chamber, chemical room and press room. On April 5, Baich put in another records request, this time asking for communications and meetings between court and DOC personnel.

ICYMIL LAWSUITS ARE EXPENSIVE

Now that the IRC has chosen its two legal teams, commissioners are beginning to wonder what the budget will look like. The IRC was already allocated \$500,000 to spend in FY21, but it is clearly not enough for potential litigation, an executive director, executive assistant, mapping consultant and other potential hires commissioners deem necessary. Ducey proposed the IRC receive \$4.1 million for FY22, which would be more than a \$1 million increase over the 2011 IRC's roughly \$3 million in initial funding ([YS, 2/16](#)), but until lawmakers agree, it's unclear how much this year's IRC will receive. The Dept of Administration sent our reporter a spending breakdown of the 2011 IRC showing nearly half of the money went toward legal fees. The 2011 commission also received a preliminary \$500,000 for the first fiscal year and spent just \$106,171 of that sum. The remaining money rolled over into the next fiscal year and spent every single dime – including a supplemental \$700,000 on top of the \$3 million. Roughly \$2 million went toward legal fees, according to an Auditor General's report ([LINK](#)), including them, \$516,000 for legal fees to three commissioners who were being sued over violating Open Meeting Laws; \$21,000 for public records; \$181,909 over the battle to remove Chair Colleen Mathis; and \$172,880 for mapping lawsuits. Mapping consultants cost that commission \$920,000, commissioners spent another \$446,000 on “public hearings and commission meetings” and the remaining \$900,000 or so went to “other operating costs,” which is mostly payroll and employee-related expenditures.



CORRECTION: THE FAMILY IS SPLIT, THE COUNCIL IS NOT

Friday's report incorrectly stated that Pascua Yaqui tribal council was divided on whether to support Ducey's gaming legislation – in fact, the council unanimously approved a resolution supporting the bill back in February, Pasqua Yaqui lobbyist Emily Ryan told our reporter.

·WAKE UP CALL·

Ducey signs controversial bills

Arizona Capitol Times

Gov. Doug Ducey signed two controversial bills late Friday – one that exempts businesses from following mask mandates and another that bans private funds for election administration.

Republicans have votes in House for flat income tax

Arizona Capitol Times

While House Republican leaders are optimistic that a major tax overhaul that would shift Arizona to a flat income tax will get 31 votes in that chamber, it may need changes before it becomes something that can pass the Senate.

Bill for execution drug: \$1.5M

Capitol Media Services

Arizona spent \$1.5 million this past fall to buy 1,000 vials of an execution drug.

Report: Biden to pick Tucson's police chief to lead Customs and Border Protection

Arizona Daily Star

Chief Chris Magnus would be in charge of the federal agency that runs Border Patrol and operates all the posts of entries into the United States.

Arizona highway deaths rose during pandemic, as driving was declining

Cronkite News

Traffic deaths in Arizona surged during the COVID-19 pandemic, even as the number of miles driven in the state appeared to be decreasing, according to preliminary statistics from 2020.

Seeing red: Bill would slash voter-approved education funds, school supporters say

Cronkite News

Red for Ed, the teachers group that spearheaded Proposition 208 – which increases some taxes to hire teachers and bolster teacher salaries – this week returned to the political battlefield to fight a bill it says undermines the will of Arizona voters in November.

Voting restrictions trigger furious debate

White Mountain Independent

Restrictions on voting continue to make their way through the Arizona legislature, as similar bills adopted by other states have caused a national furor.

Drought conditions will drive animals closer to communities in search of water, officials say

Herald-Review

Lack of rain in the last year will soon translate into animals looking for water in backyards over Cochise County, especially over the next three months, Arizona Game and Fish officials said this week.

Two Pot Execs Want To Take Ketamine Mainstream. Not Everybody is Vibing.

Phoenix New Times

The ketamine hit Renee Burdge, a 47-year-old mother of three, with a jolt. Like an elevator floor falling out from beneath her.

Federal judge denies Brnovich injunction in deportation pause lawsuit

Arizona Mirror

A federal judge in Arizona on Thursday said she'll deny a request from Attorney General Mark Brnovich to issue a preliminary injunction prohibiting the federal government from enforcing a temporary pause on deportations.

Aide to Rep. Grijalva found dead in Death Valley National Park

The Hill

An aide to Rep. Raúl Grijalva (D-Ariz.) was found dead on Friday after he and his girlfriend went missing in Death Valley National Park in California.

Women are bearing the brunt of the pandemic. Will we help them?

Arizona Mirror (Op-ed, Rebecca Rios and Victoria Steele)

Nearly three million American women have suddenly vanished, and we have no idea if they'll ever return.

Will the NFL yank the 2023 Super Bowl from Arizona?

Arizona Republic (Opinion, EJ Montini)

It happened to Arizona in the '90s over the MLK holiday. It could happen again over Republican-led voter suppression efforts.

Who's playing politics with COVID-19? Pretty much every office holder in Arizona

Arizona Republic (Opinion, Robert Robb)

It's amusing to watch the likes of Phoenix Mayor Kate Gallego play politics by accusing Gov. Doug Ducey of playing politics in his management of COVID-19.

What I tell myself every time my blood boils over George Floyd's death

Arizona Republic (Opinion, Greg Moore)

Vengeance isn't justice, and it doesn't bring lasting change. That's what I'm telling myself and what I'm teaching my kids.

After a disastrous 5 months, the Republican Party is getting back on its feet

Arizona Republic (Opinion, Phil Boas)

Prospects for a Republican recovery were bleak until Govs. Brian Kemp and Ron DeSantis showed the leadership the party needs after Trump.

Lawmakers don't have the power to mess with utility regulators' clean-energy rules

Arizona Republic (Op-ed, Steven G. Zylstra and Doran Miller)

Bob Robb is wrong. A 2020 ruling by the Arizona Supreme Court says state lawmakers lack the power to decrease regulators' constitutional authority.

·PRESS RELEASES·

Mayor Romero Statement on Border Patrol Plans to Construct a "soft-sided facility" to House Migrants

Mayor Romero issued the following statement after requesting information from Border Patrol last Friday about the agency's plans to construct a "soft-sided facility." The agency responded with limited details on the location and capacity of the facility, which will be located at 4550 East Los Reales Road in unincorporated Pima County and is scheduled to be completed by the end of April or early May, according to BP officials. The City of Tucson has zero role in coordinating, planning, implementing, or any other aspect of this facility, which is being led by Border Patrol and who would have full details on the facility.

To help alleviate capacity, the City is contracting with local hotels to provide individuals and families seeking asylum with temporary shelter as they await transportation to relatives or sponsors living in the U.S. In the last few weeks, the city has supported approximately 75 family units with temporary housing.

Mayor Romero issued the following statement:

"The City of Tucson will continue to be a strong partner - as we have been during previous surges under past presidential administrations - to provide humane, dignified care for asylum seekers during their brief stop in Tucson. Currently, the City is supporting temporary shelter for individuals and families - about 75 family units to date - at our local hotels as they await transportation to their final destinations. We are seeking re-imbursement from the federal government for our expenses."

"While any 'tent-like' structure is a sub-optimal solution, it is imperative that any new facility is able to provide humane care with adequate COVID-19 precautions, especially for unaccompanied children who have already endured trauma that no child should have to experience. The cramped conditions that we have seen in other facilities in other states are simply not acceptable. In the interest of transparency, it is important that this facility be open to both elected officials and members of the media, which is why I am encouraged to hear that Border Patrol plans to have an 'open house' of the facility prior to becoming operational."

"The right to seek asylum is a basic human right that is enshrined in international law. It is unfortunate that some are choosing to exploit the very real and difficult situations these children and families are facing for political gain and photo-ops at the border. The City of Tucson stands ready to be a part of the solution as the Biden Administration unwinds the inhumane policies of the Trump Administration, which turned away children and families who have experienced unspeakable acts of violence, political persecution, and discrimination."

Senator Kelly Statement on Nomination of Tucson Police Chief Chris Magnus for Customs and Border Protection

Today, Arizona Senator Mark Kelly released the following statement on President Biden's nomination of Tucson Police Chief Chris Magnus to serve as the next head of Customs and Border Protection:

"I've known Chief Magnus for a number of years, and as the son of two police officers myself, I have respected his approach to public service and law enforcement.

"With about 370 miles of U.S.-Mexico border and numerous ports of entry, Arizona requires strong, capable leadership at Customs and Border Protection to secure the border and ensure trade and commerce that is critical for our economy. As Tucson's Police Chief, Chief Magnus understands what it looks like when the

federal government fails Arizona on border security and immigration, and that is the experience and perspective he can bring to this position.

“We’re facing a humanitarian crisis at our border that is already straining Border Patrol in Arizona, and I look forward to speaking with Chief Magnus about his plans for Customs and Border Protection and providing a secure, orderly process at the border that prioritizes safety and public health.”

Last week, Senator Kelly made his [second trip to the border](#) as Senator, visiting Yuma where he met with local leaders and toured Border Patrol operations with Sector Chief Chris Clem. Kelly [previously visited Douglas](#), touring the Port of Entry with CBP Director of Field Operations Guadalupe Ramirez, Area Port Director Jeffrey Wilson, and Mayor Huish.

Mayor Romero Statement on Chief Magnus’ Nomination for Commissioner of U.S. Customs and Border Protection

“I want to congratulate Chief Magnus for his nomination to serve as Commissioner of U.S. Customs and Border Protection,” *said Mayor Regina Romero*. “During his time in Tucson and throughout his career, Chief Magnus has developed a national reputation for his sensible, inclusive approach to policing that has always centered around community building.”

“Chief Magnus has always understood the importance of distinguishing the role of local law enforcement from federal immigration enforcement and how critical this is to protecting community trust. He has gained valuable experience serving as Police Chief of a major city here in the Borderlands.

“As an established immigrant-welcoming community and in response to SB-1070, Mayor & Council directed a series of [amendments](#) to TPD’s General Orders that protect victims and witnesses of crimes from arbitrary immigration status inquires, prohibit stops and detentions based on “suspicions” of unlawful status, and other actions aimed at protecting the rights of our immigrant communities. I am grateful for the Chief’s leadership in implementing these reforms, as well as other efforts including streamlining TPD’s U-visa process and the creation of a new refugee liaison program.

“I wish the Chief the best of luck during his confirmation process and look forward to continue working with him for the time that he is in Tucson.”

Veterans Commend Senator Mark Kelly’s Leadership to Expand Vaccines to Veterans & Their Families

PHOENIX — A group of veterans last week commended Senator Mark Kelly for his leadership in passing the SAVE LIVES Act to ensure veterans, their families, and caregivers can get COVID vaccines through the VA.

According to the [Arizona veterans](#):

“President Biden’s American Rescue Plan does a lot to help Arizonans. As the president says, the plan will get “shots in arms and money in pockets.” As former members of the armed services, we appreciate the president rolling up his sleeves, putting politics aside, and getting to work to help Arizonans.

“Specifically, we also wanted to acknowledge Sen. Mark Kelly’s work to help vaccinate our veterans with the SAVE LIVES Act. Kelly recently co-sponsored and helped pass the SAVE LIVES Act, which is now expanding vaccine access to veterans through the VA. The law allows veterans, their spouses, and their caregivers to get the shot. Before, only VA-eligible vets could get the COVID vaccine.”

The American Rescue Plan provides:

- \$1,400 stimulus checks for more than 3.6 million middle- and low-income Arizonans.
- \$20 billion for vaccine distribution nationally.
- \$50 billion in loans and paycheck protection for small businesses affected by the pandemic.
- \$7.6 billion in direct funding to Arizona’s state and local governments to keep police officers, firefighters and first responders on the job.

Governor signs bill establishing regulatory framework for peer-to-peer car sharing in Arizona

(Phoenix, State Capitol) – - Governor Ducey today signed into law [SB 1720](#), establishing a regulatory framework for the peer-to-peer car sharing marketplace in Arizona.

“After several years of hard work and collaboration, I was proud to sponsor this consensus legislation,” said Senate President Karen Fann. “SB 1720 protects Arizona consumers while striking the right balance in providing sensible parameters for new market entrants without disenfranchising existing industry. This took a lot of effort by many people, and I want to thank Senator David Livingston and Representative Travis Grantham for their hard work over the past two years to get this done.”

The bill, which passed both chambers with strong bipartisan support, establishes necessary guidelines in areas such as insurance, public safety recalls and consumer protection disclosure, while recognizing car sharing as a new business model with unique attributes and needs.

“On behalf of Turo, we applaud President Fann for her leadership and continued efforts to embrace new market entrants that empower everyday Arizonans to share their cars to unlock economic opportunity and build their own entrepreneurial muscles,” said Turo CEO Andre Haddad.

“I would like to thank Senate President Fann, and the members of the legislature of Arizona for bringing stakeholders together to create common sense legislation. I also want to thank Governor Doug Ducey for signing SB 1720. The result is a fair set of rules that respects the interests of car rental customers, car rental providers, vehicle purchasers, and the communities in which we operate,” said Kevin Cooper, GM of Enterprise Leasing Company of Phoenix. “This legislation importantly provides the Arizona tourism industry with additional revenues while creating new income opportunities during a time of economic recovery in our state,” said President Fann.

“QUOTE OF THE DAY”

**“Look at that list and you’ll know who they
are and who we need to replace.”**

**- Kelli Ward, on lawmakers who signed a letter
calling for a re-do of the AZGOP election**