



STATE OF ARIZONA

## Joint Legislative Budget Committee

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### MINUTES OF THE MEETING

#### JOINT LEGISLATIVE BUDGET COMMITTEE

September 23, 2020

The Chairman called the meeting to order at 9:36 a.m., Wednesday, September 23, 2020, via video conference. The following were present:

Members:	Senator Gowan, Chairman	Representative Cobb, Vice-Chairman
	Senator Alston	Representative Espinoza
	Senator Bowie	Representative Fernandez
	Senator Gray	Representative Friese
	Senator Leach	Representative Kavanagh
	Senator Otondo	Representative Petersen
		Representative Roberts
		Representative Toma

Absent: Senator Livingston  
Senator Mesnard

#### APPROVAL OF MINUTES

Representative Cobb moved that the Committee approve the minutes of June 24, 2020. The motion carried.

#### CONSENT AGENDA

The following items were considered without discussion.

#### **ARIZONA DEPARTMENT OF ADMINISTRATION/AUTOMATION PROJECTS FUND - Review of the Concealed Weapons Tracking System (Department of Public Safety Subaccount).**

A.R.S. § 41-714 requires Committee review prior to any monies being expended from ADOA's Automation Projects Fund (APF) for the Concealed Weapons Permit Tracking System (CWPT) upgrade project. The JLBC Staff provided options.

(Continued)

**AHCCCS - Review of Health Care Investment Fund Assessment Pursuant to Laws 2020, Chapter 46.**

Pursuant to A.R.S. § 36-2901.08 and A.R.S. § 36-2999.72, the Arizona Health Care Cost Containment System (AHCCCS) is required to submit to the Committee for review any modifications to Hospital Assessment methodology prior to implementation. The JLBC Staff provided options.

**DEPARTMENT OF CHILD SAFETY (DCS) - Review of FY 2020 Quarterly Benchmarks.**

An FY 2020 General Appropriation Act footnote requires DCS to submit to the Committee for review a quarterly report on benchmarks for assessing progress made in increasing the department's number of FTE Positions, meeting caseload standards for caseworkers, reducing the number of backlog cases and open reports, and reducing the number of children in out-of-home care. The JLBC Staff provided options.

**DEPARTMENT OF PUBLIC SAFETY (DPS) - Review of the Expenditure Plan for the Gang and Immigration Intelligence Team Enforcement Mission (GIITEM) Border Security and Law Enforcement Subaccount.**

Pursuant to A.R.S. § 41-1724G and A.R.S. § 41-1724H, DPS is required to submit for Committee review the entire FY 2021 expenditure plan for the GIITEM Border Security and Law Enforcement Subaccount prior to expending any monies. DPS submitted for review its proposal to distribute \$1,050,000 of the appropriation from the Subaccount. The JLBC Staff provided options and a potential provision:

- A. DPS shall report to the Committee prior to implementing any changes to the proposed FY 2021 allocation of the grants. The Chairman shall decide whether the revisions require Committee review.

**DEPARTMENT OF EDUCATION (ADE) - Review of K-12 Broadband Connectivity Projects.**

A.R.S. § 15-249.07 requires ADE to submit for Committee review its annual report on K-12 broadband connectivity construction projects. The JLBC Staff provided options and a potential provision:

- A. ADE shall include in each report that it submits pursuant to A.R.S. § 15-249.07 an updated estimate of the number of Arizona K-12 students lacking access to bandwidth of at least 4.3 megabits per second (Mbps) per pupil.

**DEPARTMENT OF EDUCATION (ADE) - Review of AzM2 Contract.**

A.R.S. § 15-741.03 requires the ADE to submit for Committee review its contract renewal for the statewide assessment. The JLBC Staff provided options and a potential provision:

- A. On or before October 15, ADE shall report the status of all contracts for all portions of the statewide assessment and the menu of assessments, including exam vendors, pricing agreements, and an estimate of the number of students taking each exam in FY 2022.

*Representative Cobb moved that the Committee give a favorable review, including provisions as outlined in the JLBC Staff analysis, to the 6 consent agenda items listed above.*

## **EXECUTIVE SESSION**

Representative Cobb moved that the Committee go into Executive Session. The motion carried.

At 9:38 a.m. the Joint Legislative Budget Committee went into Executive Session.

Representative Cobb moved that the Committee reconvene into open session. The motion carried.

At 9:46 a.m. the Committee reconvened into open session.

### **Arizona Department of Administration, Risk Management Services - Consideration of Proposed Settlements under Rule 14.**

Representative Cobb moved that the Committee approve the recommended settlements proposed by the Attorney General's office in the case of *Victoria Burgett and Adam Pawlak v. State of Arizona et. al.* The motion carried.

## **REGULAR AGENDA**

### **ATTORNEY GENERAL (AG) - Review of Election-Related Litigation and Civil Division Expenditure Plans.**

Mr. Ryan Fleischman, JLBC Staff, stated that pursuant to A.R.S. § 44-1531.02C, the AG requested Committee review of its expenditure plans to use monies from the Remediation Subaccount of the Consumer Protection and Restitution Revolving Fund for 2 purposes: 1) \$400,000 for election-related litigation and election statutory defense expenses, and 2) \$200,000 to increase the general public's knowledge of the AG's Civil Division as well as pay for operating expenses. The JLBC Staff provided options.

Mr. Ryan Anderson, Attorney General's Office, responded to member questions.

Representative Cobb moved that the Committee favorably reviewed the Attorney General's expenditure plan to expend \$400,000 from the Subaccount for election-related litigation and election statutory defense expenses and \$200,000 from the Subaccount for the purposes of increasing knowledge of the Civil Division and increasing their operating funding.

Representative Friese made a substitute motion that the Committee unfavorably review the AG's expenditure plan to expend \$400,000 from the Subaccount for election-related litigation and election statutory defense expenses and favorably review \$200,000 from the Subaccount for the purposes of increasing knowledge of the Civil Division and increasing their operating funding. The substitute motion failed by a roll call vote of 6-8-0-2. (Attachment 1).

Representative Cobb's motion then carried.

Without objection, the meeting adjourned at 10:21 a.m.

(Continued)

Respectfully submitted:



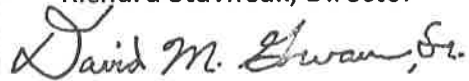
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Kristy Paddack, Secretary

*Richard Stavneak*

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Richard Stavneak, Director



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Senator David Gowan, Chairman

## JOINT LEGISLATIVE BUDGET COMMITTEE

Meeting Date: September 23, 2020

**ITEM #: Attorney General – Review of Election-Related Litigation and Civil Division Expenditure Plans**

**MOTION:** Representative Friese's substitute motion

	<u>PRESENT</u>	<u>ABSENT</u>	PASS	AYE	NAY	PRESENT	ABSENT		PASS	AYE	NAY	PRESENT	ABSENT
SEN. ALSTON	X			X				SEN. ALSTON					
SEN. BOWIE	X			X				SEN. BOWIE					
REP. ESPINOZA	X			X				REP. ESPINOZA					
REP. FERNANDEZ	X			X				REP. FERNANDEZ					
REP. FRIESE	X			X				REP. FRIESE					
SEN. GRAY	X				X			SEN. GRAY					
REP. KAVANAGH	X				X			REP. KAVANAGH					
SEN. LEACH	X				X			SEN. LEACH					
SEN. LIVINGSTON		X					X	SEN. LIVINGSTON					
SEN. MESNARD		X					X	SEN. MESNARD					
SEN. OTONDO	X			X				SEN. OTONDO					
REP. PETERSEN	X				X			REP. PETERSEN					
REP. ROBERTS	X				X			REP. ROBERTS					
REP. TOMA	X				X			REP. TOMA					
REP. COBB	X				X			REP. COBB					
SEN. GOWAN	X				X			REP. GOWAN					
<b>TOTALS</b>	<b>14</b>	<b>2</b>	<b>0</b>	<b>6</b>	<b>8</b>	<b>0</b>	<b>2</b>	<b>TOTALS</b>					