

acc 2021

55th Legislature - 1st Regular Session, 2021

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ACC 2021**Posted Calendars and Committee Hearings**

S1217: SECURITIES; EXEMPT TRANSACTIONS

Calendar: 3/18 House Third Reading

S1307: WATER; WASTEWATER SYSTEM; CORRECTIVE ACTION

*Calendar: 3/17 House Consent***Bill Summaries****H2128: STATE LICENSING; FEE WAIVER**

The list of persons that state agencies are required to waive any initial license fee charged for, with some exceptions, is expanded to include any active duty military service member and the member's spouse, and any honorably discharged veteran who has been discharged no more than two years before application. Appropriates \$250,000 from the general fund in each fiscal year to the Department of Administration to reimburse agencies on a first-come, first-served basis for fees the agency waived. AS PASSED HOUSE

First sponsor: Rep. Osborne (R - Dist 13)

Others: Rep. Blackman (R - Dist 6), Rep. Carroll (R - Dist 22), Rep. Chaplik (R - Dist 23), Rep. Dunn (R - Dist 13), Rep. Griffin (R - Dist 14), Rep. Hoffman (R - Dist 12), Rep. John (R - Dist 4), Rep. Nutt (R - Dist 14), Rep. Payne (R - Dist 21), Rep. Toma (R - Dist 22)

H2128 Daily History	Date Action
STATE LICENSING; FEE WAIVER	3/17 from Senate appro do pass.
STATE LICENSING; FEE WAIVER	3/16 Senate appro do pass; report awaited.
STATE LICENSING; FEE WAIVER	3/8 referred to Senate appro.
STATE LICENSING; FEE WAIVER	3/4 passed House <u>57-2</u> ; ready for Senate.
STATE LICENSING; FEE WAIVER	2/24 House COW approved with fir amend <u>#4484</u> .
STATE LICENSING; FEE WAIVER	2/22 from House rules okay.
STATE LICENSING; FEE WAIVER	2/16 from House mil-pub safety do pass.
STATE LICENSING; FEE WAIVER	2/15 House mil-pub safety do pass; report awaited.
STATE LICENSING; FEE WAIVER	2/1 House mil-pub safety held.
STATE LICENSING; FEE WAIVER	1/20 referred to House mil-pub safety.

H2247: FOREST PRODUCTS; PROCESSING; TAX CREDIT

Establishes an individual and corporate income tax credit for taxpayers with a current healthy forest enterprise incentive certification and memorandum of understanding with the Arizona Commerce Authority that "process" "qualifying forest products" (both defined) between January 1, 2022 and December 31, 2032 at a facility located in Arizona. The amount of the credit is up to \$10,000 for the first 20,000 tons and \$5,000 for every 10,000 tons after of qualifying forest products the taxpayer processes in the calendar year, not to exceed \$500,000 per taxpayer. The aggregate amount of tax credits in a calendar year is capped at \$2 million. If the allowable credit exceeds taxes due, the unclaimed amount of the credit may be carried forward for up to five consecutive tax years. Other requirements to qualify for the tax credit and an application process are established. Applies to tax years beginning with 2022. AS PASSED HOUSE

First sponsor: Rep. Griffin (R - Dist 14)

H2247 Daily History	Date Action
FOREST PRODUCTS; PROCESSING; TAX CREDIT	3/2 referred to Senate fin.
FOREST PRODUCTS; PROCESSING; TAX CREDIT	2/24 passed House <u>42-18</u> ; ready for Senate.
FOREST PRODUCTS; PROCESSING; TAX CREDIT	2/23 House COW approved with fir amend <u>#4227</u> .

FOREST PRODUCTS; PROCESSING; TAX CREDIT 2/16 from House rules okay.
 FOREST PRODUCTS; PROCESSING; TAX CREDIT 2/8 withdrawn from House ways-means.
 FOREST PRODUCTS; PROCESSING; TAX CREDIT 1/21 House nat res-energy-water do pass; report awaited.
 FOREST PRODUCTS; PROCESSING; TAX CREDIT 1/19 House nat res-energy-water held. 1/20 referred to House nat res-energy-water ways-means.

H2248: CORPORATION COMMISSION; ELECTRIC GENERATION RESOURCES

Declares it is the public policy of Arizona that public service corporations should pursue the use of "clean energy resources" (defined) and the reduction of carbon emissions, provided the mix of "critical electric generation resources" (defined) used by each public service corporation to meet its customers' needs is the "lowest cost method" (defined) of providing safe and reliable electricity services while taking specified factors into consideration. The clean energy and carbon emissions reduction policy of Arizona requires public service corporations to derive at least the following percentage of retail kilowatt sales from renewable energy resources by the following dates: 12percent by December 31, 2022, 13 percent by December 31, 2023, 14 percent by December 31, 2024, and 15 percent by December 31, 2025 and each year after. Does not apply to any policy, decision or rule adopted before June 30, 2020. Does not prohibit the Arizona Corporation Commission (ACC) from exercising its ratemaking or statutory authority over public service corporations. The ACC is authorized to adopt rules to ensure compliance with this legislation, and is prohibited from enforcing any policy or rule that increases or decreases the percentages of renewable energy resources specified by this legislation or that directly or indirectly regulates a public service corporation's "carbon emissions" (defined). Contains legislative findings. Retroactive to June 30, 2020. AS PASSED HOUSE.

First sponsor: Rep. Griffin (R - Dist 14)

H2248 Daily History	Date Action
CORPORATION COMMISSION; ELECTRIC GENERATION RESOURCES	3/3 House add'l COW approved with amend #4480 and flr amend #4675. Passed House 31-28; ready for Senate.
CORPORATION COMMISSION; ELECTRIC GENERATION RESOURCES	2/24 House COW approved with flr amend #4480.
CORPORATION COMMISSION; ELECTRIC GENERATION RESOURCES	2/23 retained on House COW calendar.
CORPORATION COMMISSION; ELECTRIC GENERATION RESOURCES	2/8 from House rules okay.
CORPORATION COMMISSION; ELECTRIC GENERATION RESOURCES	1/27 from House nat res-energy-water do pass.
CORPORATION COMMISSION; ELECTRIC GENERATION RESOURCES	1/26 House nat res-energy-water do pass; report awaited.
CORPORATION COMMISSION; ELECTRIC GENERATION RESOURCES	1/19 House nat res-energy-water held. 1/20 referred to House nat res-energy-water

H2714: ENVIRONMENTAL TECHNOLOGY; BIOMASS; FORESTRY PRODUCTS

Modifies the requirements to qualify for assistance from the Environmental Technology Assistance Program to allow the capital investment made by a manufacturer, producer or processor to be in a facility that is used predominantly to process biomass and forestry industry products.

First sponsor: Rep. Nutt (R - Dist 14)

H2714 Daily History	Date Action
ENVIRONMENTAL TECHNOLOGY; BIOMASS; FORESTRY PRODUCTS	3/17 Senate fin do pass; report awaited.
ENVIRONMENTAL TECHNOLOGY; BIOMASS; FORESTRY PRODUCTS	3/10 Senate fin held.
ENVIRONMENTAL TECHNOLOGY; BIOMASS; FORESTRY PRODUCTS	3/2 referred to Senate fin.
ENVIRONMENTAL TECHNOLOGY; BIOMASS; FORESTRY PRODUCTS	2/24 passed House 36-24; ready for Senate.
ENVIRONMENTAL TECHNOLOGY; BIOMASS; FORESTRY PRODUCTS	2/23 House COW approved.
ENVIRONMENTAL TECHNOLOGY; BIOMASS; FORESTRY PRODUCTS	2/8 from House rules okay.
ENVIRONMENTAL TECHNOLOGY; BIOMASS; FORESTRY PRODUCTS	2/3 from House nat res-energy-water do pass.
ENVIRONMENTAL TECHNOLOGY; BIOMASS; FORESTRY PRODUCTS	2/2 House nat res-energy-water do pass; report awaited.

H2737: CORPORATION COMMISSION ACTIONS; INVESTIGATION

At the request of a member of the Legislature, the Attorney General is required

to investigate any decision, order or rule adopted or amended by the Arizona Corporation Commission (ACC) that the member alleges is beyond the ACC's statutory or constitutional authority or whether the ACC is not executing or enforcing a statute. If the Attorney General concludes that the ACC does not have the authority or is not executing or enforcing a statute, the Attorney General is required to notify the ACC of the violation by certified mail and provide 30 days to resolve the violation. If the ACC fails to resolve the violation within 30 days, the Attorney General is required to file a special action in the Supreme Court to resolve the issue, and the Supreme Court is required to give the action precedence over all other cases. If the Supreme Court determines that the ACC does not have the authority or is not executing or enforcing a statute, Attorney General is required to inform the Department of Administration (DOA), and DOA is required to withhold ten percent of the ACC operating lump sum budget for the current fiscal year. Does not apply to any order or decision setting rates for public service corporations.

First sponsor: Rep. Parker (R - Dist 16)

Others: Rep. Barton (R - Dist 6), Rep. Biasiucci (R - Dist 5), Rep. Blackman (R - Dist 6), Rep. Bolick (R - Dist 20), Rep. Bowers (R - Dist 25), Rep. Burges (R - Dist 1), Rep. Cobb (R - Dist 5), Rep. Cook (R - Dist 8), Rep. Dunn (R - Dist 13), Rep. Fillmore (R - Dist 16), Rep. Finchem (R - Dist 11), Rep. Grantham (R - Dist 12), Rep. Griffin (R - Dist 14), Rep. Hoffman (R - Dist 12), Rep. John (R - Dist 4), Rep. Kaiser (R - Dist 15), Rep. Kavanagh (R - Dist 23), Rep. Nguyen (R - Dist 1), Rep. Nutt (R - Dist 14), Rep. Payne (R - Dist 21), Rep. Pingerelli (R - Dist 21), Rep. Toma (R - Dist 22), Rep. Wilmeth (R - Dist 15)

H2737 Daily History

Date Action

CORPORATION COMMISSION ACTIONS; INVESTIGATION 3/4 House COW approved with amend [#4149](#) and flr amend [#4743](#).

CORPORATION COMMISSION ACTIONS; INVESTIGATION 2/23 retained on House COW calendar.

CORPORATION COMMISSION ACTIONS; INVESTIGATION 2/16 from House rules okay.

CORPORATION COMMISSION ACTIONS; INVESTIGATION 2/10 from House nat res-energy-water with amend [#4149](#).

CORPORATION COMMISSION ACTIONS; INVESTIGATION 2/9 House nat res-energy-water amended; report awaited.

CORPORATION COMMISSION ACTIONS; INVESTIGATION 2/2 House nat res-energy-water held.

CORPORATION COMMISSION ACTIONS; INVESTIGATION 2/1 referred to House nat res-energy-water.

HR2003: FORESTS; PROPER MANAGEMENT

The members of the House of Representatives place the highest importance on the issue of forest management and express their support of landscape-scale planning, forest thinning projects and the acceleration of consensus-supported and scientifically informed forest restoration treatments across this state and the nation.

First sponsor: Rep. Griffin (R - Dist 14)

HR2003 Daily History

Date Action

FORESTS; PROPER MANAGEMENT 2/4 House COW approved. Passed House [33-26](#); ready for Senate.

FORESTS; PROPER MANAGEMENT 2/2 from House rules okay.

FORESTS; PROPER MANAGEMENT 1/25 from House land-agri-rural affairs do pass.

FORESTS; PROPER MANAGEMENT 1/25 House land-agri-rural affairs do pass; report awaited.

FORESTS; PROPER MANAGEMENT 1/20 referred to House land-agri-rural affairs.

S1175: CORPORATION COMMISSION; ELECTRIC GENERATION RESOURCES

Without express legislative authorization, the Arizona Corporation Commission (ACC) is prohibited from adopting or enforcing a policy, decision or rule that directly or indirectly regulates the types of "critical electric generation resources" (defined) used or acquired by public service corporations within Arizona's energy grid. Does not apply to any policy, decision or rule adopted before June 30, 2020. Does not prohibit the ACC from setting electricity rates for public service corporations. Contains legislative findings. Retroactive to June 30, 2020.

First sponsor: Sen. Kerr (R - Dist 13)

Others: Sen. Gowan (R - Dist 14), Sen. Gray (R - Dist 21), Sen. Leach (R - Dist 11), Sen. Livingston (R - Dist 22), Sen. Shope (R - Dist 8)

S1175 Daily History

Date Action

CORPORATION COMMISSION; ELECTRIC GENERATION RESOURCES 3/4 retained on Senate COW calendar.

CORPORATION COMMISSION; ELECTRIC GENERATION RESOURCES 2/24 retained on Senate COW calendar.

CORPORATION COMMISSION; ELECTRIC GENERATION RESOURCES 2/23 from Senate rules with a recommendation for a fir amend.
 CORPORATION COMMISSION; ELECTRIC GENERATION RESOURCES 2/1 from Senate nat res-energy-water with amend #4041.
 CORPORATION COMMISSION; ELECTRIC GENERATION RESOURCES 1/27 Senate nat res-energy-water do pass; report awaited.
 CORPORATION COMMISSION; ELECTRIC GENERATION RESOURCES 1/19 referred to Senate nat res-energy-water.

S1177: FOREST PRODUCTS; PROCESSING; TAX CREDIT

Establishes an individual and corporate income tax credit for taxpayers with a current healthy forest enterprise incentive certification and memorandum of understanding with the Arizona Commerce Authority that "process" "qualifying forest products" (both defined) between January 1, 2022 and December 31, 2032 at a facility located in Arizona. The amount of the credit is up to \$10,000 for the first 20,000 tons and \$5,000 for every 10,000 tons after of qualifying forest products the taxpayer processes in the calendar year, not to exceed \$500,000 per taxpayer. The aggregate amount of tax credits in a calendar year is capped at \$2 million. If the allowable credit exceeds taxes due, the unclaimed amount of the credit may be carried forward for up to five consecutive tax years. Other requirements to qualify for the tax credit and an application process are established. Applies to tax years beginning with 2022.
 AS PASSED SENATE

First sponsor: Sen. Kerr (R - Dist 13)

Others: Sen. Gowan (R - Dist 14), Sen. Gray (R - Dist 21), Sen. Livingston (R - Dist 22), Sen. Rogers (R - Dist 6), Sen. Shope (R - Dist 8)

S1177 Daily History	Date Action
FOREST PRODUCTS; PROCESSING; TAX CREDIT	3/10 from House nat res-energy-water do pass.
FOREST PRODUCTS; PROCESSING; TAX CREDIT	3/9 House nat res-energy-water do pass; report awaited.
FOREST PRODUCTS; PROCESSING; TAX CREDIT	2/25 referred to House nat res-energy-water.
FOREST PRODUCTS; PROCESSING; TAX CREDIT	2/18 passed Senate <u>23-7</u> ; ready for House.
FOREST PRODUCTS; PROCESSING; TAX CREDIT	2/11 Senate COW approved with amend #4065.
FOREST PRODUCTS; PROCESSING; TAX CREDIT	2/9 from Senate rules okay.
FOREST PRODUCTS; PROCESSING; TAX CREDIT	2/3 from Senate appro with amend #4065.
FOREST PRODUCTS; PROCESSING; TAX CREDIT	2/2 Senate appro amended; report awaited.
FOREST PRODUCTS; PROCESSING; TAX CREDIT	1/21 withdrawn from Senate fin.
FOREST PRODUCTS; PROCESSING; TAX CREDIT	1/19 referred to Senate fin, appro.

S1217: SECURITIES; EXEMPT TRANSACTIONS

The list of classes of transactions that are exempt from specified securities regulations is expanded to include transactions by an issuer, its parent or subsidiary companies, and their respective directors, managers, general partners, officers and employees acting as such to offer or sell securities of the issuer pursuant to specified federal code, in which the sum of the aggregate offering price and aggregate sales does not exceed \$75 million, including up to \$22.5 million offered by all selling securityholders that are affiliates of the issuer. AS PASSED SENATE.

First sponsor: Sen. Pace (R - Dist 25)

S1217 Daily History	Date Action
SECURITIES; EXEMPT TRANSACTIONS	3/18 passed House <u>57-2</u> ; ready for governor.
SECURITIES; EXEMPT TRANSACTIONS	3/16 from House rules okay.
SECURITIES; EXEMPT TRANSACTIONS	3/10 from House com do pass.
SECURITIES; EXEMPT TRANSACTIONS	3/9 House com do pass; report awaited.
SECURITIES; EXEMPT TRANSACTIONS	2/25 referred to House com.
SECURITIES; EXEMPT TRANSACTIONS	2/9 passed Senate <u>19-10</u> ; ready for House.
SECURITIES; EXEMPT TRANSACTIONS	2/4 Senate COW approved with fir amend #4112.
SECURITIES; EXEMPT TRANSACTIONS	2/2 from Senate rules okay.
SECURITIES; EXEMPT TRANSACTIONS	1/28 from Senate com do pass.
SECURITIES; EXEMPT TRANSACTIONS	1/27 Senate com do pass; report awaited.
SECURITIES; EXEMPT TRANSACTIONS	1/20 referred to Senate com.

S1307: WATER; WASTEWATER SYSTEM; CORRECTIVE ACTION (WATER; WASTEWATER SYSTEM; COUNTY OPERATION)

A county with a population of more than 200,000 persons and less than 900,000 persons (Pinal County) is authorized to acquire, maintain and operate a water and wastewater system if the public service corporation that owns the system is either operated by an interim manager under an order of the Arizona Corporation Commission (ACC), or within the three years immediately preceding the acquisition, was operated by an interim manager under an order of the ACC. The county may acquire the by agreement with the public service corporation or by eminent domain and is required to pay the public service corporation the fair valuation for the system. Establishes a formula for determining the fair valuation. After the county acquires the water and wastewater system, the county is authorized to contract with a private entity to operate the system. A contract for the operation and maintenance of the system is exempt from the county's procurement code except that the county is required to issue a public request for proposals. These authorizations are repealed an unspecified number of months (blank in original) after a county acquires a water and wastewater system from a public service corporation or on January 1, 2027, whichever is earlier.

First sponsor: Sen. Shope (R - Dist 8)

S1307 Daily History	Date Action
WATER; WASTEWATER SYSTEM; CORRECTIVE ACTION	3/16 from House rules okay.
WATER; WASTEWATER SYSTEM; CORRECTIVE ACTION	3/10 from House nat res-energy-water do pass.
WATER; WASTEWATER SYSTEM; CORRECTIVE ACTION	3/9 House nat res-energy-water do pass; report awaited.
WATER; WASTEWATER SYSTEM; CORRECTIVE ACTION	3/3 referred to House nat res-energy-water.
WATER; WASTEWATER SYSTEM; COUNTY OPERATION	2/25 Senate COW approved with amend #4344 and fir amend #4538 . NOTE SHORT TITLE CHANGE.
WATER; WASTEWATER SYSTEM; COUNTY OPERATION	2/23 from Senate rules okay.
WATER; WASTEWATER SYSTEM; COUNTY OPERATION	2/22 from Senate nat res-energy-water with amend #4344 .
WATER; WASTEWATER SYSTEM; COUNTY OPERATION	2/17 Senate nat res-energy-water amended; report awaited.
WATER; WASTEWATER SYSTEM; COUNTY OPERATION	2/10 further referred to Senate nat res-energy-water.
WATER; WASTEWATER SYSTEM; COUNTY OPERATION	2/4 referred to Senate rules only.

S1459: AGENCY DECISIONS; ADMINISTRATIVE REVIEWS

Deletes the exemption from judicial review of administrative decisions for the Arizona Corporation Commission.

First sponsor: Sen. Petersen (R - Dist 12)

S1459 Daily History	Date Action
AGENCY DECISIONS; ADMINISTRATIVE REVIEWS	3/10 referred to House jud.
AGENCY DECISIONS; ADMINISTRATIVE REVIEWS	3/3 passed Senate 16-14 ; ready for House.
AGENCY DECISIONS; ADMINISTRATIVE REVIEWS	2/24 Senate COW approved.
AGENCY DECISIONS; ADMINISTRATIVE REVIEWS	2/23 from Senate rules okay.
AGENCY DECISIONS; ADMINISTRATIVE REVIEWS	2/18 from Senate jud do pass.
AGENCY DECISIONS; ADMINISTRATIVE REVIEWS	2/18 Senate jud do pass; report awaited.
AGENCY DECISIONS; ADMINISTRATIVE REVIEWS	2/11 Senate jud held.
AGENCY DECISIONS; ADMINISTRATIVE REVIEWS	1/28 referred to Senate jud.