



STATE OF ARIZONA
OFFICE OF THE GOVERNOR

DOUGLAS A. DUCEY
GOVERNOR

EXECUTIVE OFFICE

May 16, 2018

The Honorable Michele Reagan
Secretary of State
1700 W. Washington, 7th Floor
Phoenix, AZ 85007

Dear Secretary Reagan:

I am transmitting to you the following bills from the Fifty-third Legislature, 2nd Regular Session, which I signed on May 16, 2018:

- HB 2088 pupils; concussions; parental notification (Carter)
- HB 2197 health professionals; workforce data (Carter)
- HB 2209 internet protocol; corporation commission (Grantham)
- HB 2212 firearm possession; peace officers; definition (Thorpe)
- HB 2235 dental therapy; regulation; licensure (Thorpe)
- HB 2253 schools; exchange teachers; employment duration (Carter)
- HB 2307 scrap vehicles; sales (Campbell)
- HB 2310 underground storage tanks; reimbursement claims (Bowers)
- HB 2324 community health workers; voluntary certification (Carter)
- HB 2356 juvenile court; jurisdiction; age (Bowers)
- HB 2383 HOV lanes; emergency vehicles (Clodfelter)
- HB 2384 unlawful flight; vehicle impoundment (Clodfelter)
- HB 2414 state employee health plan; incentives (Kern)
- HB 2416 appropriation; study; prime contracting classification (Cobb)
- HB 2422 personal delivery devices (Townsend)
- HB 2455 commercial vehicles definition; driver licenses (Cook)
- HB 2510 auto dealers; task force; fund (John)

HB 2520 schools; reading requirement (Coleman)
HB 2522 traffic violations; penalties (Syms)
HB 2526 career technical education districts (Clodfelter)
HB 2527 ticket surcharge; public safety equipment (Clodfelter)
HB 2529 assisted living; referrals; disclosure (Campbell)
HB 2532 occupational regulation; municipalities; counties; hearings (Payne)
HB 2534 teachers; certification requirements (Carter)
HB 2538 U.S. House vacancy; special election (Coleman)
HB 2564 court fees; EORP; state contribution (Livingston)
HB 2589 department of gaming omnibus (Cook)
HB 2596 property taxes; procedures; abatement (Toma)
HB 2648 ballot measures; paid circulator definition (Leach)
HB 2649 public meetings; recordings; posting; definition (Grantham)
HB 2650 commercial license; defensive driving school (Toma)
HB 2651 landlord tenant; security deposits (Toma)
HB 2652 electric bicycles; definition; use (Allen, J.)
HB 2653 expenditure limitation; waiver of penalties (Cobb)
HB 2654 illegal substances education; partnership (Thorpe)
HB 2655 real estate licenses; online classes (Mosley)
HB 2656 electronic wills and trusts (Leach)
HB 2657 interscholastic activities; health dangers; information (Carter)
SB 1039 appropriation; Arizona water protection fund (Griffin)
SB 1140 certificates of authority; video service (Griffin)
SB 1167 merit council; law enforcement qualifications (Griffin)
SB 1181 corporation commission; railway safety inspectors (Griffin)
SB 1245 appropriation; SNAP; benefit match; produce (Brophy McGee)
SB 1254 school district consolidation (Allen, S.)
SB 1271 construction liability; apportionment; study (Fann)
SB 1273 administrative proceedings; rules; contested cases (Petersen)
SB 1293 department of revenue; administrative efficiency (Farnsworth, D.)
SB 1296 government communications; emergency response interpreters (Bowie)
SB 1398 unemployment; return-to-work program; suitable work (Smith)
SB 1409 TPT; prime contracting; alteration; replacement (Fann)
SB 1476 county sheriff; reentry planning; appropriation (Gray)
SB 1478 employer contributions; EORP (Fann)
SB 1496 prisoners; drug sentences; out-of-custody treatment (Smith)
SB 1498 AZPOST; membership; training; AMBER alert (Smith)

SB 1504 developmental disability rates; appropriation (Smith)

Sincerely,

A handwritten signature in black ink that reads "Douglas A. Ducey". The signature is written in a cursive style with a large, prominent initial 'D'.

Douglas A. Ducey
Governor
State of Arizona

cc: Senate Secretary
Chief Clerk of the House of Representatives
Arizona News Service

House Engrossed Senate Bill

FILED

MICHELE REAGAN

SECRETARY OF STATE

State of Arizona
Senate
Fifty-third Legislature
Second Regular Session
2018

CHAPTER 332

SENATE BILL 1167

AN ACT

AMENDING SECTION 38-1003, ARIZONA REVISED STATUTES; RELATING TO MERIT
SYSTEM COUNCIL.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 38-1003, Arizona Revised Statutes, is amended to
3 read:

4 38-1003. Powers and duties of council

5 The council, pursuant to recognized merit system principles of
6 public employment, shall from time to time:

7 1. ON A RECOMMENDATION FROM THE DEPARTMENT HEAD, classify or
8 reclassify ~~at~~ THE SPECIFIED positions occupied by law enforcement
9 officers within the branch of government employing the officer and
10 recommend schedules of salary and other compensation payable for the
11 officer classification.

12 2. ~~Fix and refix~~ REVIEW standards and qualifications of all
13 positions ~~so~~ THAT ARE classified AND RECOMMEND ANY CHANGES TO THE HUMAN
14 RESOURCES DIRECTOR.

15 3. IN CONSULTATION WITH THE DEPARTMENT HEAD, provide a plan for
16 fair and impartial selection, appointment, retention and separation or
17 removal from service by resignation or dismissal of all classified law
18 enforcement officers. ~~The provisions of Paragraph 4 shall apply~~ OF THIS
19 SECTION APPLIES to appointments.

20 4. Provide a plan WITH RECOMMENDATIONS for THE promotion of law
21 enforcement officers ~~which~~ THAT shall give appropriate consideration to
22 qualifications, record of performance, seniority and conduct within the
23 field of law enforcement. Vacancies within a department shall be filled
24 whenever possible by promotion within a department and shall be on the
25 basis of competitive examination. If a vacancy occurs within a
26 department, the council, ~~upon~~ ON request, shall certify to the head of the
27 department the names of ~~five~~ officers in the order of ~~their~~ THE OFFICER'S
28 relative excellence in the competitive examination from which certified
29 list the appointment or promotion may be made.

30 5. Adopt rules necessary for the orderly administration of ~~the~~
31 ~~provisions of this article.~~

32 6. Hear and review appeals from any order of the department head in
33 connection with suspension, demotion or dismissal of a classified law
34 enforcement officer. If the order of the department head was for a
35 suspension greater than sixteen hours, demotion or dismissal and the
36 council exonerates the officer, the council may award, in whole or in
37 part, the reasonable costs and attorney fees that the law enforcement
38 officer incurred or were incurred on behalf of the law enforcement officer
39 in connection with the appeal. The award of attorney fees by the council
40 shall not exceed ten thousand dollars. An award of attorney fees does not
41 apply if either of the following applies:

42 (a) The order of the department head was not for disciplinary
43 purposes but was for administrative purposes such as a reduction in force.

1 (b) The disciplinary action related to off-duty activities
2 unrelated to the required duties of the law enforcement officer. The
3 council's determination shall be final except on appeal as provided in
4 section 38-1004. If the department head appeals the decision of the
5 council, the council's award of any costs or attorney fees to an officer
6 shall be stayed pending the conclusion of the appeal. If the department
7 head's decision is upheld on appeal, the award of costs or attorney fees
8 in favor of the officer shall be reversed.

APPROVED BY THE GOVERNOR MAY 16, 2018

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 16, 2018

On Reconsideration

Passed the House April 4, 2018,

Passed the Senate February 5, 2018,

by the following vote: 52 Ayes,

by the following vote: 18 Ayes,

7 Nays, 1 Not Voting

11 Nays, 1 Not Voting

[Signature]
Speaker of the House

[Signature]
President of the Senate

[Signature]
Chief Clerk of the House

[Signature]
Secretary of the Senate

~~EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR~~

~~This Bill was received by the Governor this~~

~~_____ day of _____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Secretary to the Governor~~

~~Approved this _____ day of~~

~~_____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Governor of Arizona~~

~~EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE~~

~~This Bill was received by the Secretary of State~~

~~this _____ day of _____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Secretary of State~~

S.B. 1167

SENATE CONCURS IN HOUSE
AMENDMENTS AND FINAL PASSAGE

Passed the Senate May 3, 20 18

by the following vote: 28 Ayes,

0 Nays, 2 Not Voting

[Signature]
President of the Senate

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

3rd day of May, 20 18

at 4:14 o'clock P M.

[Signature]
Secretary to the Governor

Approved this 16th day of

May 2018

at 9:29 o'clock A. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 16 day of May, 20 18

at 4:32 o'clock P. M.

[Signature]
Secretary of State

S.B. 1167