

**ARIZONA BOARD OF REGENTS
SPECIAL BOARD MEETING
2020 N. Central Avenue, Ste. 230
Phoenix, Arizona**

**Thursday, February 22, 2018
1:00 – 2:00 p.m.**

Amended February 22, 2018 1:00 p.m.

1:00 p.m. CALL TO ORDER

1:00 p.m. EXECUTIVE SESSION

The board will convene in executive session for the following item:

- A. Pursuant to A.R.S. § 38-431.03 (A) (3) for Legal Advice and Discussion Concerning Legislation Affecting the University Enterprise**

1:30 p.m. PUBLIC SESSION

- 1. Discussion and Consideration of Legislation Affecting the University Enterprise**

The board office asks the board to discuss and consider legislation affecting the university system and possibly approve positions regarding the legislation.

2:00 p.m. ADJOURN

PLEASE NOTE: This agenda may be amended at any time prior to 24 hours before the board meeting. Estimated starting times for the agenda items are indicated; however, discussions may commence, or action may be taken, before or after the suggested times. Any item on the agenda may be considered at any time out of order at the discretion of the board chair. The board may discuss, consider, or take action regarding any item on the agenda. During the meeting, the board may convene in executive session pursuant to A.R.S. § 38-431.03(A)(3) for legal advice regarding any item on the agenda.

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EXECUTIVE SUMMARY

Item Name: **Discussion and Consideration of Legislation Affecting the University Enterprise**

- Action Item
- Committee Recommendation to Full Board
- First Read of Proposed Policy Change
- Information or Discussion Item

Issue: The board office asks the board to discuss and consider legislation affecting the university system and possibly approve positions regarding the legislation

Enterprise or University Strategic Plan

- Empower Student Success and Learning
- Advance Educational Attainment within Arizona
- Create New Knowledge
- Impact Arizona
- Compliance
- Real property purchase/sale/lease
- Other: Government Affairs

There are no written materials for this item.

Requested Action

The board office asks the board to discuss and consider legislation affecting the university system and possibly approve positions regarding the legislation.

Contact Information:

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Brittney Kaufmann, Associate Vice President of Government Affairs and Community Relations, ABOR
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Legislative Information Packet

Special Board Meeting
February 22nd, 2018

HB 2172: Postsecondary Institutions; Possession; Nonlethal Weapons
(Representative Grantham)

A university under the jurisdiction of the Arizona Board of Regents (ABOR) that receives any type of “public monies” cannot prohibit possession of a “nonlethal weapon” by any person on the campus.

Co-Sponsor: Sen. Petersen

Board Position: Oppose

Public Positions:

Support: Arizona Police Association, Arizona Citizens Defense League,
Phoenix Law Enforcement Association, TASER International

Oppose: Arizona Community College Coordinating Council, City of Tucson,
Greater Phoenix Chamber of Commerce, Eastern Arizona College,
Cochise College, Navajo Community College District,

Bill Status:

- 1/29: Passed House Education, 8-3
- 2/12: Passed House Rules
- 2/13: Discussed in Caucus
- 2/15: Passed COW
- 2/15: Third Read in the House, 35-22, see votes below
- 2/16: Transmitted to the Senate
- 2/20: Referred to Senate Education

Action Date		Action		Vote			
02/15/2018		Passed		35-22-3-0-0		Amended	
ALLEN J	Y	CLODFELTER	Y	GRANTHAM	Y	POWERS HANNLEY	N
ALSTON	N	COBB	Y	HERNANDEZ	NV	RIOS	N
ANDRADE	N	COLEMAN	Y	JOHN	Y	RIVERO	Y
BARTON	Y	COOK	Y	KERN	Y	SALDATE	N
BENALLY	N	DESCHEENIE	NV	LAWRENCE	Y	SALMAN	N
BLANC	N	DUNN	Y	LEACH	Y	SHOPE	Y
BOLDING	N	ENGEL	N	LIVINGSTON	Y	STRINGER	Y
BOWERS	Y	EPSTEIN	N	MARTINEZ	N	SYMS	Y
BOYER	Y	ESPINOZA	N	MITCHELL	Y	THORPE	Y
BUTLER	N	FARNSWORTH E	Y	MOSLEY	Y	TOMA	Y
CAMPBELL	Y	FERNANDEZ	N	NAVARRETE	N	TOWNSEND	Y
CARDENAS	NV	FINCHEM	Y	NORGAARD	Y	UDALL	Y
CARTER	Y	FRIESE	N	NUTT	Y	UGENTI-RITA	Y
CHÁVEZ	N	GABALDÓN	N	PAYNE	Y	WENINGER	Y
CLARK	N	GONZALES	N	PETEN	N	MESNARD	Y

HB 2563: Postsecondary Institutions; Free Expression Policies (Representative Boyer)

Arizona Board of Regents must adopt a free speech policy that allows individuals to freely express themselves whether through speech, protest, or the distribution of materials. If a person is found to be in violation of these policies, through denying the free expression of another individual, the person is allowed a hearing with witnesses and an appeal. Universities must change their policies to match that of this legislation. Universities must establish a joint committee with community colleges on free expression and publish an annual report on the findings of the committee.

Co-Sponsors: Sen. S. Allen, Rep. Bowers, Sen. D. Farnsworth, Rep. Finchem, Sen. Kavanagh, Rep. Kern, Sen. Kerr, Rep. Lawrence, Rep. Leach, Rep. Livingston, Rep. Nutt, Rep. Stringer, Rep. Toma, Sen. Yee

Board Position: Neutral

Public Positions:

Support: Goldwater Institute, Americans for Prosperity, Center for Arizona Policy, AZ Citizens Defense League

Oppose: Hundreds of Individuals

Neutral: AZ Community College Coordinating Council, American Civil Liberties Union of AZ

Bill Status:

- 2/12: Passed House Education, 8-3
- 2/19: Passed House Rules
- 2/19: Discussed in Caucus
- Yet to be put on COW calendar

HB 2280: Universities; Lease-back Financing (Representative Leach)

The Arizona Board of Regents (ABOR) cannot enter a development agreement or execute a transaction for which a deed is transferred to the board and the board or university subsequently leased back to a private entity for commercial use, unless the property is used for a primarily academic purpose, for student housing, or as authorized in section 15-1636. The board cannot designate a new research park or increase the size of an existing research park without approval from the legislature. The board will review all lease to make sure universities are compliant, and may not designate this authority.

No Co-Sponsors

Board Position: Oppose

Public Positions:

Support: Americans for Prosperity, Commercial Real Estate Executive for Economic Development (CREED), AZ Tax Research Association, National Federation of Independent Businesses, AZ Free Enterprise Club,

Oppose: City of Mesa, East Valley Partnership, AZ Chapter National Association of Industrial Office Properties, Southern Arizona Leadership Council, Tucson Metropolitan Chamber of Commerce, Valley Partnership, AZ State Building and Construction Trades Council

Bill Status:

- 1/31: Passed House Ways and Means, 5-4
- 2/19: Passed Rules
- 2/20: Discussed in Caucus
- Yet to be put on COW calendar

SB 1422: Universities; Tuition & Fees (Senator Griffin)

Universities are prohibited from using any tuition or fee revenue to fund a separate foundation or a nonprofit organization. Arizona Board of Regents (ABOR) rules governing the tuition and fee setting process apply to all tuition and fees, including those set by individual universities that do not require ABOR approval, instead of only to changes in tuition and fees that required ABOR approval. Also blends conflicting versions of statute.

No Co-Sponsors

Amendment:

- Universities do not have to differentiate tuition between resident and nonresident online students
- No longer prohibits use of tuition or fee revenue to fund or support a separate foundation or non-profit organization
- Board must publically disclose any final action on changes in tuition or fees

Board Position: Oppose

Public Positions:

Support: None

Oppose: None

Bill Status:

- 2/15: Passed Senate Education, 6-0, amendment adopted
- 2/19: Passed Senate Rules
- 2/20: Discussed in Caucus
- 2/21: Retained on the Senate Floor Calendar
- 2/22: On COW calendar

Board passed a motion to change position to neutral should a substitute floor amendment be adopted.