

# WHO'S FOR KIDS AND WHO'S JUST KIDDING?

## *A 2012 Legislative Wrap-Up and Report Card for Kids*

May 2012



Children's Action Alliance (CAA) is an independent voice for Arizona children at the state capitol and in the community. With thousands of dedicated Arizonans across the state, we work to build momentum for improvements in child care and early education, juvenile justice, health coverage, protection from abuse and neglect, and family income so kids can grow up healthy and strong.

Each year, the 90 members of our state legislature vote on dozens of bills that shape the education, health and safety of Arizona children and families. The Governor decides policy with her veto or signature.

This report card tracks seven votes in the Senate and six votes in the House of Representatives in 2012. During the legislative session, Children's Action Alliance analyzed and took a stand on each of the votes, asking lawmakers to vote "yes" or "no" for kids.

CAA believes that every lawmaker has the responsibility to vote for kids. And our legislators should be held accountable and measured on their performance.

In the chart, a ★ is shown for each vote for kids that corresponds to our recommendation. A "NV" for "not voting" indicates that the legislator did not vote or was absent. If the legislator cast a vote contrary to what's best for kids, the vote box is left blank. "NV" votes are not counted in the legislator's overall percentage score.

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### **Arizona's Children Need YOUR Voice!**

Children can't vote. It's up to you to be their voice in the halls of power.

You can make a difference by contacting your own state senator and representatives and asking them to vote for kids. Talk with them about policies you support for children and families.

You can help Children's Action Alliance remain a strong voice for children by joining our action network or by making a tax-deductible donation. To learn more, visit [www.azchildren.org](http://www.azchildren.org).

# THE 2012 LEGISLATIVE SESSION

## **HB 2794 – Protecting Children by Increasing CPS Efficiency**

**Supported by CAA, this bill passed the House and Senate and was signed by Governor Brewer.**

This bill eliminates the duplicative "removal review" process in cases when Child Protective Services (CPS) is making a decision to remove a child from an abusive or neglectful home. The juvenile courts have been holding preliminary hearings in these cases since 1988, providing for due process and a system check on CPS. Removal Review Teams took precious time of CPS staff without improving the safety of children or changing decisions about their cases. The bill also includes specific safeguards for children in domestic violence situations and allows the release of a CPS "near fatality" case record based on the determination of the treating physician.

## **HB 2815 – Capital Gains Tax Cuts**

**Opposed by CAA, this bill passed the House and Senate and was signed by Governor Brewer.**

This bill reduces capital gains taxes for 8% of Arizonans, creates a new tax credit for capital investments, removes the cap on tax credits for companies creating new jobs, and extends the net operating loss carry forward for corporations from 5 to 20 years with no replacement funds. HB 2815 increases the budget deficit Arizona will face beginning in FY 15 when the temporary sales tax is no longer available and the money that is being set aside in the Rainy Day Fund will be exhausted.

## **SB 1043– Health Insurance, Vaccines**

**Supported by CAA, this bill passed the House but was never heard in the Senate.**

Currently, many health insurers do not adequately reimburse doctors and other medical providers for the full cost of stocking vaccines, including purchasing and storing them. This legislation would have increased the vaccine reimbursement rate, encouraging more medical professionals to carry and dispense vaccines for preventative health.

## **SB 1059 – Open the Gates to Schoolyards**

**Supported by CAA, this bill passed the House and Senate and was signed by Governor Brewer.**



Children who are physically active are healthier and more successful in school. Today, too many children are getting too little exercise. School playgrounds and fields can give children a safe place to play and run right in their neighborhood, but many schoolyards are off limits after school and on weekends.

CAA supported this simple clarification in the liability laws to encourage more schools to open their playgrounds and fields to after-school play.

# THE 2012 LEGISLATIVE SESSION

## **SB 1061 – School Lunch Opt-Out**

**Opposed by CAA, this bill passed the Senate but was never heard in the House.**

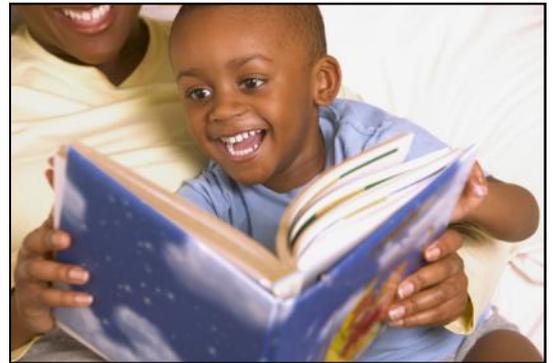
All public elementary and middle/junior high schools in Arizona are required to participate in the federal school lunch program, which helps children get the nutrition they need to grow up healthy and learn in school. This bill would have allowed schools to opt out of participating in the federal school lunch program, potentially taking federal nutrition funds out of our state and nutritious food away from students.

## **SB 1258 – Strengthening Reading Success**

**Supported by CAA, this bill passed the House and Senate and was signed by Governor Brewer.**

Reading proficiency in third grade is a key benchmark for later school success and for Arizona's economic competitiveness. Last year, nearly one in four third grade students did not pass Arizona's AIMS test in reading. In 2010, Arizona lawmakers passed *Move on When Reading*, a law that prohibits promoting third graders if they read far below grade level, starting in 2014. At the same time, lawmakers cut school budgets and wiped out state funding for the strategies that help more children learn to read.

SB 1258 strengthens *Move on When Reading* by exempting fewer students, directing the State Board of Education to develop intervention and remedial reading strategies, and requiring school districts to offer at least one intervention and one remedial strategy for students who are struggling with reading. (Note: The approved FY 13 state budget includes \$40 million for elementary schools to address reading goals.)



## **Amendments to SB 1523/HB 2857—Restoring KidsCare Health Coverage**

**Supported by CAA, these amendments failed in both the House and Senate.**

Representative Anna Tovar and Senator Leah Landrum Taylor both introduced amendments to the state budget to include \$7 million from the state general fund to lift the freeze on KidsCare. Both of the amendments were voted down. The final state budget signed by Governor Brewer leaves the freeze in place and cuts KidsCare by \$2.4 million.

## **SCR 1030 - TABOR**

**Opposed by CAA, this bill passed the Senate but was defeated in the House Appropriations Committee.**

The so-called Taxpayers Bill of Rights (TABOR) would lock state lawmakers into a flawed mathematical formula for future budget decisions: population growth + inflation. Because population growth and inflation alone simply don't match the reality of Arizona, TABOR would endanger all state priorities, including education, prisons and public safety, economic development, and health care. SCR 1030 – based on a failed experiment in Colorado – would have permanently crippled Arizona's ability to recover from the current economic downturn.

# WHAT HAPPENED AT THE LEGISLATURE THIS YEAR?

## Some Good News

Thanks to your voice and thousands of Arizonans like you, we have some things to celebrate for children from this legislative session. In addition to the passage of two bills that will help children be safe and healthy (see HB 2794 – *Protecting Children by Increasing CPS Efficiency* and SB 1059 – *Open the Gates to Schoolyards*), together we won a tough budget battle to get \$42 million to the Department of Economic Security simply to replace federal funds we are losing. Thanks to Governor Brewer, that funding made it into the budget and supports the status quo.

And...sometimes the best news is no news. Arizona can celebrate that there is no TABOR spending limit on the ballot in 2012 that would endanger voter priorities for public safety, health and education!

## Unfinished Business



Unfortunately, the big picture actions -- and inactions -- at the legislature bring us no closer to the children's health, education, and security that voters expect.

Hundreds of thousands of children and adults remain uninsured and cut off from health care coverage due to budget cuts in the past two years. Governor Brewer and the Republicans who voted for the budget kept KidsCare frozen and cut the state funding to enroll fewer children. They left it up to individual hospitals in the state and the Obama Administration to supply funding to temporarily cover some children on the KidsCare waiting list.

The legislature continued to turn its back on working parents who struggle to find affordable child care that prepares their children for school success. Students in K-12 schools remain neglected as schools face far higher expectations and far fewer resources than before the recession.

Overall, the people in power at the legislature offered no vision for stronger families, no goal for healthier kids, no plan for more education success, no strategies for helping working families move up the ladder, and no commitment to improve child protection.

## Legislature Makes the Budget Cliff Higher

House Speaker Andy Tobin and Senate President Steve Pierce made a very big deal about keeping state spending low this year so they could put money aside for future needs. They said they had to plan for the budget cliff coming when the temporary sales tax expires one year from now. They said they had to leave children uninsured and in crowded classrooms today so they could pay for health coverage for more people when federal health reform phases in. They said they had to sweep resources away from distressed homeowners because they needed the money.

Yet, with profound inconsistency, Tobin and Pierce promoted another large tax cut.

(continued on back page)

State Senator	District	CPS Process (HB 2794)	Tax Cuts (HB 2815)	KidsCare (SB 1523 amendment)	School Yards (SB 1059)	School Lunches (SB 1061)	Early Reading (SB 1258)	TABOR on the Ballot (SCR 1030)	2012 Grade for Kids
Paula Aboud	28	★	★	★	★	★	★	★	100%
Sylvia Allen	5	★			★		★		43%
Frank Antenori	30	NV			★	NV	★		40%
Nancy Barto	7	★			★		★		43%
Andy Biggs	22	★					★		29%
Judy Burges	4	★					★		29%
Olivia Cajero Bedford	27	★	★	★	★	★	★	★	100%
Rich Crandall	19	★			★		★	★	57%
Adam Driggs	11	★			★		★		43%
Steve Gallardo	13	★	★	★	★	★	★	★	100%
Ron Gould	3	★	★				★		43%
Linda Gray	10	★	★		★		★	★	71%
Gail Griffin	25	★			★		★		43%
Jack Jackson, Jr.	2	★	NV	★	★	★	NV	★	100%
Lori Klein	6	★			★		★		43%
Leah Landrum Taylor	16	★	★	★	★	★	★	★	100%
Jerry Lewis	18	★			★		★	★	57%
Linda Lopez	29	★	★	★	★	★	★	★	100%
David Lujan	15	★	NV	★	★	★	★	★	100%
John McComish	20	★			★	★	★	★	71%
Al Melvin	26	★			★		★		43%
Robert Meza	14	★	★	★	★	★	★	★	100%
Rick Murphy	9	★			★		★		43%
John Nelson	12	★			★		★		43%
Steve Pierce	1	★			★		★		43%
Michelle Reagan	8	★			★		★		43%
David Schapira	17	★	★	★	★	★	★	★	100%
Don Shooter	24	★			★		★		43%
Steve Smith	23	★			★		★		43%
Steve Yarbrough	21	★			★		★		43%

★ = a vote for kids

NV = not voting or absent  
does not count in % score

blank = no vote for kids

State Representative	District	CPS Process (HB 2794)	Tax Cuts (HB 2815)	KidsCare (HB 2857 amendment)	Vaccines (SB 1043)	School Yards (SB 1059)	Early Reading (SB 1258)	2012 Grade for Kids
Ed Ableser	17	NV	NV	★	★	★	NV	100%
Lela Alston	15	★	★	★	★	★	★	100%
Ben Arredondo	17	★	★	NV	★	★	★	100%
Cecil Ash	18	★			★	★	★	67%
Brenda Barton	5	★			★	★	★	67%
Kate Brophy McGee	11	★			★	★	★	67%
Chad Campbell	14	★	★	★	★	★	★	100%
Heather Carter	7	★			★	★	★	67%
Tom Chabin	2	★	★	★	★	★	★	100%
Steve Court	18	★			★	★	★	67%
Chester Crandell	5	★				★	★	50%
Jeff Dial	20	★			★	★	★	67%
Karen Fann	1	★			★	★	★	67%
Steve Farley	28	★	★	★	★	★	★	100%
Eddie Farnsworth	22					★	★	33%
John Fillmore	23	★				★		33%
Nicholas Fontana (appointed 4/30/12)	29	X	★	★	★	X	X	100%
Tom Forese	21	★				★	★	50%
Ruben Gallego	16	★	★	★	★	★	★	100%
Sally Ann Gonzales	27	NV	★	★	★	NV	★	100%
Doris Goodale	3	★			★	★	★	67%
David Gowan, Sr.	30	★			★	★		50%
Rick Gray	9					★	★	33%
Albert Hale	2	★	★	★	★	★	★	100%
Jack Harper	4	★				★	★	50%
Matt Heinz	29	★	★	★	★	★	NV	100%
Katie Hobbs	15	★	★	★	★	★	★	100%
Russ Jones	24	★			★	NV	★	60%
Peggy Judd	25	NV			★	★	★	60%
John Kavanagh	8	★				★	★	50%
Debbie Lesko	9	★				★	★	50%

★ = a vote for kids  
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NV = not voting or absent  
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X = not in office at  
the time of the vote

State Representative	District	CPS Process (HB 2794)	Tax Cuts (HB 2815)	KidsCare (HB 2857 amendment)	Vaccines (SB 1043)	School Yards (SB 1059)	Early Reading (SB 1258)	2012 Grade for Kids
Phil Lovas	4	★				★	★	50%
Debbie McCune Davis	14	★	NV	★	★	★	★	100%
Nancy McLain	3	★			★	★	★	67%
J.D. Mesnard	21					★	★	33%
Eric Meyer	11	★	NV	★	★	NV	★	100%
Catherine Miranda	16	★	★	★	★	★	★	100%
Steve Montenegro	12					★	★	33%
Justin Olson	19					★	★	33%
Lynne Pancrazi	24	★	★	★	★	★	★	100%
Daniel Patterson (resigned 4/11/12)	29	★	X	X	X	NV	★	100%
Justin Pierce	19	★				★	★	50%
Frank Pratt	23	★			★	★	★	67%
Terri Proud	26		NV	★	NV	★	★	75%
Martin Quezada	13	★	★	★	★	★	★	100%
Amanda Reeve	6	★			★	★	★	67%
Bob Robson	20	★			★	★	★	67%
Macario Saldate, IV	27	★	★	★	★	★	★	100%
Carl Seel	6				★	★		33%
David Burnell Smith	7							0%
David Stevens	25	★			★	★	★	67%
Andy Tobin	1	★			★	★	★	67%
Anna Tovar	13	★	NV	★	★	★	★	100%
Michelle Ugenti	8	★			★	★	★	67%
Steve Urie	22	★			★	★	★	67%
Ted Vogt	30	★			★	★	★	67%
Jerry Weiers	12	★				★	★	50%
Jim Weiers	10	★				★	★	50%
Bruce Wheeler	28	★	★	★	★	★	★	100%
Vic Williams	26				★	★	★	50%
Kimberly Yee	10	★			★	★	★	67%

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# THE REST OF THE STORY

## Legislature Makes the Budget Cliff Higher (continued from page 4)

On their last day in session on a party-line vote, the legislature cut capital gains taxes for the wealthiest 1% of Arizonans, cut business property taxes, and added and expanded other tax credits (see HB 2815). The tax cuts phase in at a cost of \$28 million in fiscal year 2014 -- the first year the temporary sales tax is gone -- up to \$108 million in fiscal year 2019. These cuts come *on top* of more than \$10 million in new tax credits already signed by Governor Brewer this year and the cuts passed last year that will phase in and total more than \$60 million in fiscal year 2014.

The truth is, they are sweeping money into the rainy day fund today to give it out in tax cuts tomorrow. Without revenue to replace what they are cutting, they are making the fiscal cliff higher and more dangerous. Their own votes make it harder to make the investments voters expect in education, children's health care, and Arizona families.

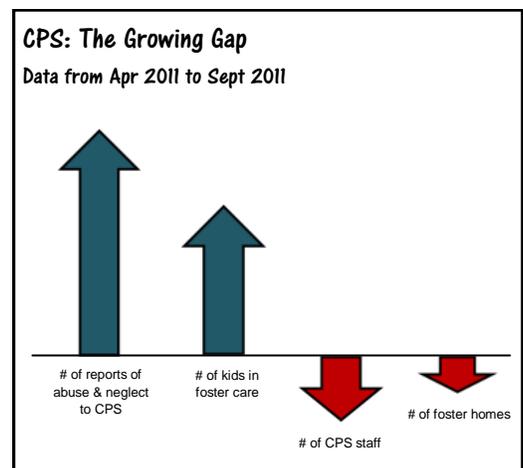
## CPS NOT EQUIPPED TO KEEP UP WITH GROWING NEEDS

This session, lawmakers passed two new laws that will strengthen specific aspects of Child Protective Services. They appropriated \$3.7 million to CPS to create a career path for experienced case-workers so they don't have to leave the field to get promoted. This funding also supports a new Investigations unit for the most serious criminal cases of abuse and neglect. Unfortunately, this unit won't touch the vast majority of children in the CPS system.

Lawmakers did nothing to close the growing gap between the capacity of Child Protective Services and what's needed to protect children from abuse and neglect. Just from April 2011 to September 2011, the number of reports to CPS surged by more than 2,000 and the number of children living in foster care grew by 828. At the same time, the number of CPS staff dropped by 78 and the number of foster homes fell by 99. CPS can't keep up with the growing need in our communities.

More than 10,000 reports of child abuse and neglect that came into CPS between July 2011 and January 2012 still had not been investigated by April 2012. This includes more than 1,700 reports that were considered high risk. Children are still in danger after the community did their part. Intolerable. Dangerous. But true.

Arizona taxpayers expect more. Arizona children deserve more.



Children's Action Alliance (CAA) is an independent voice for Arizona children at the state capitol and in the community. CAA works to improve children's health, education and security through information and action.

### 2012 Board of Directors

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