

It may seem like the 2016 election just ended, but the 2018 election cycle has already begun in Arizona. This week, [David Garcia](#), a former candidate for Superintendent of Public Instruction, jumped into the race against Governor Doug Ducey. [Deedra Abboud](#) entered the race against U.S. Senator Jeff Flake, and Arizona Senator Steve Montenegro recently [began his effort](#) to unseat Arizona Secretary of State Michele Reagan. State Representative Phil Lovas (R-Peoria) [resigned](#) to join the Small Business Administration in D.C. – a step that immediately led to more changes when Representative David Livingston (R-Peoria) filed to run for the Arizona Senate seat that would be empty in 2018.

Lovas' departure could complicate the effort to get budget votes in the House, though he expressed his hope that his replacement would be appointed quickly. Elected Republican precinct committeemen and the Maricopa Board of Supervisors will be responsible for selecting the replacement.

The resignation may also impact the outcome of an effort to prevent teenage drivers from texting while driving. [The bill](#) appeared to be dead when Lovas refused to consider it in the House Committee on Rules; House Speaker J.D. Mesnard (R-Chandler) took over the chairmanship this week, and scheduled the proposal for consideration next week.

Apart from the steps toward the 2018 election, it was a quiet week at the Capitol. An unusually small number of bills moved through House and Senate votes, and legislative leaders devoted long hours to behind-the-scenes budget negotiations.



The Senate unanimously proclaimed this September as [Suicide Prevention Month](#), and voted down a proposal to allow small-diameter ammunition to be used to [kill rodents or snakes](#) within city limits. It was the second proposed exemption to the state's existing "Shannon's Law" restriction on gunshots within city limits to fail this year; another proposal to weaken that limitation [was held](#) by the Senate President last month.

The Senate approved a measure to [give health care providers access](#) to the state's Advanced Directives Registry, and called on Congress to remove Arizona from the [9<sup>th</sup> Circuit Court of Appeals](#)' jurisdiction. It also gave preliminary approval to a bill that would allow non-violent convicted criminals to receive [provisional professional licenses](#) so they could go back to work.

Both the House and Senate advanced proposals to [add restrictions](#) to the state's citizen initiative process, though Democrats used procedural motions to draw out debate on the changes.

The House introduced [a new mechanism](#) to fight opioid abuse, permitting the Arizona Department of Health Services to access the state's Controlled Substances Prescription Monitoring Program if the information will help implement a public health response to opioid abuse of overuse. (Numerous steps have been taken this year to address opioid addiction in Arizona – a problem that [one report](#) found has touched more than 41% of adults.) The proposal would only become effective if another bill to establish a [Drug Overdose Review Team](#) is enacted.

Though legislative action on the expansion of Empowerment Scholarship Accounts ended last week, fervent debate on the topic continued. Democrats continued their opposition in floor speeches, school district teachers [expressed disappointment](#) with the new law, and advocates of the change pledged to [do even more](#) to expand access to the voucher program. [A report](#) from *The Arizona Republic* highlighted the state's [lack of information](#) on how the program impacts private schools – a claim that Superintendent of Public Instruction [criticized](#).

The Governor has signed a total of 151 bills into law this year, including newly-approved proposals to allow charter schools to admit students from a district school under a [desegregation order](#) or an agreement with the Office of Civil Rights, extend the Arizona Supreme Court's ability to [charge fees](#) to pay for jury costs, and allow physicians to [promote](#) off-label use of medications.

This week, the Governor also approved a bill that adds oversight to law enforcement's seizure of [private property](#). [HB 2477](#) expands oversight of the use of civil forfeiture, and alters the standard of proof that must exist before private property can be seized. The measure was opposed by [county attorneys](#) but supported by a wide and unusual range of advocacy groups. The Governor said that it provides "[an appropriate balance](#)" between law enforcement responsibilities and civil liberties.

A bill that would establish a [tax exemption](#) for individuals who have partial ownership of an airplane became the fourth bill to be vetoed this year; [the Governor said](#) the proposal would have a fiscal impact, and therefore should have been discussed in the context of budget negotiations.

It is not yet clear what the coming weeks will hold for the legislature. With a dwindling number of bills left to consider, legislative leaders concede that they will continue to slow voting schedules in order to ensure there is something to occupy the long days until a budget agreement is reached.

### Budget Update

No progress on a state budget was visible to Capitol observers this week, but legislative leaders say they are moving toward a House-Senate agreement that could begin serious negotiations with the Governor's office. The legislative proposal is expected to avoid taking local governments' road maintenance funds; Governor Ducey proposed a sweep of those funds for other priorities, but many legislators said they'll oppose a shift of the designated funding.

Disagreement also continues over the Governor's proposal to allow universities to use sales tax revenues for research and infrastructure. The proposal is supported by a range of education and business groups, but many Republican legislators have said they prefer a simpler appropriation of state funds to the shift of sales tax dollars.

While state leaders negotiate about funding priorities, tax revenues continue to provide some good news. In [a report on state finances](#) this week, state budget experts said the next fiscal year should bring revenues equal to those the state experienced before the recent recession. Current year revenues have not yet met earlier forecasts, though, and the economists warned that large increases in state spending could put revenues out of balance.

Federal healthcare changes continue to loom as a source of fiscal uncertainty for state budgets. As healthcare experts and advocates await further Congressional action on funding and programs, they are working to [evaluate the potential impacts](#) from earlier proposed changes.

### Priority Legislation

- [HB 2082](#) (schools; daily recess time), which requires school districts and charter schools to provide at least one recess period during the school day for K-5<sup>th</sup> grade students, did not move forward in the Senate this week.
- [HB 2134](#) (schools; children's camps; sunscreen use), which would authorize children's use and possession of sunscreen, unanimously passed the Senate this week and awaits a final vote in the House.
- [HB 2372](#) (public benefits; fee waivers; requirements), which extends TANF benefits from 12 to 24 months under [a long list](#) of requirements and restrictions, did not advance this week.
- [HB 2494](#) (civil liability; minors; animals; vehicle), which provides civil liability protection for bystanders to intervene for the protection of children and animals, passed the Senate 20-7 last week, and awaits a final House vote.
- [SB 1080](#) (teenage drivers; communication devices prohibited), which prohibits a minor from using a wireless communication device while driving – except for emergencies, is scheduled for a hearing in House Rules on April 17.
- [SB 1368](#) (newborn screening; fees), which increases the cost of the first newborn screening panel from \$30 to \$36, has not been scheduled for a hearing in the House Committee on Rules. It may be included in ongoing budget negotiations.

**House Voids Compromise, Passes Cure Period for ADA Complaints**

In what one lawmaker defined as “a sharp, horrible turn,” the House ended their attempt to create a consensus approach to ADA compliance and instead rushed through a proposal that drew sharp criticism from people with disabilities.

After a House committee failed to pass [SB 1198](#) due to concerns about the bill’s approach to discouraging abuse of the ADA complaint process, several legislators seemed determined to reach a compromise with advocates for individuals with disabilities – advocates who had been working for months to promote understanding of the issue. A committee amendment revived the discussion, but prevented a true compromise with the addition of an oddly-worded statement that websites would not be subject to ADA accessibility requirements.

This week, the Speaker of the House added [an amendment](#) that restores a “cure period” – a mandatory time and process for an individual subject to discrimination to contact a violating business owner before pursuing the individual’s civil rights through legal action.

The [new version of the bill](#) passed the House on a 38-20 vote that split largely along party lines, though there was some bipartisan support and opposition. It’s now awaiting final consideration in the Senate.

**On the Bright Side...**

An [unusual coalition](#) is forming to promote dental care across Arizona.