

All too often, high-profile political conflicts dominate the news. But those who follow the Capitol know most of the long hours this week were not focused on headline-grabbing incidents. Policy committees advanced dozens of bills, many with bipartisan and/or unanimous votes, and budget briefings took slow steps forward behind the scenes.

This week, the Governor signed 16 new bills into law, including a proposal to extend a \$1 motorcycle registration fee to fund programs on [motorcycle safety and awareness](#) and a bill to license hairstylists without full training required for cosmetologists.

Though he signed the change to hairstyling licensing requirements, the Governor said it “barely dents the thick layers” of what he deems “unjustified regulation.” He [reiterated his desire](#) for the legislature to repeal licensing requirements for more professions. A House committee took a step toward meeting that request this week, approving a [bill that would](#) prohibit state agencies, boards, and commissions from implementing any occupational license that is not required to protect public health and safety. The ban would not extend to several categories of licenses, including those for health-related occupations. Another bill to remove state regulations on [pool contractors](#) is scheduled to advance next week.

The legislature also acted to outline actions doctors must take when a [live birth occurs](#) during an abortion and increase the number of businesses that can [serve beer and wine](#). It moved closer to authorizing a [hemp industry](#) in the state, and prohibiting [surprise medical bills](#). A Senate committee passed a [slimmed-down recess mandate](#) for school district and charter school students up to fifth grade, and the Arizona Department of Environmental Quality briefed legislators on their efforts to [test and treat lead](#) in water at schools.

After the Senate surprised observers by approving a proposal to add a [new review of state sales tax exemptions](#), a House panel ended the discussion by failing to pass the proposal.

Next week marks the end of regularly-scheduled hearings for non-budget policy committees. It is a key deadline, because bills that are not approved through committees this week are unlikely to get to the Governor’s desk this year. This week’s [committee agendas](#) reflect that fact – the long list of bills to be considered will mean very long committee hearings and interesting policy discussions.



Budget Update

One of the major uncertainties in the state budget became a little more certain this week, when the Arizona Supreme Court [unanimously upheld](#) the voter-approved increase to the state's minimum wage. A specific fiscal impact has not yet been agreed upon, but some experts say it will cost those who provide services to individuals with disabilities as much as \$73 million; schools will also see increased costs.

This will certainly be a point of discussion as budget leaders move forward with their negotiations. Though the House and Senate remain focused on communication with their own legislative caucuses, the process moved forward slightly this week when the chairs of the House and Senate budget committees met with the Governor's budget office. Their talk began what was labeled as a "preliminary discussion," but it is an encouraging step toward serious budget negotiations.

Federal health care change still looms over state revenue decisions, since the proposed cuts could [dramatically impact](#) state funding and programs and impact an estimated 326,000 Arizonans. Governor Ducey continues to actively engage in the federal discussion, and to [fight for certainty](#) for those on Medicaid programs. The Governor recently told [a radio show](#) that the current Congressional proposal did not provide enough flexibility for state implementation, but said he hoped state governors could continue to negotiate changes to the proposal.

And though a state budget for this year is nowhere in sight, state leaders have begun a discussion about education funding for the future. Proposition 301, which was a voter-approved tax increase that designated resources for education programs in Arizona, will expire in 2021. The tax brought in approximately \$644 million for schools in this current fiscal year.

Governor Ducey said that he is ready to support an [extension of the tax](#) when the time comes, and House Speaker J.D. Mesnard (R-Chandler) said he hoped the legislature could approve a proposal to ask voters to extend the tax.

Priority Legislation

- [HB 2082](#) (schools; daily recess time) passed the Senate Committee on Education by a vote of 6-1. The bill, which previously required at least 50 minutes of unstructured recess time for students in grades K-5 and 25 minutes of recess for students in half-day kindergarten, was [amended](#) with all new language. The proposal now requires school districts and charter schools to provide at least one recess period during the school day for K-5th grade students – no specifics are outlined, and schools that are online or do not teach students below 5th grade are exempted.
- [HB 2134](#) (schools; children's camps; sunscreen use), which would authorize children's use and possession of FDA-approved sunscreen, has not been heard in the Senate Committee on Education.

- [HB 2208](#) (inhalers; administration; schools; authorized entities), which increases authorities for schools to offer inhalers to students when permitted to do so by a physician, passed the Senate Committee on Rules.
- [HB 2287](#) (firearm discharge; mental state; applicability), which alters the Shannon's Law restrictions on shooting guns in city limits, passed the Senate Committee on Government earlier this month. The bill changes the law to require intentional, knowing, or reckless shooting of a firearm rather than the current standard of criminal negligence.
- [HB 2372](#) (public benefits; fee waivers; requirements), which extends TANF benefits from 12 to 24 months under [a long list](#) of requirements and restrictions, passed the Senate Committee on Health & Human Services last week.
- [HB 2510](#) (schools; immunization records; retention), which requires school districts and charter schools to maintain a student's immunization record for six years after the student was enrolled, has not been heard in the Senate Committee on Education.
- [SB 1001](#) (civil liability; minors; animals; vehicle), which provides civil liability protection for bystanders to intervene for the protection of children and animals, is not scheduled for a hearing in the House Committee on Judiciary & Public Safety.
- [SB 1080](#) (teenage drivers; communication devices prohibited), which prohibits a minor from using a wireless communication device while driving – except for emergencies, passed the House Committee on Transportation & Infrastructure earlier this month.
- [SB 1236](#) (psychotropic drugs; foster children; report), which requires the Department of Child Safety and AHCCCS to report on the rate of psychotropic drugs prescribed to foster children on AHCCCS compared to non-foster children, is scheduled for a hearing in the House Committee on Judiciary & Public Safety on March 22.
- [SB 1367](#) (abortion; live delivery; report; definition), which requires a physician performing an abortion to document and report the measures performed to maintain the life of the fetus or embryo if it was delivered alive, passed the House Committee on Judiciary & Public Safety by a vote of 5-2. The committee [amended the bill](#) to alter statutory definitions.
- [SB 1368](#) (newborn screening; fees), which increases the cost of the first newborn screening panel from \$30 to \$36, passed the House Committee on Health last week.

Senate Adds Medical Examiner Role for Good Samaritans

The House Committee on Judiciary & Public Safety never scheduled/has not yet scheduled a hearing for Governor Ducey's proposal to ensure Good Samaritans are not [charged with crimes](#) when they break into a car to rescue a child or animal. But the House Committee on Health will consider another effort to add protections for Good Samaritans who contact bodily fluids of a deceased person they try to help.

[SB 1201](#) would permit a Good Samaritan to petition the court for the medical examiner to test a deceased person for HIV or other bloodborne diseases, if there is fear the Good Samaritan could have contacted a disease during their efforts to aid the individual.

Senator Gail Griffin (R-Hereford) said the bill is necessary to address situations like that faced by Jennifer Fonseca, a member of the Palominas Fire District who had a difficult time obtaining testing on a sample of fluids exchanged when she attempted to save a stranger's life. Griffin hopes to make it easier for first responders and Good Samaritans to verify they do not need medical care when they try to help.

The bill unanimously passed the Senate and will be heard in the House next week.

Arizona Becomes 30th State to Call for Constitutional Changes

This week, Arizona became the 30th state to call for changes to the U.S. Constitution.

Supporters – including Governor Doug Ducey – say this will ensure Arizona has [a seat at the table](#) in any Constitutional change. Opponents say it will result in drastic cuts to state funding and [will not give states control](#) over the process or outcome of a constitutional convention.

This debate has unfolded at the Arizona Capitol for years, but was always stalled due to a split between Republicans on the issue. But this year, former Senate President Andy Biggs was no longer there to block approval of the measure. After failing to pass [HCR 2010](#) last month, Senate Republicans successfully approved the votes needed to pass it. The measure calls for a Constitutional convention to achieve a few broad goals: fiscal restraints on the federal government, limited power of the federal government, and limited terms of office for Congress and federal officials.

[Another proposal](#) issues a narrower call for Constitutional changes, seeking to add a “balanced budget” mandate that limits federal spending to the amount of federal revenues, except for a national emergency. The proposal awaits a Senate vote.

At least 34 states must issue similar calls before a Constitutional convention would be held; once passed, the state's application have no expiration date – they remain effective until the required number of states agree. Changes made by the delegates would [become effective](#) only if the legislatures of 38 states ratified the changes.

TANF Fight Continues

The fierce debate on access to benefits from the Temporary Assistance for Needy Families (TANF) program continued at the Capitol this week. [HB 2372](#), Governor Ducey's proposal to extend TANF benefits with new fraud prevention and misuse punishments, did not move forward. But the changes to the bill continued to draw [debate and opposition](#). The conflict may have flowed over onto another unrelated proposal. [HB 2091](#), which would remove fingerprinting requirements for TANF recipients, narrowly passed the Senate Committee on Health & Human Services; the bill had passed with broad bipartisan support in the House earlier this year.

Representative John Allen (R-Scottsdale) believes that existing fingerprinting requirements are costly and yield little benefit, but some Republicans on the Senate committee cited a desire for more fraud prevention rather than less. A bipartisan coalition successfully moved the bill forward to the full Senate for consideration.

A Week of Inaction on Controversial ADA Bills

After weeks of intense debate on proposals that limit the civil rights of individuals with disabilities, the legislature paused action on most of the controversial proposals this week.

[SB 1198](#), a measure that would require a delay and specified notification before a lawsuit could be filed for an ADA violation, was not heard in a House committee hearing. It is scheduled for consideration in the House Committee on Judiciary & Public Safety next Wednesday.

[HB 2504](#), which takes a less problematic approach by authorizing a court to impose a sanction on a plaintiff if an action or series of actions are brought for the primary purpose of getting payment from the defendant, appears unlikely to advance this year.

This week the House did discuss [SB 1239](#), a proposal that would prevent motorists from blocking access aisles intended for individuals with disabilities, but it did not hold a vote on the proposal. Advocates for people with disabilities say the bill is unneeded and could limit the use of that space for wheelchair access.

[HB 2408](#), which sought to designate some accessible parking only to individuals who use wheelchairs, will not move forward. Senator Bob Worsley (R-Mesa) held the bill in his Committee on Transportation & Infrastructure two weeks ago and will not schedule another hearing.