

ACC 2004 Legislative Wrap-up

By Ron Johnson
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On Wednesday, May 26, the Arizona Legislature adjourned sine die at 9:58 p.m. This year's legislative session lasted 136 days, making it the 11th longest regular session in state history.

The 2004 legislative session featured the introduction of 1,249 bills, memorials, and resolutions. Of these proposals, 351 bills and 18 other measures were passed. The governor, meanwhile, vetoed eight bills, thereby reducing the number of bills signed or filed into law to 343.

The overall tone throughout most of the session could often be described as contentious. Leadership in both the House of Representatives and the Senate discovered that, because of many divisions within the Legislature, their agendas were often thwarted. In the end, a coalition of self-proclaimed "moderate" Republicans joined forces with Democratic legislators to go around legislative leadership and pass a budget that eventually would be signed by the governor.

Like last year, the budget dominated much of the session. The final result was also the same this time around as feared budget cuts to health, education, and social services did not materialize. The Arizona Catholic Conference (ACC) was particularly satisfied that cuts to the General Assistance (GA) and Temporary Assistance to Needy Families (TANF) programs were avoided as these programs serve some of the most poor and vulnerable people in the state.

In addition to the aforementioned concerns about the state's budget, the ACC also had a successful year in protecting its interests, especially in defeating all of the bills it opposed. The ACC's interests were diverse and covered life issues, traditional marriage, education, welfare, health, and immigration, among others.

Life Issues

With respect to life issues that were supported by the ACC, legislation was introduced (SB 1077) to provide "informed consent" and a 24-hour waiting period before an abortion is performed. After almost a decade of previously unsuccessful attempts, the legislature finally passed this measure only to have it vetoed by the governor. Despite the veto, however, a significant amount of public awareness was raised on this important issue and the progress that was made has galvanized advocates.

The ACC was also instrumental in introducing and getting a hearing for a bill (SB 1139) that would abolish the death penalty for all juveniles under age 18. While it is hoped that the U.S. Supreme Court will favorably decide this matter next term, the ACC continued to raise awareness and educate lawmakers on this public policy matter.

Regarding "anti-life" issues that were opposed by the ACC, efforts were once again made to legalize "assisted suicide" (HB 2564). Additionally, another attempt was made (HB 2336) to mandate the provision of "emergency contraception" (i.e., the morning after pill) to victims of sexual assault, even if the medication was certain to result in an abortion. With the assistance of legislative leadership, both of these measures were assigned to multiple committees and failed when they never received a hearing.

Marriage Issues

Defending the "sanctity of marriage" was another primary focus for the ACC this session. In particular, the ACC was supportive of a measure (HCM 2004) encouraging Congress to pass a federal constitutional amendment defining marriage as an institution involving one man and one woman. The ACC and other advocates believe that such an amendment may ultimately be the only protection states may have in preserving the traditional definition of marriage.

While HCM 2004 passed the House by an overwhelming vote of 41-19, it almost did not receive a final vote in the Senate. After much encouragement, however, this significant public policy matter was finally brought to a vote on the final day of the session where it failed 14-12. (Please note that 16 votes are ultimately required to pass legislation in the Senate). Although traditional marriage supporters are disappointed by the demise of HCM 2004, a partial victory was gained when this proposal ultimately made it to the floor for a recorded vote.

Education

Protecting the school tuition tax credits was another top priority for the ACC, especially during a relatively tight fiscal year at the Legislature. With the tremendous support of key legislators, needy Catholic students were again spared any reductions in this vital funding source.

With the tuition tax credits safely protected, the ACC was able to go on the offensive and support legislation expanding these tax credits to corporations (HB 2623). In particular, this measure would have designated all of these new funds exclusively for low-income students entering private schools. Although HB 2623 passed the House, it was two votes short in the Senate. Nonetheless, the fact that the primary legislative debates over the past two years have concerned possible expansion, rather than elimination, of tuition tax credits remains a positive development for Catholic schools and their students.

Immigration

Immigration issues were also prevalent on the ACC's agenda this session. In particular, the ACC helped to successfully oppose legislation (HB 2392) that would have prevented undocumented immigrants from receiving in-state tuition at public universities, even if they graduated from an Arizona high school. Similarly a bill (HB 2443) to prohibit state and local governments, including police departments, from accepting identification documents such as the matricula consular card was also defeated. The perennial bill (SB 1281) to allow non-citizens the ability to obtain driver licenses, however, was defeated in spite of the support by the ACC and others.

Welfare and Health

The ACC supported two welfare-related bills (SB 1149 and HB 2440) that were passed and signed into law by the governor. SB 1149 was a bill expanding the eligibility for the Healthy Families child abuse prevention program to include pregnant women. Additionally, this measure allows marriage skills to be offered to clients and enables the state to leverage federal funds for these programs. HB 2440, meanwhile, makes several changes to Arizona's unemployment insurance program, most notably, an increase in the maximum monthly amount from \$205 to \$240 beginning July 1.

With respect to health issues, a particularly important matter that was opposed by the ACC and ultimately defeated was SCR 1039. This measure, if passed, would have placed on the ballot a measure enabling the legislature to raise the eligibility requirements for the AHCCCS program and place a cap on the number of low-income recipients receiving health care. Because SCR 1039 never passed the Senate, it will not appear on the ballot.

Government Regulation of Church Organizations

Early in the session, the ACC successfully opposed two bills that were introduced which both could have unintended negative consequences on religious and other non-profit organizations. SB 1066 would have required all charitable organizations to file a sworn statement with the Secretary of State before soliciting funds claiming that at least 90 percent of their annual income is for charitable purposes. HB 2326, meanwhile, was legislation that inappropriately provided statutory authority for government regulation of private schools with respect to cafeterias and other facilities. While the intent of both pieces of legislation was arguably benign, the ACC was instrumental in explaining the problems associated with unnecessary government regulation in these matters and successfully stopped these efforts.

Conclusion

In conclusion, the Arizona Catholic Conference had an effective year lobbying on the most significant bills of interest to the Catholic community in Arizona. While some important issues did not pass this year, it is perhaps more significant that every bill opposed by the ACC was defeated.

As preparations begin for next year's regular session, the ACC will continue to remain ever vigilant in both promoting and defending these issues in the public policy arena.

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