

Governor Ducey Issues New Orders To Combat COVID-19

In response to the surge of COVID-19 cases, Governor Ducey issued or revised Executive Orders to support hospitals and healthcare workers, and provide relief to the restaurant industry.

One Executive Order revision relates to vaccinations. A COVID-19 vaccine is expected to be received in mid-December and distributed in the following weeks. All Arizonans will be able to receive a COVID-19 vaccine free of charge. No taxpayer dollars will be used to pay for the vaccine. The Governor's Office is working with insurance providers to implement this Executive Order.

The Governor is also allocating \$60 million in new funding to hospitals for staffing purposes, with funding provided by the Coronavirus Relief Fund. Arizona Department of Health Services (AZDHS) will assist with the hiring of 500 nurses through the end of the month. This staffing increase, intended to last through January 2021, will provide critical nursing resources to hospitals statewide amid the surge of COVID-19 patients.

Another Executive Order will allow restaurants to create outdoor dining without a permit; the Arizona Department of Liquor Licenses and Control (DLLC) will accept and review requests by liquor licensees for temporary outdoor expansion within 60 feet of their premises. An initial investment of \$1 million is available to help with outdoor dining options through the Safest Outside Restaurant Assistance Program. Funding up to \$10,000 per restaurant is available to extend outdoor dining premises, including outdoor furniture, barriers, patio heaters, patio covers, and more. To be eligible for the new program, applicants must comply with all COVID-19 related Executive Orders; demonstrate a new extension of premises that has been approved by the local governing body and DLCC, if applicable; plan to extend the premises for a minimum of three months; have fewer than 50 employees; and be Arizona owned and operated. Applications can be submitted as of December 7th and can be found [here](#).

The Governor also issued a new Executive Order regarding health and safety requirements for large public events approved by local cities, towns, and counties. Organized public events of more than 50 people may only be approved by local cities, towns, and counties if there is a determination that safety precautions consistent with guidance issued by both the U.S. Centers for Disease Control and Prevention (CDC) and AZDHS are in place. If an event is approved, the organizer must show how it will implement and enforce on its website and submit a copy to AZDHS.

To review the revised Executive Order for vaccines, click [here](#).

To review the new Executive Order for restaurants, click [here](#).

To review the new Executive Order for public events, click [here](#).

Invest In Education Is Appealed

Law Firms Snell & Wilmer, and Greenburg Traurig, representing the Goldwater Institute, filed a lawsuit in Maricopa County Superior Court challenging the legality of Proposition 208, Invest in Education, which was approved by voters last month.

The suit alleges that while Arizona's Constitution gives voters the power to pass initiatives, it also imposes important limits on the initiative power. [Article 22](#) of the Arizona Constitution (click for link), provides that "the people shall not enact any law which may not be enacted by the Legislature under this Constitution." The suit alleges that Prop. 208 exempts its provisions from expenditure limits, that new taxes imposed by statute under Prop. 208 can only be imposed by a two-thirds majority of each House of the Arizona State Legislature, and that the proposition restricts the Legislature's ability to appropriate general funds.

The suit cites a 1992 voter-approved amendment to the Constitution, Prop. 108, which declared that any tax increase had to receive "the affirmative vote of two-thirds of the members of each house of the legislature." Attorneys allege that Prop. 208 ignored this restriction by not amending the Constitution and instead adopting a new statute which must comply with the Constitution. Prop. 208 also provides that money raised by the new tax "is in addition to" any allocation that the legislature might make and that the legislature "may not supplant, replace, or cause a reduction in other funding sources." Attorneys argue that this language conflicts with the Legislature's responsibility to adopt the state budget and decide how much money is spent.

In response to the suit, advocacy group, Center Square stated, "We're disappointed to see high-dollar special interests are continuing to pursue any means necessary to both reject the will of Arizona voters and undermine the public schools 95 percent of families choose.... "this lawsuit is a Hail Mary by folks who seem to care more about private greed than the public good, but we're confident the interests of most Arizonans will prevail yet again."

To read the Goldwater Institute complaint, click [here](#).

AZDHS Issues COVID-19 Update

Arizona Department of Health Services (AZDHS) reported 90% of inpatient beds and 91% of ICU beds in use, which includes people being treated for COVID-19 and other patients. COVID-19 patients are using 33% of all inpatient beds and 38% of ICU beds. Overall, 44% of ventilators are in use. The state's COVID-19 rate of spread (Rt) is above 1 at 1.17 (the average number of people a COVID-positive individual will infect). Of known test results from last week, AZDHS reported that 18% have come back positive. A positivity rate of 5% or less is considered a good indicator that the spread is being controlled.

According to the Arizona Department of Health Services (AZDHS) dashboard, only 11% of the state's ICU beds are readily available, or approximately 666 beds for COVID and non-COVID patients alike. The dashboard shows 38% of ICU beds are currently in use by COVID-19 patients.

To view the AZDHS dashboard, click [here](#).

For more information on free COVID-19 testing sites click [here](#).

Banner Health Predicts Full ICU Capacity

Banner Health, the state's largest health system, announced it could surpass Intensive Care Unit (ICU) hospital bed capacity as early as this week, and 125% of bed capacity by mid-December. In November, Phoenix and Tucson's Banner Health hospitals saw COVID-19 hospitalizations jump as much as 95%. In the

same period, officials saw COVID-19 patients increase from 25% of ICU patients to 50%.

Dr. Marjorie Bessel, Chief Clinical Officer, observed "all of the comments and statistics I'm sharing with you today paint a bleak picture that if the surge, which is currently in exponential growth, continues at its current pace, that this will become a very dire situation." Dr. Bessel also noted that Banner facilities are prepared to begin administering a COVID-19 vaccine when it becomes available, possibly as soon as December 14th.

Eviction Moratorium Is Set To Expire

Housing advocates want the Center for Disease Control (CDC) to extend its eviction moratorium until the end of March, 2021 from the current December 31, 2020 expiration date.

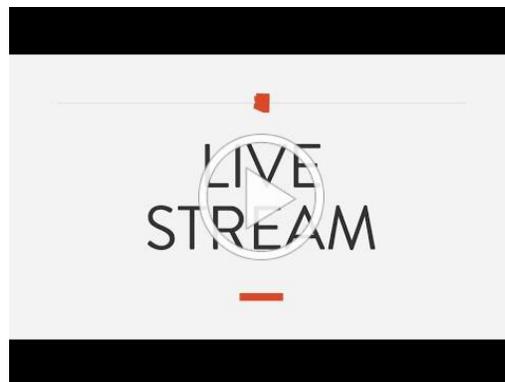
The National Council of State Agencies (NCSHA) issued a report showing that Arizona renters owed at least \$178 million to their landlords as of September 2020, and as many as 150,000 renters could be evicted in January.

Both the State and some local government's have provided a series of relief measures for renters and landlords since March; however, most have stopped taking applications. A \$30 million fund for renters in Maricopa County has been exhausted, and the Arizona Department of Housing (ADOH) has \$2.5 million remaining in its \$7 million statewide eviction-prevention funds. Congress is considering a \$908 billion emergency relief bill; if passed about \$25 billion in the package will be allocated for rental aid.

To read the NCSHA report, click [here](#).



Governor Ducey holds COVID-19 press conference



Arizona Update on the Issues



[Click here to find COVID-19 resources and volunteer opportunities](#)

[Click here to find out how to donate a mobile hotspot](#)

Legislators' Birthdays



Happy Birthday
Rep. Tim Dunn Sunday,
December 13th

Representing LD13, Representative Dunn was appointed to the Legislature in February 2018 and won election for his seat in the 2020 election. A Yuma Native, Dunn operates a family-run business, Dunn Grain Co Inc, which specializes in selling grains and exporting crops like garbanzo beans, black-eyed peas, Sudan grass, and wheat. He was named 2017 Arizona Farm Bureau "Farmer of the Year."

Last session, Dunn was Chairman of the Land Agriculture Committee and was Vice Chairman of the Natural Resources, Energy & Water Committee. A top legislative priority for Dunn was HB2415 which would have appropriated \$1.1 million from the general fund to the Department of Public Safety to distribute to the Cochise, Pima, Santa Cruz and Yuma county sheriffs to procure cameras and related equipment, software and services for southern Arizona border region enforcement.

Next session, Dunn will serve as Chairman of the Land, Agriculture & Rural Affairs Committee and will be a member of the Natural Resources, Energy & Water, and Ways & Means Committees.

To wish Representative Dunn happy birthday:
tdunn@azleg.gov

Arizona Governmental Affairs

Address:

99 E. Virginia Avenue, #180
Phoenix, AZ 85004
602.296.5966

[E-mail AZ Governmental](#)