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Mary Jo Pitzl When Katie Hobbs won the governor's race last fall, she became the first Democrat in 14 years to hold the seat. It also made her the first governor in 14 years to have to deal with a legislature controlled by the opposite party. As governor, Hobbs marks her 100th day in office. She's reflecting on her achievements.

Gov. Katie Hobbs Yeah, I mean, I think my team hit the ground running, taking critical action right away on issues that I talked about on the campaign trail, the issues I heard from Arizonans that they wanted our government to tackle and the issues that we have to tackle that keep moving forward as a state and continue the economic trajectory that we're on.

Mary Jo Pitzl But her successes have also been marked with pushback. As of right now, the governor has vetoed 38 bills passed by the GOP led legislature. And by the time you hear this, they'll probably be more Hobbes's and familiar company. Though nearly two decades ago, when Democrat Janet Napolitano arrived on the ninth floor, she was met with similar opposition.

Stacey Barchenger When Napolitano won her race in 2002, it had been a dozen years since a Democrat had gained the Arizona governor's office. She tangled with a Republican legislature that wasn't willing to embrace her agenda, leading to what has become a record setting number of vetoes from an Arizona governor. That's 58 and a record that Hobbs seems intent on shattering.

Mary Jo Pitzl Welcome to the gaggle, a politics podcast from the Arizona Republic in ASU Central. I'm Mary Jo Pitzl. I cover state politics for the Republic.

Stacey Barchenger And I'm Stacey Barchenger. I also cover state politics and more specifically, the governor's office. I'm stepping in this week for Ron Hansen.

Mary Jo Pitzl Today we talk with Denis Burke, who served as Napolitano's co chief of staff, to examine the challenges of presiding over divided government and how to navigate it. Denis, welcome to the gaggle.

Dennis Burke Thank you. Thank you for having me.

Mary Jo Pitzl So it's been a while, but are you having any deja vu as the Hobbs administration is settling in?

Dennis Burke Yes, actually, a lot. A lot of similarities as to Governor Napolitano's first half year of her tenure and now Governor Hobbes's, divided government. Actually, I think two governors that share very similar strengths and character. And so when I pick up the news from you all or follow something that's going on with the current administration, it does bring back a lot of memories. So Governor Napolitano came into office and realizing she was going to have to battle with a legislature of the other party led by the other party. And she made a decision very early on, I'm going to show leadership. I'm going to come out with a slew of executive orders on a number of areas that are policy positions of hers. And one in particular at a time was prescription drugs. And there was actually legislation in the legislature for the few sessions before Napolitano became governor that were blocked by Farnsworth because he claimed that they, you know, they couldn't be given these senior discounts on prescriptions. And that was perfect for Napolitano because she came in and

said, No one, I even understands why you're blocking this. All I know is there are hundreds of thousands of seniors in Arizona who are not getting discounts on prescription drugs. And we went in and found out that in the access program, you could create a prescription drug discount program for seniors without legislation. Literally, they would. The authority exist in the law. And this was back to the the mastery of the politano was, I don't need to sit around and wait for a bill to pass. There's a lot of current law. Go find out if I can do this already. And so we went and found out and said, you literally can create a prescription drug discount program for seniors by executive order. And so she came out with it, and it was not surprisingly, incredibly popular. And the legislature immediately said, this is unconstitutional. We need to stop this. And Napolitano thought, thank you. From a political perspective, why? Go ahead. Stop prescription drug discount program for seniors in Arizona that I went and figured out on my own that I could do on my own. And so that was drove a lot of her executive orders and why she thought they were effective. She was taking current law, she was providing direction to an agency and said, I'm going to implement a program. I really need you legislature. And they were still trying to block it. They didn't want her to do that.

Mary Jo Pitzl To that lawsuit ever happened. Now, there is a parallel there with the governors. Hobbs, one of her. Her first executive order on an anti-discrimination executive order and the Freedom Caucus has vowed to sue were 100 days in no lawsuit.

Dennis Burke If I were on Governor Hobbs of staff, I would say, please file. Let me go ahead. If you think that's the right side to be on this, you're at. You're just making my case more. And you're keeping this issue alive.

Stacey Barchenger You know, one thing that Governor Hobbs is dealing with right now is balancing her goals with having a Republican led legislature. Can you tell us how the Napolitano administration advanced the governor's agenda? Well, dealing with the GOP majorities and the pushback, were y'all able to find allies in the Republican ranks?

Dennis Burke We did. And I'm not sure Governor Hobbs has the same situation as Governor Napolitano did in the Arizona Senate when Governor Napolitano was working through her most important budgets. She actually had some moderate Republicans that were more than willing to buck the leadership of their party and help negotiate a bill by holding out their votes. It doesn't appear that Governor Hobbs was any of that benefit that Governor Napolitano had. But Governor Napolitano was actually very masterful at getting the strength of moderate Republicans who would help her get a budget negotiated.

Stacey Barchenger Can you clue us into how she did that? Like, how would she get those people that were going to reach a bipartisan agreement?

Dennis Burke She spent separate time with them. She would talk to them about what their priorities were. She went to their districts. So it wasn't just a phone call or just having a staffer work with the senator, and she would literally go to the district and meet with them. And she when she would then go in and negotiate, she already knew what the priorities were, those moderate Republican senators. And so as part of her tally. What she was going to demand out of a budget from the Republicans.

Stacey Barchenger Mm hmm. And I don't think we have an indication that Governor Hobbs is following in those footsteps, at least with those sort of efforts to court these folks that she might need on a budget. You mentioned this point, but the dynamics of Republican politics are so different now than they were when Governor Napolitano was in

office. Right. So we see some similarities. You've got a Democratic governor, a Republican majority legislature, but we're post post-Trump, maybe not post-Trump, where post Trump's impact on politics, the, you know, sort of the MAGA era. I wonder how you might compare the two and the shift and how it impacts the governor's ability to get work done.

Dennis Burke It's much different. We had a lot of opportunities to reach out to moderate Republicans, and I don't see Governor Hobbs as opportunities at all. Politics is a lot more tribal than it was before. They're very active in targeting Republicans in primaries if they don't follow along. It's not as if they didn't do that in the past. But you had individuals who really had swing districts that were very comfortable voting with Democrats on certain issues, supporting a governor. And, you know, at the time, Governor Napolitano was very popular. And so those Republicans who did help her negotiate budgets with the Republican leadership in the House and Senate. They knew in their own districts that she was popular and they knew certain priorities that she wanted out of her budget were important to their districts.

Mary Jo Pitzl Which somewhat brings us to the current day where we are not seeing those same kind of dynamics with Governor Hobbs. She's already issued a bunch of vetoes this year, far more than Napolitano did in her first year, which was 17. I'm curious and.

Dennis Burke Wait a minute, she broke our record.

Mary Jo Pitzl Already, like.

Stacey Barchenger Twofold.

Mary Jo Pitzl Yeah, And it looks like she's going to bust in some records as as the year goes on. But I'm wondering how the use of the veto affected Governor Napolitano's work in later years to the vetoes hardened opposition. Did it lead to more horse trading or maybe even cooperation?

Dennis Burke Yeah, that's a good question, because I think that's across the board. I mean, there are certain vetoes of certain bills that you knew. You know, we're going to divide us even more between the governor's office and the leadership in the House and Senate. There were ones where they realized we're going to have to go negotiate with her because she's just not going to budge on this. And she was really good at vetoing a bill and then going out to the public and messaging why she vetoed it. She had a real good sense of breaking out of the back and forth between a governor's office and the House and Senate in a legislative session and realizing there's probably a lot of voters out there that don't know what's going on and are not really up to speed on why I vetoed that. So she was constantly into, I'm going to veto that and I'm going to go out and talk to Arizonans about it. And so it was part of her whole strategy, which is I know they're going to come back again with this bill or I'm going to have to negotiate with them or how do I best position where I am on this veto with where Arizonans are. And she was always thinking about that. She wasn't thinking about it in a silo. She was thinking about it in the broader sense of, I'm going to go communicate this to Arizonans. Why I'm right on this position.

Mary Jo Pitzl How did she do that communication? She doing press conferences or town halls?

Dennis Burke She was throughout Arizona on a regular basis. She would communicate with the press in particular districts. She would talk to constituencies and in particular districts. She would literally go into the districts, say, I'm going to have an event in this district, and we're going to talk about why I vetoed that bill. So it was a combination of all veto it, and I'm going to go out and win the messaging to the public as to why I vetoed a bill on her.

Stacey Barchenger If you have seen anything like that from Governor Hobbs and kind of your assessment of whether she is using a similar strategy.

Dennis Burke Yeah, I'm not close enough to know. I would say this, that she's got so much going on in the first six months of her term. She's got a former opponent who's still claiming that she's governor. She's dealing with a lot of factors that we never had to deal with. Just seems to me in retrospect that we had more opportunities to kind of break through all that, the saturation of everything else that's going on in the country and in the state and politics and so forth. And we were able to convey our message with a better opportunity than Governor Hobbs has. I think she's just constantly dealing with a saturation point of so much else that's going on that has to deal with government and politics and how much even the most conscientious voter is going to take in on any given day.

Mary Jo Pitzl Looking beyond legislative. Bills and vetoes. Hobbs Executive nominations are also being vetted in a way that we really haven't seen in past administrations. How did the Politano administration prepare its nominees for confirmation hearings? Were there hiccups?

Dennis Burke Yeah. I mean, we spent a lot of time actually on preparing. I actually I'm a former chief of staff to a Democratic governor, but I support the fact that the legislature does vetting and oversight of cabinet officials. I think the legislature over the years has institutionally marginalized their role and the fact that they are conducting concrete nomination hearings and vetting of cabinet officials, I think is good for the process overall. So I'm actually glad they do it. I think I think there's a lot that the legislature does that they do too quickly, that they're rushing to get out in 100 days, that they have certain priorities that they've laid out. And if they actually focused a little more on oversight and what the executive branch is doing, I actually think that's healthy.

Mary Jo Pitzl Did you lose any nominees? Were they all confirmed?

Dennis Burke We had controversies because we had staff issues where the past or a peak situation with a board, a board that picked Appalachians for sites in Arizona. We had a couple of nominees that never went up for a vote, but it was more of an internal vetting of us. I just literally can't recall that we actually sent a name to the Senate and they voted the person down. I don't think we had one. So I don't think we have the direct parallel on that one.

Mary Jo Pitzl You mentioned the controversy over renaming Squaw Peak as past to a peak. That happened pretty early on in the administration, as I recall. How did that affect the rest of Napolitano's tenure?

Dennis Burke Definitely affected in the sense of we took a closer look at the composition of boards and commissions. There is a great deal of government services conducted by

boards and commissions, and we spent a considerable amount of recruiting people to serve on boards and commissions. And if there was an opportunity to replace someone because you know their tenure, it ended, we had someone lined up, you know, that we had vetted. So we realized that was a teaching moment for us because we realized that there were a lot of individuals who had government roles that didn't report to us initially and had missions with their boards and commissions that impacted public policy. And is the governor who had the authority to appoint people. We were going to appoint people that we knew could do the job well. We're interested in doing the job well and that we had some confidence in. So yeah, that was a huge teaching moment for us and that was that was definitely the first year.

Stacey Barchenger You know, we it strikes me that we saw Governor Hobbs clean house at the Arizona-Mexico Commission. She told all 30 plus members that they needed to basically reapply for their jobs. And this sort of makes me think of when you have an adversarial legislature, what options are there to work around the edges to put your brand on your administration through these other appointees? I wonder how much you all did that in the first years of Governor Napolitano's administration and if you see any similarities in how it's going now.

Dennis Burke Look, we have three branches of government that are constitutionally considered equal, but their functionality is not equal. I mean, the dashboard of a governor on any given day is larger than the Speaker of the House or the president, the Senate, or anyone in the legislature. I mean, what they've they're rushing to get out in 100 days. Governor Hobbs is there every day and is important to have an effective legislative agenda and work well with the legislature. Absolutely. Any governor on any given day will make between 10 to 40 decisions and will have delegated to his or her chief of staff to do another 20 to 50 decisions, many of which most of which have nothing to do with her legislative agenda. I think that was actually something very effective about Governor Napolitano. She said, look, she knew there were legislative items she wanted to get passed. She knew the budget was critically important to any governor because your priorities are in your budget. But at any given day, she realized there are such a panoply and breadth of other issues that I have to deal with that don't deal with just the legislature that impact public policy and the future of Arizona that we were constantly working on that from her direction. This isn't just, you know, the governor and the legislature. This is the governor legislature for a short period of time during the year. And even during that period of time, we have all these other issues to deal with. There is so much, you know, law that's already already on the books and that that's parallel between Governor Hobbs and Governor Napolitano and executive orders and. Governor Napolitano's perspective. Executive Order Czars. I'm the governor. I'm in charge of the executive branch. I'm managing this enterprise. It's \$40 billion. I'm going to give directions. And if I'm going to frame as as executive orders, all the more power to it. So she was constantly thinking beyond, I'm just dealing with the legislature and we're two branches of government.

Stacey Barchenger Do you have any observations about how the Jobs administration is handling that same sort of element of governing so far?

Dennis Burke I think, well, I would give them high grades. I mean, you know, Governor Hobbs was involved in a press conference recently with the Biden White House on with regards to HeLa river Indian water settlement rights and the impact that it has on water in general in Arizona. And so that's a prime example, right. The legislature is in right now, and she's standing up with members of the congressional delegation leadership, you know, former Mayor Landrieu of New Orleans, who's in a high level position with the Biden

administration on infrastructure and leaders of tribal communities. That's the messaging that's effective. People read that. People understand that. And people realize that's just not some bill in the legislature or some fight with someone in the House or Senate.

Mary Jo Pitzl Well, Denis, thanks for coming in and sharing a lot of your observations and remembrances of those very interesting years with with Governor Napolitano. We really appreciate it.

Dennis Burke Thank you. Thanks for having me.

Mary Jo Pitzl That is it for this week, Eagle listeners. Do you have questions you want us to answer or topics you'd like us to cover? Reach out to us at the gaggle at Arizona Republican. Or give us a call at 6024440804. If you like the show, please leave us a review and share it with a friend. To make sure you never miss an episode. Follow the gaggle on your favorite podcast app. You can follow me on Twitter at Mary Jo Pitzl That's pretty simple.

Stacey Barchenger And you can follow me on Twitter at Espa. Schenker That's SB Air. C, H, E and G.R.. The editor and producer of today's episode is Amanda Luberto. You can follow her at Amanda Luberto. That's I. U. B. E. R. T. O.

Mary Jo Pitzl Thanks for listening to the gaggle, a podcast from the Arizona Republic and AC Central. We'll see you next week.