



Arizona Legislative Updates



GOP Legislators Backpedal All the Way out the Door



The majority of Senators and Representatives get lumps of coal for supporting a pro-coal bill. Ask Governor Hobbs to veto it. See below.

April 12, 2024

Hi all!

It was an interesting week/day/half-day at the Arizona Legislature. After the Arizona Supreme Court reached back in time to 1864 and sanctioned a Civil War-era complete abortion ban, some in the GOP could not backpedal fast enough. Rather than consider a bill to eliminate the total ban, the majority shut down the session for another week, so stay tuned for next Wednesday.

Before shutting things down, the Senate passed several bad bills, but did reject some as well, including a harmful bill promoted by Rep Kolodin to allow "brackish groundwater" to help

developers get around the assured water supply requirements. That is HB2186.

The Senate also passed [HB2646 power plants; public service corporations](#) (Bliss) 16-11-3 with only Republicans voting yes. This is a bad bill that would extend the life of outdated, expensive, dirty coal plants at the expense of utility ratepayers, setting out-of-reach parameters for their closures, and requiring the Attorney General to be engaged in opposing federal rules that would expedite their retirement. HB2646 seeks to prop up fossil fuel plants in an effort to rescue plants that are incredibly costly to keep in operation. Keeping fossil fuel plants operating longer is at the expense of ratepayers, who are kept on the hook to pay for expensive plants to remain in operation when it is more cost effective to transition to renewable energy like wind, solar, and storage.

[Please ask Governor Hobbs to veto HB2646.](#)

Send a message to Governor Hobbs

The AZ Senate also passed [HB2002 power plants; transmission lines; definition](#) (Griffin). It excludes switchyards and substations from review by the AZ Power Plant and Transmission Line Siting Committee (Committee). The Committee is one of the few entities that considers environmental factors relative to siting and utilities are chipping away at what it applies to both at the Legislature and the Arizona Corporation Commission. This has not yet been transmitted to the governor, but will likely go to her next week. **Ask Governor Hobbs to veto this too.**

You can call the Governor at (602) 542-4331.

While you're at it, you can also thank the Governor for vetoing [HB2788 United Nations; sustainable development; prohibition](#). It states that Arizona or any of its political subdivisions cannot adopt the sustainable development agenda of the United Nations. Apparently, the Legislature did not want to support ending poverty, achieving food security, ensuring healthy lives, achieving gender equality, and protecting the planet and our ability to live on it. We're glad the governor does. [You can read her veto message here.](#)

[HB2063 exempt wells; certificate; groundwater use](#) (Griffin) passed the Senate along party lines. It requires the Arizona Department of Water Resources (ADWR) to issue a certificate of water rights to those with exempt wells (35 gallons per minute or less) that register with the well with ADWR. It limits it if subflow -- surface water -- is involved. There is no absolute right to pumping groundwater. There is a use right. This bill does not make that clear and could result in more groundwater pumping with no real tools for curtailing it. That would only further our significant groundwater problems. This was amended in the Senate, so will have to go back to the House for concurrence and a Final Vote.

The GOP-controlled Senate also continues to advantage the big water pumpers to the detriment of individuals with low-capacity wells. [HB2124 agricultural operations; water; protection; definition](#) (Smith) requires the court to award attorneys' fees for nuisance claims related to groundwater pumping. This is another bill to protect big pumpers at the expense of those harmed who may have few tools available to them to challenge the pumping. Bringing nuisance claims is not easy already and comes with considerable risk to those bringing them. In areas with no real regulation on groundwater pumping, however, a nuisance action may be the only mechanism for someone to seek redress, to keep the use and enjoyment of their property, and get at least some due process and access to justice relative to their wellbeing dried up or impaired. This also was amended, so will have to go back to the House for concurrence or refusal and final votes.

Below are the potential ballot measures that the Legislature may refer. We are keeping an eye on them. If you have not done so already, contact your legislators about opposing them.

[HCR2032 voting centers; precinct voting](#) (Jones: B Parker, Smith, et al.) would put a measure

on the 2024 ballot that prohibits boards of supervisors from establishing voting centers to accommodate additional voting for a specific election as needed. It also eliminates no-excuse mail-in voting, limiting a method of voting used by 80% of Arizonans. If approved, this would result in lower voter turnout. This awaits action in Senate Committee of the Whole.

[HCR2040 public monies; prohibited expenditures](#) (Smith: Biasiucci, Carbone, et al.) is another one of those referrals. It would place a measure on the 2024 ballot to prohibit the state or any political subdivision, including universities, to spend any public dollars to reduce global temperatures, have a climate action plan, participate in anything related to reducing meat consumption, do anything to address impacts of racism, etc. It wraps this up with a bow related to prohibiting "furthering Marxist ideologies." This awaits action in the Senate Rules Committee.

[HCR2050 energy source; restriction; prohibition](#) (Griffin: Biasiucci, Bliss, et al) would put on the 2024 ballot a proposed constitutional amendment to prohibit a city, town, county or any other political subdivision of the state from restricting the manufacture, use or sale of a device based on the energy source that is either used to power the device or consumed by the device. Device is not defined, but this is clearly intended to preclude any limits on fossil fuel "devices," including gas. This will make it harder to protect our air, our water, our health, and our communities. It awaits action in the Senate Rules Committee.

[HCR2058 legislative districts; population; census; citizenship](#) (Heap: Chaplik, Gillette, et al) would put a measure on the 2024 ballot to require a state census that the Independent Redistricting Commission (IRC) must use to determine legislative districts based on citizenship population. This is a direct attack on the IRC and would subvert US census data to dilute and attack communities. If successfully referred and approved, it would impact minority districts disproportionately. This awaits action in Senate Rules Committee.

[SCR1041 ballot measures; challenges](#) (Mesnard) refers a measure that allows challenges to proposed ballot measures by any person and earlier in the process. This would be hinder ballot measures as they could be challenged while people are still collecting signatures. This awaits action by the House Rules Committee.

[SCR1044 judicial retention elections](#) (Gowan: Shamp) refers to the 2024 ballot a measure that eliminates terms of office for judges and allows them to continue to serve during "good behavior; reduces the frequency of judicial retention elections and replaces them with elections. This awaits action in House Rules Committee.

Tell Senators to Oppose HCR2050!



As we have noted throughout the legislative session, the Arizona Legislature is doing nothing to address the significant water issues we have in Arizona. The bills that are moving weaken groundwater protections inside of Active Management Areas (AMA) and seek to erect roadblocks to rural groundwater protection outside of AMAs. The Governor continues to veto these bad water bills, but it is unfortunate that the unmitigated pumping continues in much of Arizona.

SB1221 is still in the mix, unfortunately. It sets up an impossible process for establishing basin management areas and codifies current overpumping of rural groundwater. No bill is better than this bill.

[Tell your representatives to oppose SB1221!](#)

Act to Protect Rural Groundwater!

You can see more bills we are tracking [here](#).

You can find contact information for all legislators [here](#).

For more information on these and other bills, reach out to Sandy Bahr at sandy.bahr@sierraclub.org.

Thank you so much for taking action!

All the best,



Sandy Bahr
Chapter Director
Sierra Club - Grand Canyon Chapter

Mark Your Calendar for Earth Day Activities



EARTH DAY 2024

Climate Solutions Now

Join the Chispa AZ and AZ AANHPI for Equity Earth Day on Saturday afternoon on April 20th from 4-7PM at Cielito Park in Phoenix.

And the following day, on Sunday, plan to join us for an Earth Day Rally and Block Party on April 21st at Wesley Bolin Plaza in Phoenix from noon to 3:00 PM. There will be food, music, art, and some great speakers.

[RSVP for Earth Day Rally](#)



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