



More attacks on Democracy



March 4, 2022

Hi everyone!

This week, the Senate finally censured Senator Wendy Rogers for comments she made at a white nationalist gathering, threatening violence against opponents. The Senate did not censure her for her anti-Semitic comments or supporting the racist organizer of the event, however. Senator Rios and Senator Terán called this out on the Senate floor and as Senator Terán said, "Censure is not enough." Rogers still holds all of her committee positions. Rogers used the censure vote for fundraising, so additional actions could be forthcoming. Just how far will they let her go?

Also this week, both the House and Senate continued to send bills to the other house, including more anti-democracy bills. A couple of the bad water bills and one relating to the Arizona Corporation Commission remain stalled.

[HB2101 electric energy; reliability; public policy](#) (Griffin: Abraham, Blackman, et al.) is on the Third Read calendar for the Senate on Monday, which means the utilities must think they have the votes to pass it. HB2101 repeals provisions in the law that create parameters for retail competition of electricity. We are opposed to the bill as we have concerns about how it will affect community choice aggregation of electricity overall and rooftop solar in Salt River Project (SRP) territory. **Let your legislators know you have concerns about these bills too and ask them to vote NO. There are a number of Democratic senators on the fence about this, so call even if you think your senator is likely to vote no.**

[You can find senators phone numbers here.](#)

[HB2536 corporation commissioners; qualifications](#) (Griffin) seems to be stalled in the House, but we will continue to keep an eye on it. HB2536 requires corporation commissioners to be at least 30 years old and have five years of experience in business, accounting, finance, economics, administrative law, or professional engineering. This would disqualify a lot of people who have been or would be excellent commissioners.

SCR1025 and HCR2014 were retained on the calendar this week. They require proportionate signatures from every legislative district. [If you have not already, please ask your Senator to oppose SCR1025 here.](#) [Ask your Representative to oppose HCR2014 here.](#)

[HCR2025/SCR1012 voter identification; affidavit; procedure](#) passed out of the House on Monday along party lines and will now be on the 2022 ballot where we hope you all will vote no on it. This measure would force voters to provide extra forms of identification when returning their early ballots, something they already did to get the ballot. In Texas, a similar law, led to a large number of mail-in ballots being rejected. It is just another way to discourage voting.

If you have not signed up for the [Request to Speak System](#), please do! Civic Engagement Beyond Voting (CEBV) will sign you up. To get an account set up, just [go to this link](#).

This week, we encourage you to sign in on [Request to Speak](#) in opposition to the following bills: HB2055, HB2237, HB2253, HB2379, HB2411, HB2492, HB2591, HB2731, SB1092, SB1175, and SB1718.

Sign in to support HB2126, HB2129, HB2131, SB1246, and SCR1010. See the details on the bills below under "Coming Up at the Arizona Legislature this Week."

To view bills we are tracking [go here](#).

To find your legislators' email addresses and phone numbers, [go here](#).

If you want to learn more about how a bill becomes a law, check out this [Zine by the Arizona Agenda](#).

Thank you for all that you do and special thanks to those who came out for "March 4th for Climate!"

All the best,



Sandy Bahr
Chapter Director
Sierra Club - Grand Canyon Chapter



Coming Up at the Arizona Legislature this Week.

Monday, March 7th

Senate Committee on Government at 2:00 PM in SHR1

- [HB2131 \(now: artificial grass ban prohibited; HOAs\)](#) (Kavanagh) prohibits homeowners associations (HOA) that allow natural grass from prohibiting artificial turf, unless certain conditions are met. Allows an HOA to adopt "reasonable" rules regarding the installation and appearance of the artificial turf. This can help save water and perhaps indirectly encourage landscaping with native vegetation. **SUPPORT**
- [HB2237 same day voter registration; prohibition](#) (Hoffman: Barton, Blackman, et al.) prohibits same-day voter registration, even though we not have it. We should have it. **OPPOSE**
- [HB2243 voter registration; state residency; cancellation](#) (Hoffman: Barton, Biasiucci, et al.) requires voter registration forms to include a statement that if the registrant permanently moves to another state after registering to vote in Arizona, the registrant's voter registration will be canceled. **MONITOR**
- [HB2289 challengers; polling places; tabulation observation](#) (Fillmore: Carter) requires the county chairperson for each political party to designate a party representative to act as challenger for each precinct, and requires them to remain in the polling place until completion of tabulation and transmission. **MONITOR**
- [HB2379 election procedures manual; statutory conflict](#) (Bolick) requires the Legislature to provide personnel who are experts in electronic voting system procedures and security to field check and review electronic voting systems and recommend changes. Any provision of the Elections Procedures Manual that conflicts with statute is unenforceable. Well of course it is. That first provision is an issue, however. **OPPOSE**

House Committee on Land, Agriculture, and Rural Affairs at 2:00 PM in HHR3

- [SCR1010 Arizona's outdoors; recreation; supporting](#) (Shope) is a resolution recognizing the importance of getting outdoors, equal access to nature, etc. **SUPPORT.**

House Committee on Military Affairs and Public Safety at 2:00 PM in HHR1

- [SB1718 appropriation; border security fund](#) (Gowan) appropriates \$1,140,800 and 14.5 full-time equivalent positions to the border security fund. Do we really need more border militarization? **OPPOSE**

Tuesday, March 8th

House Committee on Education at 2:00 PM in HHR

- [SB1246 school buses; electrification; contracts](#) (Boyer) allows a school district to select preapproved carriers or private parties to provide electric school buses and related infrastructure and services. Adds a member to the School Bus Advisory Council (Council) who has expertise in electric transportation.

Senate committee on Appropriations at 2:00 PM in SHR109

- [HB2038 state lake improvement fund](#) (Griffin) caps, at 10 percent, the amount of State Lake Improvement Fund dollars that the Arizona State Parks Board can use to fund staff support to plan and administer the State Lake Improvement Fund. I'm not sure this is a particularly good idea. **MONITOR**
- [HB2591 border security fund; administration](#) (Grantham) is an emergency measure that allows the Department of Emergency and Military Affairs to use up to \$250,000 from the Border Security Fund each fiscal year to administer the Fund and hire additional staff. **OPPOSE**

Wednesday, March 9th

House Committee on Judiciary at 8:00 AM in HHR4

- [SB1092 product liability; civil action; limitation](#) (Leach) limits product liability against a product seller that is not also the manufacturer of the product. This will weaken consumer protections. **OPPOSE**

House Committee on Appropriations at 1:30 PM in HHR1

- [SB1175 noncustodial federal monies; appropriation](#) (Gowan) authorizes the Legislature to appropriate noncustodial federal monies. **OPPOSE**
- [SB1718 appropriation; border security fund](#) (Gowan) appropriates \$1,140,800 and 14.5 full-time equivalent positions to the border security fund. **OPPOSE**

Senate Committee on Natural Resources, Energy, and Water at 2:00 PM in SHR109

- Presentations
 - "BWCCD Strategic Water Management Plan" Noel Carter – Manager, Buckeye Water Conservation and Drainage District
- [HB2055 Harquahala non-expansion area; groundwater transportation](#) (Griffin: Bowers) allows private water companies such as EPCOR to import water from the Harquahala Valley and into the active management areas (AMAs) for development. Currently only cities can do that. Sierra Club does not support groundwater depletion sacrifice zones as was established by this carve out in the Groundwater Management Act. **OPPOSE**
- [HB2126 hazardous waste program fees](#) (Griffin: Burges) repeals the prohibition on the Arizona Department of Environmental Quality (ADEQ) increasing permit fees for hazardous waste facilities and fees for generating and disposing of hazardous waste. This is good because these fees are currently artificially low. **SUPPORT**
- [HB2129 \(now: ADEQ; direct potable reuse; rules\)](#) (Griffin) authorizes ADEQ to adopt rules for the direct potable reuse of treated effluent and appropriates \$1,500,000 for it. **SUPPORT**
- [HB2231 universities; water rights adjudication](#) (Griffin) requires the universities to offer pro bono assistance to claimants in the general stream adjudications who are small landowners and who don't have legal counsel. **MONITOR**
- [HB2232 nonprofit generation and transmission cooperatives](#) (Griffin) exempts a generation and transmission cooperative from the Arizona Corporation Commission's annual assessment. **MONITOR**

- [HB2406 water quality fee fund](#) (Griffin) broadens the activities financed by the Water Quality Fee Fund and repeals provisions limiting ADEQ to one-time increases in fees for the Arizona Pollutant Discharge Elimination System Program and Aquifer Protection Permit Program and allows ADEQ to set fees for these programs' expenses. While we think these programs should at least in part be financed by general funds, ADEQ should be able to raise fees to cover costs. **SUPPORT**
- [HB2408 Arizona game and fish; continuation](#) (Griffin) continues Arizona Game and Fish for eight years. While we would like to see this agency be more conservation focused, it is a good idea to keep it around.
- [HB2410 environmental programs; amendments](#) (Griffin) repeals several programs as well as makes certain programs optional. Specifies that underground injection well permits are not subject to requirement that all aquifers be classified for drinking water protected use unless that classification is changed. We are concerned about that last provision. **MONITOR**
- [HB2411 coal combustion residuals program](#) (Griffin) authorizes ADEQ to seek assumption of the coal ash program from the Environmental Protection Agency (EPA) that can be no more stringent than federal regulations. Using federal regulations as the ceiling rather than floor is inappropriate. Arizona should always seek the maximum protections for our waters and public health. **OPPOSE**

Senate Committee on Commerce at 2:00 PM in SHR1

- [HB2731 regulatory sandbox; expansion](#) (Kaiser) expands this regulatory sandbox program that allows entities to operate without permits, licenses, or authorizations required by law. Currently, it applies to financial products or services only. This bill opens it up to everything, so we are concerned about the implications for environmental protection and protection of consumers, plus the bill disadvantages those who are operating lawfully and fully complying with permits and licenses. **OPPOSE**

Thursday, March 10th

Senate Committee on the Judiciary at 9:00 AM in SHR1

- [HB2253 asbestos claims; required information; liability](#) (Grantham) makes it more difficult to file a personal injury claim related to asbestos. **OPPOSE**
 - [HB2378 election lawsuits; settlements; approvals](#) (Bolick) prohibits the Secretary of State from settling an elections-related lawsuit without consulting the country recorders or other officers in charge of elections. **Monitor**
 - [HB2492 voter registration; verification; citizenship](#) (Hoffman: Blackman, Carter, et al.) requires people who register to vote with a passport, birth certificate, naturalization certificate, or a tribal ID to submit additional documents proving residency. It includes new restrictions for federal-only voters, including that they may not vote by mail. **OPPOSE**
 - [HB2722 strategic actions; public participation](#) (Toma) expands the scope of laws concerning strategic actions against public participation to mandate the court accept motions to dismiss or quash under specified circumstances. This seems like a positive bill.
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