



Successful Environmental Day and coming up -- Bills, Bills, and more Bills!



People speaking and listening at Environmental Day at the Capitol 2023 photos by Jordan Gorla

February 11, 2023

Hi all!

Thank you to everyone who came out for Environmental Day at the Capitol! We had more than 250 participants, a great line-up of speakers, and many meetings with legislators. If you missed it, you can watch parts of it [here](#) and you can also come to the Capitol another day. In fact, we encourage both those who participated and those who did not to come to the Capitol and help monitor hearings and provide support for our partners. It is also extremely helpful for you to meet with your legislators in district.

Last week, legislators continued to advance all of the anti-democracy bills that were on agendas and did not advance any positive ones. Next week is looking similar except the agendas are much longer as it is the last week to hear bills in committee in the house of origin. What does that mean? It means that with the exception of bills that are assigned to Appropriations, any bill that is not heard in committee next week is dead. Sadly, that includes nearly all of the bills we were supporting. The only things that are still moving relate to parks and trails.

The agendas are also filled with amendments called "strike-everything amendments." These amendments cause confusion for many in the public as they allow legislators to take a bill and strike its entire content and replace it with a brand new bill but keep the same bill number. If you see S/E, that means a strike-everything amendment will be offered. I spelled them out in the agendas below, but there will be more!

We expect the Governor to announce the appointment of the director of the office of resiliency next week. This person does not have to be confirmed by the Senate and a good thing as the Senate Nominations Committee seems hellbent on rejecting anyone who is advancing policy based on science. The Nominations Committee rejected the nominee for the Arizona Department of Health Services this past week due to her views on masking and vaccinations. They did not get to the Arizona Department of Environmental Quality director, but that will likely come up next.

See below for what is coming up at the Capitol next week.

If you have not signed up yet for the Request to Speak system to voice your position in support or opposition to bills, we encourage you to do so now as you will need to get the account activated at the Capitol. [Here is a link for signing up](#). If you are coming to Environmental Day at the Capitol, you can activate your account then. To learn more about how to use the Request to Speak System, you can sign up for one of the trainings sponsored by Civic Engagement Beyond Voting. [Here is their sign-up link](#).

Please consider signing in on Request to Speak to oppose SB1122, SB1131, SB1140, SB1213, SB1245, SB1255, SB1313, SB1314, SB1390, SB1500, SB1501, SB1502, SB1518, SB1566, SB1595, SB1611, SB1697, SCR1018, SCR1036, HB2059, HB2213, HB2218, HB2232, HB2254, HB2411, HB2440, HB2471, HB2552, HB2591, HB2618, HB2644, HB2618, HB2702, HB2722, HB2785, HCM2003, HCM2008, HCR2033, HCR2040, HCR2041 and to support SB1340, SB1392, SB1651, SB1714, HB2142, HB2518, HB2669, HB2806, and HB2808.

To review bills we are tracking, [go to this link](#).

For more information, reach out to Sandy Bahr at sandy.bahr@sierraclub.org.

Thank you so much for helping to promote good public policy!

All the best,



Sandy Bahr
Chapter Director
Sierra Club - Grand Canyon Chapter

Coming Up This Week at the AZ Legislature



Historic Capitol courtesy of Sandy Bahr

Monday, February 13th

Senate Transportation and Technology at 9:00 AM in SHR2

Members of the public may access a livestream of the meeting [here](#).

- [SB1099 progressive design-build; ADOT](#) (Carroll: Wilmeth, Livingston) allows adopt to use progressive design -build in its projects. **MONITOR**
- [SB1122 transportation tax; election; Maricopa county](#) (Farnsworth: Cook) directs Maricopa County to hold an election for the sales tax for transportation and prescribes how much it will be and what it will be used for, including that 80% will go to freeways. **OPPOSE**
- [SB1245 VLT; cities and towns; counties](#) (Farnsworth) diverts vehicle license tax distributions from counties to the State Treasurer to be apportioned to counties by population and requires distributions to incorporated cities and towns to be used for any purpose related to transportation. **OPPOSE**
- [SB1313 general plan; transportation; independent study](#) (Hoffman) prohibits general plans from including policies or projects that reduce vehicle traffic and removes element from the general plan regarding multimodal transportation. **OPPOSE**
- [SB1314 transportation system performance; ADOT](#) (Hoffman) changes performance factors to de-emphasize congestion relief and connecting with multi-modal transportation, plus prohibits adopting a motor vehicle travel mile reduction target or any other demand-management policy or project. **OPPOSE**
- [SB1340 toll roads; conversion; prohibition](#) (Mendez: Burch, Anna Hernandez, et al.) prohibits the Arizona Department of Transportation (ADOT) or a county board of supervisors from converting a publicly funded or maintained street or highway into a toll road. **SUPPORT**
- [SB1393 off-highway vehicle user fees](#) (Kerr) establishes the Off-Highway Vehicle Law Enforcement Safety Fund to distribute a percentage of off-highway user fees to each county sheriff. This seems like it's okay. We certainly need some more enforcement relative to OHVs. **MONITOR**
- [SB1697 highways; bicycle paths; walkways; prohibition](#) (Hoffman) prohibits ADOT from planning, designing, or constructing bicycle paths or pedestrian walkways and accepting federal monies conditioned on the design and construction of a bicycle path or pedestrian walkway. **OPPOSE**
- [SCR1018 prohibit tax; monitoring; vehicle](#) (Hoffman) refers to the ballot a proposed constitutional amendment to prohibit any fees based on vehicle miles traveled. What a

dumb proposal! **OPPOSE**

House Committee on Land, Agriculture, and Rural Affairs at 2:00 PM in HHR3
Members of the public may access a livestream of the meeting [here](#).

- [HB2142 produce incentive program; annual appropriation](#) (Dunn: Carbone, Gress, et al.) appropriates \$5 million to the Arizona Department of Economic Security to implement the Produce Incentive Program which helps those receiving Supplemental Nutrition Assistance Program (SNAP) to purchase produce at farmer's markets and similar venues. **SUPPORT**
- [HB2376 agricultural land; foreign ownership; prohibition](#) (Biasiucci: Bliss, Cook, et al.) prohibits selling, leasing or subleasing agricultural state land to a foreign entity. This is not the answer to the water issues on state trust lands. **MONITOR**
- [HB2441 state tree; residential planning](#) (Griffin) says cities and counties cannot limit by ordinance the planting of our state tree, the blue palo verde. Is any community actually doing this? Perhaps it should be directed at HOAs? **MONITOR**
- [HB2644 appropriation; wolf depredation investigator](#) (Cook: Smith) appropriates an unspecified amount to have a "peace officer" investigate the killing of livestock by wolves. Why would you have someone who knows nothing about wolves or livestock investigate this? **OPPOSE**
- [HB2806 state parks heritage fund; appropriation](#) (Carbone: Biasiucci, Blattman, et al.) makes a one time appropriation of \$10 million to the State Parks Heritage Fund. While we support this, we would rather see SB1224 adopted as it includes ongoing funding for the Heritage Fund from the lottery. **SUPPORT**

Senate Committee on Elections at 2:00 PM in SHR1

Members of the public may access a livestream of the meeting [here](#).

- SB1074 election; contest; technical correction (Borrelli) will have a strike-everything amendment on [electronic voting system](#) that prohibits the use of electronic voting equipment unless it meets all of these requirements, including being manufactured in the U.S. **MONITOR**
- [SB1140 elections; voting centers prohibited](#) (Hoffman: Borrelli, Farnsworth, et al.) prohibits counties from using voting centers -- they can only use polling places in the districts. **OPPOSE**
- [SB1213 legislative council; procedures manual](#) (Kern: Kolodin) will have a strike-everything amendment on [joint legislative audit committee; procedures manual](#) that requires the Secretary of State's official instructions and procedures manual to be submitted to the Joint Legislative Audit Committee for review and approval prior to issuance. **OPPOSE**
- [SB1324 images; voter lists; records; contest](#) (Bennett: Burch, Fernandez, et al.) requires a county recorder to publish a list of eligible voters, with outlined information, on the county recorder's website 10 days before a primary and general election. It requires the Secretary of State to publish a list of everyone who voted in an election, all ballot images and a sortable cast vote record. **MONITOR**
- [SB1332 cast vote record; public records](#) (Shamp: Wadsack) makes the cast vote record a public record. **MONITOR**
- [SB1389 ballots; pollbooks; instructions; tabulating; storage](#) (Bennett) removes requirements that a county recorder must provide lists of voters who request early ballots and inactive voters and it authorizes the use of electronic pollbooks. **MONITOR**
- [SB1471 ballot tabulation; hand count comparison](#) (Kavanagh) requires the elections officer in certain counties to randomly select four election precincts and recount all races by hand. **MONITOR**
- [SB1518 ballots; election day; identification](#) (Bennett) requires an early ballot be received by the county recorder or deposited at a polling place by 5:00 p.m. on the Friday preceding an election to be counted and valid and requires a voter to present valid identification before depositing the voter's early ballot into the ballot box. Allows an early voter to only deliver their own ballot. **OPPOSE**
- [SB1565 ballot processing; electronic adjudication; limitation](#) (Carroll: Bennett, Gowan, et al.) prohibits the use of machines, devices, firmware or software that contain artificial intelligence or learning hardware, firmware or software for an election. **MONITOR**

- [SB1566 voter registration; reregistration; ten years](#) (Carroll: Gowan, Kaiser, et al.) requires the county recorder, every 10 years, to notify a person that their voter registration is cancelled and that the person must reregister to vote. **OPPOSE**
- [SB1595 early ballots; identification; tabulation](#) (Mesnard: Bennett, Carroll, et al.) requires a voter to present valid identification after an election for a ballot that was delivered by a voter's agents and prescribes additional requirements for an early ballot to be counted and valid. Removes the ability of an early voter without valid identification to deposit the voter's early ballot into the drop box. **OPPOSE**
- [SB1596 polling places; public office spaces](#) (Mesnard) requires a state, county, city, town or school district office to provide sufficient space for use as a polling place for an election when requested by the officer in charge of elections. **MONITOR**
- [SB1597 early ballot on-site tabulation; requirement](#) (Mesnard) requires county recorders to provide for a method to have the elector's completed early ballot tabulated on site at a polling place or voting center. **MONITOR**
- SCR1037 presidential electors; constitutional appointments () has a strike-everything amendment on [elections; systems; equipment](#) that prohibits an operating component of a voting system from being used or purchased in Arizona for casting, recording and tabulating ballots for a federal office unless certain requirements are met. **MONITOR**

Tuesday, February 14th Happy Statehood Day!

House Committee on Natural Resources, Energy, and Water at 2:00 PM in HHR1

Members of the public may access a livestream of the meeting [here](#).

- [HB2022 water resources; annual report](#) (Dunn) makes minor technical changes.
- [HB2215 hazardous waste manifest resubmittals; fees](#) (Griffin) removes some outdated language regarding the resubmittal and fees for these documents. **MONITOR**
- HB2218 technical correction; power authority; monies (Griffin) will have a strike-everything on [power authority; projects; energy storage](#) authorizes the Arizona Power Authority to acquire, build and operate facilities, projects and works to store electric power. **OPPOSE**
- [HB2374 state lake improvement fund; appropriation](#) (Griffin) allows these dollars to be used for search and rescue, appropriate funds. **MONITOR**
- [HB2440 electric energy; power companies; priorities](#) (Griffin) requires electric utilities to prioritize grid reliability and affordability in planning. There is no reason to limit this to just these two factors. **OPPOSE**
- HB2445 groundwater permits; technical correction (Griffin) will have a strike-everything amendment on [subdivided lands; exemption; leases; emergency](#) that Repeals the exemption for leasehold offerings of one year or less from the definition of subdivided lands and contains an emergency clause. **MONITOR**
- HB2590 real estate disclosures; water; solar (Griffin) has a strike-everything amendment on [seller disclosure; water; solar; batteries](#) that requires real estate disclosure relative to water hauling and also leasing of batteries and proper disposal. It seems like this could have been drafted more deftly. We may oppose this.
- [HB2616 subdivisions; leased properties](#) (Bliss) repeals the exemption for leasehold offerings of one year or less from the definition of subdivided lands. **MONITOR**
- [HB2618 decommissioning; solar and wind; standards](#) (Griffin) proscribes requirements for solar and wind facilities, including decommissioning. It is odd that she is calling out only these and not including anything on coal or gas. **OPPOSE**
- HB2669 solid waste; sludge; water quality (Dunn) will have a strike-everything amendment on [prohibition; biosolids; land application](#) includes limits on the application of biosolids. **SUPPORT**
- [HB2702 energy projects; grazing operations; compensation](#) (Nguyen: Biasiucci, Bliss, et al.) says those with solar leases that affect grazing have to pay the livestock interests for various items. **OPPOSE**
- [HB2763 appropriation; Mohave wash recharge basin](#) (Gillette: Biasiucci, Cook) appropriates just over \$4 million for this project. **MONITOR**
- HCM2003 technical correction; urging the president (Griffin) has a strike-everything amendment on [critical minerals; copper; urging inclusion](#) that asks the US Geological

Survey to include copper on the list of critical minerals. This is part of an effort to bump up the price of copper. **OPPOSE**

- [HCM2008 air quality; ozone standards; opposing](#) (Carbone) asks Congress and the Biden administration to stop the Environmental Protection Agency from imposing any sanctions on Arizona for not meeting clean air requirements. **OPPOSE**
- [HCR2012 support; water management policies](#) (Griffin) has a strike everything that supports continuing water policies that "protect property rights and water rights." I am not sure the purpose of this. Write a letter for pity sake.

Senate Committee on Appropriations at 2:00 PM in SHR109

Members of the public may access a livestream of the meeting [here](#).

- [SB1714 appropriation; Arizona trail fund](#) (Gowan: Shamp, Shope) appropriates \$250,000 for the Arizona Trail. **SUPPORT**
- [SCR1034 general appropriation bill; continuing appropriation](#) (Mesnard) continues the general appropriation act from the previous fiscal year until a new general appropriation bill is signed into law, if a new fiscal year begins and no general appropriation bill has been signed into law. **MONITOR**

Wednesday, February 15th

Senate Committee on Commerce at 8:30 AM in SHR1

Members of the public may access a livestream of the meeting [here](#).

- SB1131 technical correction; prepaid legal insurance (Petersen) will have a strike-everything amendment on **zoning ordinances; property rights; costs**. It is not yet posted, but it is intended to hinder any ordinances that have costs associated with them. **OPPOSE**
- [SB1308 fireworks; aerial devices; retailers; licensure](#) (Gowan) legalizes aerial fireworks. Just what we need, more fires and more distressed animals and people. Gowan is in the fireworks business, by the way. **OPPOSE**
- [SB1501 electric vehicle charging stations](#) (Carroll: Gowan, Kaiser, et al.) prohibits utilities from installing charging stations for electric vehicles. We need utilities to be part of the solution to transportation electrification. **OPPOSE**

House Committee on Government at 9:00 AM in HHR3

Members of the public may access a livestream of the meeting [here](#).

- [HB2213 TPT; exemption; utilities; residential customers](#) (Griffin) exempts from the Transaction Privilege Tax (TPT) the retail sale of natural gas, artificial gas, and electricity to residential customers. This would be a big hit to the general fund -- more than \$200 million -- and also to local government. **OPPOSE**
- [HB2254 rulemaking; regulatory costs; legislative ratification](#) () nullifies rules that cost more or have a negative economic impact, plus requires legislative ratification of rules, an obvious separation of powers. **OPPOSE**
- [HB2471 government investments; plans; fiduciaries; products](#) (Montenegro) requires a fiduciary to take into account only pecuniary factors when evaluating an investment, so they cannot consider environmental or social factors. Prescribes requirements and prohibitions relating to the State Treasurer's investments. **OPPOSE**
- [HB2808 public records; time frame](#) (Carbone: Biasiucci, Blattman, et al.) requires public entities to respond to a public records request within five business days. **SUPPORT**

House Committee on Judiciary at 9:00 AM in HHR4

Members of the public may access a livestream of the meeting [here](#).

- [HB2059 riot; unlawful assembly; classification; liability](#) (Diaz: Marshall, Nguyen, et al.) makes it higher offense if someone breaks the law as part of an unlawful assembly. Our concern is that this will be used by law enforcement to target people of color. **OPPOSE**

Senate Committee on Government at 9:30 AM in SHR2**Members of the public may access a livestream of the meeting [here](#).**

- [SB1255 regulatory costs; rulemaking; ratification](#) (Kern: Smith) says rules have to be ratified by the Arizona Legislature. It seems like a separation of powers issue. Nullifies rules that have an economic impact. **OPPOSE**
- [SB1500 government investments; fiduciaries; pecuniary benefit](#) (Carroll: Bennett, Gowan, et al.) requires a fiduciary to take into account only pecuniary factors when evaluating an investment, so they cannot consider environmental or social factors. Prescribes requirements and prohibitions relating to the State Treasurer's investments. **OPPOSE**
- [SB1611 public entities; contracts; prohibition](#) (Kern) prohibits government entities from entering into contracts with an entity that might consider social and environmental factors. **OPPOSE**
- [SB1651 water; energy; financing program](#) (Borrelli) establishes a commercial property assessed clean energy program, which provides a financing mechanism for energy efficiency and other energy saving and renewable energy investments. **SUPPORT**
- [SCR1036 primary elections; eligible candidates](#) (Wadsack: Kern) refers to the ballot a measure to head off ranked choice voting. **OPPOSE**

House Committee on Appropriations at 2:00 PM in HHR1**Members of the public may access a livestream of the meeting [here](#).**

- [HB2142 produce incentive program; annual appropriation](#) (Dunn: Carbone, Gress, et al.) See above.
- [HB2374 state lake improvement fund; appropriation](#) (Griffin) See above.
- [HB2449 appropriation; Pinal East-West Corridor](#) (Martinez: Cook) Appropriates \$9.7 million to ADOT to distribute to Pinal County for engineering and design of the West Pinal Parkway East-West Corridor. **MONITOR**
- [HB2518 appropriation; Glassford Dells regional park](#) (Bliss) appropriates \$3.5 million for this park provided that Yavapai County, Prescott, and Prescott Valley come up with a match. **SUPPORT**
- [HCR2038 continuing appropriation budget; enactment; timeframe appropriates](#) (Livingston) is a proposed constitutional amendment to require the legislature to at least appropriate what they did the year before. **MONITOR**

House Committee on Municipal Oversight & Elections at 2:00 PM in HHR4**Members of the public may access a livestream of the meeting [here](#).**

- [HB2232 elections; identification; revisions; mail-in; tabulation](#) (Harris: Heap, Jones, et al.) eliminates early voting, requires identification for any voting, requires a hand count of the votes, and requires people vote only in their own precinct. **OPPOSE**
- [HB2552 voting; elections; tally; prohibition](#) (Smith: Biasiucci, Bliss, et al.) seeks to head off ranked choice voting. **OPPOSE**
- [HB2591 elections; early ballot drop boxes](#) (Griffin) limits the use of drop boxes for early voting. **OPPOSE**
- [HB2613 voting equipment; requirements; origin](#) (Montenegro) requires all voting equipment going forward to be sourced from the U.S. **MONITOR**
- [HB2691 elections; ballot chain of custody](#) (Heap: Gillette, Jones, et al.) includes additional requirements for how ballots are treated. **MONITOR**
- [HB2722 elections; option; full hand count](#) (Griffin) allows for a full hand count in any election. It does not mandate it. **OPPOSE**
- [HB2785 early voting; absentee; military](#) (Harris: Heap, Jones) eliminates early voting and replaces it with absentee voting, only available to those who will be gone on Election Day. **OPPOSE**
- [HCR2033 primary elections; eligible candidates](#) (Smith) refers to the ballot a proposed constitutional amendment to prohibit any election law in Arizona that is contrary to the direct primary election law as outlined in the Arizona Constitution. This is intended to head off rank-choice voting. **OPPOSE**
- [HCR2040 in-person precinct voting; absentee voters](#) (Jones: Harris, Heap, et al.) refers to the ballot a measure to eliminate early voting. **OPPOSE**

- [HCR2041 initiative; referendum; signatures; legislative districts](#) (Marshall: Diaz, Gilllette, et al.) refers to the ballot a proposed constitutional amendment to require a proportionate number of signatures from every legislative district to place something on the ballot. **OPPOSE**

House Committee on Transportation & Infrastructure at 2:00 PM in HHR3

Members of the public may access a livestream of the meeting [here](#).

- [HB2411 water supply; elimination; reduction; damages](#) (Cook: Martinez, Toma, et al.) seeks to force Scottsdale to serve water to Rio Verde, thus rewarding irresponsible development. It requires a city that provided water to customers outside the city's service area and reduced or terminated that service to make the same reduction or termination of water supply to the mayor and members of the city council and says the city is liable for damages incurred because of the termination of service. **OPPOSE**
- There are also appropriations for various road projects, but not for new roads.

Thursday, February 16th

Senate Committee on Natural Resources, Energy, and Water at 9:30 AM in SHR2

Members of the public may access a livestream of the meeting [here](#).

- [SB1223 water infrastructure; commerce grant fund](#) (Shope) appropriates \$8 million to this entity for grants to contract for the design and construction of water infrastructure. **MONITOR**
- [SB1390 water infrastructure finance authority; amendments](#) (Kerr) is a "clean-up" bill for last year's massive bill on the Water Infrastructure Finance Authority that set up an augmentation program and provided some funding for water conservation. It includes several provisions we are concerned about, including on conflict of interest and who is eligible for conservation grants. **OPPOSE**
- [SB1392 appropriation; state park; Verde River](#) (Kerr) appropriates an undesignated amount for a state park at the headwaters of the Verde River. It is good to see legislators supporting parks again. **SUPPORT**
- [SB1432 assured water; small residential developments](#) (Wadsack: Jones) requires anyone who is developing six or more lots in a county area within an active management area to get a certificate of assured water supply. I'm not sure how much this actually changes the current requirements. **MONITOR**
- [SB1469 appropriation; Page; water infrastructure projects](#) (Hatathlie) appropriates funding for an intake pipe, a pipeline, and expansion of wastewater treatment. **MONITOR**
- [SB1502 corporation commission; electric generation resources](#) (Carroll: Kerr, Griffin) seeks to pre-empt the renewable energy standard at the Arizona Corporation Commission with one that is weaker and requires the lowest cost resource. It includes nuclear power on the list of clean resources. **OPPOSE**
- [SB1660 water; effluent; credits](#) (Kerr: Kaiser, Dunn) allows for onsite wastewater treatment at facilities that are not served by cities and are served by private water companies. We are still evaluating this. **MONITOR**

Senate Committee on Government at 2:00 PM in SHR2

Members of the public may access a livestream of the meeting [here](#). (This is a continuation of the Wednesday meeting, so see the agenda above.)

