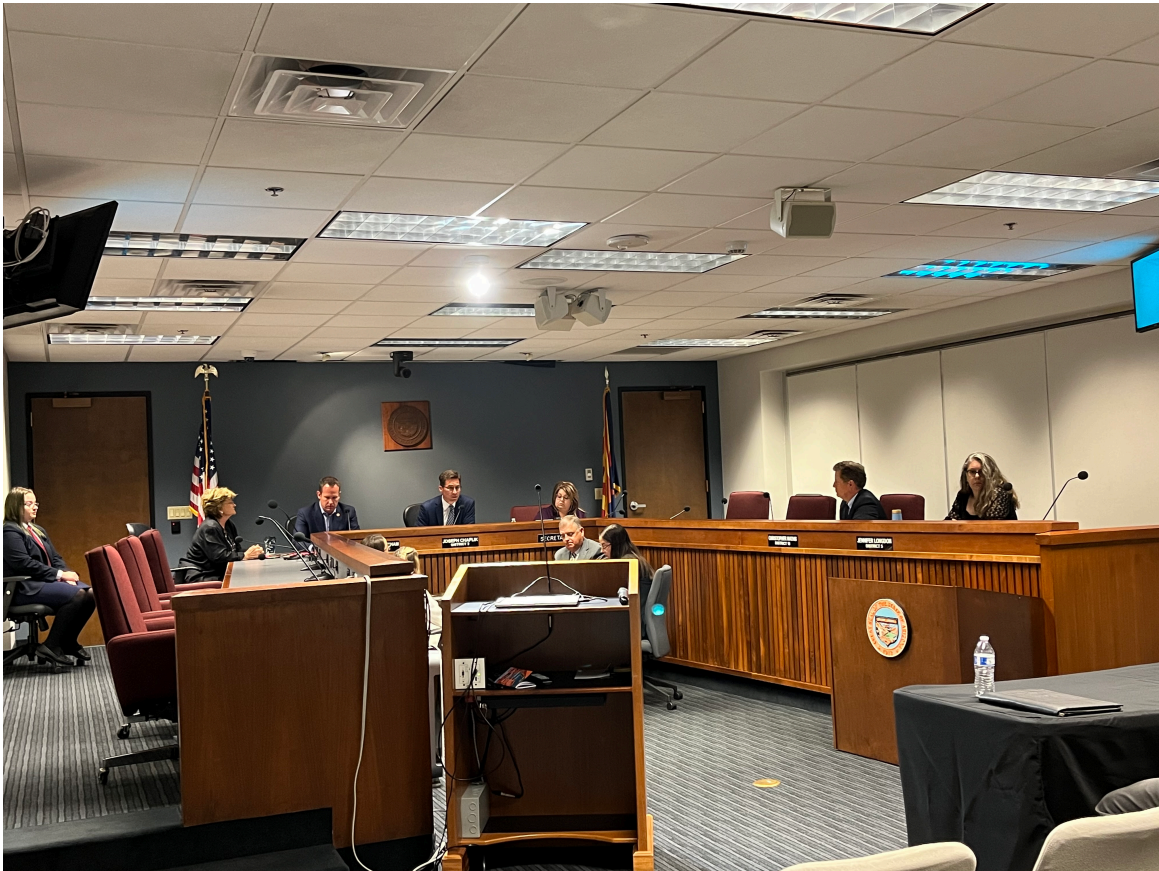




## Strike that! Strike out! Legislators Strike-everything!



March 15, 2024

Hi all!

The Arizona House was back in action this week after a pause when several representatives were out of the country. Both houses will have long committee agendas next week and those agendas are filled with strike-everything amendments, where they totally change the content of a bill and replace it with a new bill, but keep the number. If you are confused by this, you are not alone. It is a confusing practice that does not serve the public and mostly helps to get controversial bills through the process. One positive is they can only do this in committee and

not on the floor of either chamber.

This week, the Senate continued to advance many bad policies, including HCR2040, which passed along party lines in Senate Judiciary Committee where Senator Kern reiterated his racist comments about Justice Kentanji Brown Jackson. [You can watch Senator Kern in action here](#). We need to tell him and other legislators that this is not acceptable. Leadership should demand more of the members of their caucus.

[HCR2040 public monies; prohibited expenditures](#) (Smith: Biasiucci, Carbone, et al.) would place a measure on the 2024 ballot to prohibit the state or any political subdivision, including universities, to do anything to help reduce global temperatures, have a climate action plan, participate in anything related to reducing meat consumption, etc. It wraps this up with a bow related to prohibiting "furthering Marxist ideologies." It is clearly intended to connect all of these issues and motivate voters who fear that there is a vast conspiracy to make this a better world.

**Tell your senator to vote noon HCR2040! You can find their phone number [here](#).**

If you have not created an account on the [Request to Speak system](#), I encourage you to do so. If you need it activated, please let us know. We can help you out. Also, Civic Engagement Beyond Voting has a training and can also help you get signed up for this system. [Find more information here](#).

**This week, please sign in to **Oppose** HB2002, HB2014, HB2186, HB2376, HB2377, HB2405, HB2589, HB2591, HB2647, HCM2006, HCR2003, HCR2032, HCR2049, HCR2050, SB1041, SB1052, SB1064, SB1172, SB1221, SB1243, SB1341, SCR1041, and SCR1044.**

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

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

[HCR2050 energy source; restriction; prohibition](#) (Griffin: Biasiucci, Bliss, et al) would put on the 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 fuels, including gas. This will make it harder to protect our air, our water, our health, and our communities. **This is on the Senate Natural Resources, Energy, and Water Committee agenda.**

**[Please send a message to your senator asking them to oppose it.](#)**

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# **OPPOSE HCR 2050**

AZ, any city, town, county, political subdivision, or public body would be **prohibited from restricting the manufacture, sale, or use of a device based on the energy source it uses.**

We can't limit products that use harmful energy!



We can't fight:

- **air pollution & its lethal health effects** caused by burning gas, propane, coal, wood, etc.
- **extreme weather & drought** caused by climate change
- **deforestation, land degradation, & biodiversity loss** caused by making biofuels and fossil fuels
- **environmental racism:** disproportionate negative impacts on people of color caused by environmentally destructive practices
- **the continual protection of the fossil fuel industry** funded by billions of taxpayer dollars

[https://www.eesi.org/files/FactSheet\\_Fossil\\_Fuel\\_Subsidies\\_2024.pdf](https://www.eesi.org/files/FactSheet_Fossil_Fuel_Subsidies_2024.pdf)  
<https://www.cambridge.org/core/journals/mrs-energy-and-sustainability/article/social-and-economic-consequences-of-the-fossil-fuel-supply-chain/181CB4D021BA549E64D87B667D3FB987>

For more information on these and other bills, reach out to Sandy Bahr at [sandy.bahr@sierraclub.org](mailto:sandy.bahr@sierraclub.org).

Many thanks for using your voice to oppose these bills!

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, March 18th

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

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

- [SB1079 state land auctions; electronic means](#) (Kerr: Carroll, Diaz, et al) allows the Arizona State Land Department to accept bids for state trust lands via electronic means. I don't see any issues with this. **WATCH**.

### Senate Elections Committee at 2:00 PM in SHR1

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

- [HB2405 voter registrations; recorder; inactive status](#) (Gillette: Biasiucci, Bliss, et al) allows recorders to place voters on inactive status if recorder has "reasonable cause" to believe the voter is ineligible. This will inappropriately remove people and disenfranchise them from voting. **OPPOSE**
- [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. This will limit access to voting. **OPPOSE**

### Senate Transportation, Technology, and Missing Children Committee at 2:00 PM in SHR2

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

- HCR2049 ballot measures; challenges (Carter) will have a [strike-everything amendment on freedom to move](#) would put on the 2024 ballot a proposed constitutional amendment to prohibit limits on vehicle miles travelled or having any fee based on vehicle miles traveled. The latter is one of the ways to fund roads as gas taxes continue to dwindle. Limiting traffic can improve our air quality is part of the clean air plans. **OPPOSE**

### Senate Finance and Commerce Committee at 2:00PMi in SHR109

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

- HB2297 adaptive reuse; commercial buildings; zoning(now: zoning; adaptive reuse; commercial buildings) (Biasiucci: Bliss, Carbone, et al) will have a [strike-everything amendment on the same subject](#) that establishes an adaptive reuse program. **WATCH**
- [HB2316 private universities; Arizona teachers academy\(now: mobile home; relocation; building codes\)](#) (Gress: Chaplik) is an emergency measure that increases maximum payment amounts that a tenant may collect from the Mobile Home Relocation Fund for relocating a mobile home due to a rent increase. **WATCH**
- [HB2720 accessory dwelling units; requirements](#) (Carbone: Aguilar, Biasiucci, et al) requires cities to adopt regulations that allow accessory dwelling units (ADU) on any lot

or parcel where a single-family dwelling is allowed and includes standards for ADUs. This is unnecessary as many of the cities are already allowing these. **WATCH**

- [HB2721 municipal zoning; middle housing](#) (Carbone: Aguilar, Biasiucci, et al) requires cities to allow, as a permitted use, the development of duplexes, triplexes, fourplexes, five plexes and townhomes on all lots zoned for single-family residential use. **WATCH**
- HB2734 affordable housing; parking requirements; prohibition (now: public hearings; voting) (Ortiz: Biasiucci, Peña) will have a [strike-everything amendment on the same subject](#) limits public hearings on ordinances. I have concerns about limiting public hearings arbitrarily.

## Tuesday, March 19th

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

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

- [SB1041 groundwater savings certificate; assured water](#) (Hoffman: Kern, Wadsack, et al) appears to be another way around the assured water supply requirements. It Requires the Arizona Department of Water Resources to issue a groundwater savings certificate for development with a gray water system. This is an end-around the assured water supply requirement. **OPPOSE**
- SB1064 gasoline formulations; air quality (Wadsack: Bolick, Borrelli, et al) will have a [S/E: conditional enactment; fuel reformulations](#). It pushes the conditional enactment date for changes to fuel formulations out to 2026. **OPPOSE**
- [SB1172 physical availability credits; water supply](#) (Shope) allows a landowner who has an irrigation grandfathered right in an active management area to retire the land from irrigation, but retain a physical availability credit to non-irrigation use of the land. This specifically gets around assured water supply requirements for subdivisions in AMAs and allows continued groundwater mining without any replenishment. There must be replenishment when the irrigation grandfathered right is converted to a new credit as merely slowing the rate of groundwater depletion is not enough. The allowable 3 acre feet per acre credit is too high. It's not 1980. That should be much less to ensure a benefit to the aquifer, especially considering we are talking about AMAs where water is no longer actually physically available. We should not pretend otherwise. We're concerned about automatically deeming this water as physically available without requiring real finding of that relative to modeling. Those are a few of our concerns. Sadly, we cannot continue with business as usual. Whether the Legislature wants to acknowledge it or not, Arizona does have a water problem and we have to put everything through the lens of actually reducing pumping and not just slowing the rate at which we deplete our aquifers and leave a huge burden for future generations of Arizonans. **OPPOSE**
- [SB1221 basin management areas; appropriation](#) (Kerr: Griffin) establishes a process for creating basin management areas via a petition with signatures from 15 percent of the registered voters in the basin who also get their drinking water in the basin. That excludes people who have already been harmed and who are hauling water. These basin management areas can only be established if land subsidence is endangering property or affecting water storage, and there is an accelerated decline in groundwater levels. The process for actually creating a basin management area is so convoluted and there are so many ways to stop or hinder it, we think it would be truly surprising if one was ever established if this bill became law. **OPPOSE**
- SB1242 ADWR; application; review; time frames (Shope: Kerr) will have a [S/E: water conservation grant fund; purpose](#) that allows for a portion of the fund to be spent on administration and advertising the fund. It's probably okay.
- [SB1243 groundwater sales; online exchange](#) (Wadsack: Bolick, Hoffman, et al) establishes a water marketplace that allows those in the Phoenix, Pinal, and Tucson active management areas who have grandfathered water rights to sell, lease, or convey the water or the rights to others in any of these active management areas. It requires a cut to the aquifer of 35 percent. There are several issues with this bill. It could exacerbate overpumping in certain areas and could result in increased pumping as it creates an incentive for those who hold grandfathered rights to use them in this way. **OPPOSE**

## Wednesday, March 20th

### House Government Committee at 10:00 AM in HHR3

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

- [SB1341 procurement; electric vehicles; forced labor](#) (Carroll: Bennett, Borrelli, et al) requires certification of electric vehicles that no child or forced labor was involved. Why are they singling out electric vehicles? Why not mobile phones? Why not clothing? Why not apply it to all procurement. **OPPOSE**
- [SB1415 accessory dwelling units; requirements](#) (Hernandez: Petersen) requires cities to allow accessory dwelling units. **WATCH**

### House Transportation and Infrastructure Committee at 2:00 PM in HHR3

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

- [SB1052 all-terrain vehicles; definition](#) (Carroll: Farnsworth, Cook) increases the allowable weight for all-terrain vehicles from 2500 to 3000. Heavier vehicles do more damage and kick up more dust in unpaved areas. **OPPOSE**
- [SB1567 off-highway vehicles; education requirement](#) (Kerr) establishes an Off-Highway Vehicle (OHV) Safety Education Course that is required for OHV operation beginning January 1, 2025. This is a good idea as there are a lot of people operating these vehicles in an unsafe manner. **WATCH**

### House Municipal Oversight and Elections Committee at 2:00 PM in HHR4

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

- [SB1286 elections; voting centers; polling places](#) (Hoffman: Wadsack, Chaplik, et al) allows vote centers in addition to precinct polling locations, but not in place of them; requires schools to serve as polling locations. **WATCH**
- [SCR1041 ballot measures; challenges](#) (Mesnard) refers a measure that allows challenges to proposed ballot measures by any person and earlier in the process. **OPPOSE**
- [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. **OPPOSE**

## Thursday, March 21st

### Senate Natural Resources, Energy, & Water Committee at 9:00 AM in SHR2

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

- Arizona Game and Fish Commission Appointment Recommendation Board
  - Norman W. Freeman
  - John Windes
- [HB2002 power plants; transmission lines; definition](#) (Griffin) excludes switchyards and substations from review by the AZ Power Plant and Transmission Line Siting Committee. This is one of the few entities that considers environmental factors relative to siting. We're concerned that they are adding even more exemptions to siting after exempting some lines in 2023. **OPPOSE**
- [HB2003 replacement lines; structures; commission hearings](#) (Griffin) allows a utility that previously received a Certificate of Environmental Compatibility (CEC) to replace a cable or wire on a transmission line or an existing structure with a new structure without getting a new CEC, but it must be in compliance with the existing CEC. **WATCH**
- [HB2014 wells; intention to drill; appropriation \(NOW: wells; intention to drill\)](#) (Griffin) will have a strike-everything amendment regarding **water infrastructure**, but it has not been posted. **OPPOSE**
- HB2022 conservation easements; maintenance; weeds (Griffin) will have a strike-everything amendment on **rural water districts**. It is not yet posted. **OPPOSE**
- HB2131 residential utility consumer office; businesses(now: Arizona utility consumer office; businesses) (Griffin) will have a strike-everything amendment on **state land** that

is not yet posted.

- [HB2186 remedial groundwater incentive; brackish groundwater](#) (Kolodin: Gillette, Jones, et al) designates the use of remediated groundwater for use in securing a certificate or designation of assured water supply as consistent with the management goal of the AMA. This is a bit concerning as it deems it as consistent with the goal without requiring a finding. **OPPOSE**
- [HB2376 federal government; land acquisition; consent](#) (Diaz: Hendrix) mandates approval by the state legislature for any land sale to the U.S. Government. This is a measure to block acquisitions to protect lands around the headwaters of rivers and springs, inholdings, and to otherwise protect blocks of public lands or areas with special habitat or cultural resources. It also would interfere with private property rights and is unconstitutional on several levels. **OPPOSE**
- [HB2377 federal lands; state management costs](#) (Diaz: Hendrix, McGarr) requires the Auditor General and the Joint Legislative Budget Committee to complete a cost and revenue study of the annual costs to manage all federal public land in Arizona and all current revenue generated by federal lands. This measure does not include the indirect revenues and benefits for these public lands and would provide a skewed perspective on these important lands. **OPPOSE**
- [HB2589 assured water supply; analysis; availability](#) (Dunn) establishes criteria for the ADWR Director to accept an analysis of assured water supply as a valid demonstration of physical availability of groundwater to meet the estimated demand of a proposed development. This pokes more holes in the groundwater management act and assured water supply requirements. **OPPOSE**
- [HB2646 power plants; public service corporations](#) (Bliss) includes unworkable requirements for closing fossil fuel power plants and requires the attorney general to be engaged in opposing any federal rules that expedite the closure of fossil fuels plants. Coal is uneconomic. This attempts to force utilities to run these plants and potentially lose money on them, forcing ratepayers to pay for it. **OPPOSE**
- [HB2647 physical availability credits; water supply](#) (Smith: Griffin) allows a landowner who has an irrigation grandfathered right in an active management area to retire the land from irrigation, but retain a physical availability credit to non-irrigation use of the land. This specifically gets around assured water supply requirements for subdivisions in AMAs and allows continued groundwater mining without any replenishment. There must be replenishment when the irrigation grandfathered right is converted to a new credit as merely slowing the rate of groundwater depletion is not enough. The allowable 3 acre feet per acre credit is too high. It's not 1980. That should be much less to ensure a benefit to the aquifer, especially considering we are talking about AMAs where water is no longer actually physically available. We should not pretend otherwise. We're concerned about automatically deeming this water as physically available without requiring real finding of that relative to modeling. Those are a few of our concerns. Sadly, we cannot continue with business as usual. Whether the Legislature wants to acknowledge it or not, Arizona does have a water problem and we have to put everything through the lens of actually reducing pumping and not just slowing the rate at which we deplete our aquifers and leave a huge burden for future generations of Arizonans. **OPPOSE**
- [HB2685 mine inspector; geological survey; authority](#) (Bliss: Nguyen, Bennett) requires the Arizona Geological Survey to map and inventory all areas that contain sand and gravel (aggregate) and requires some notice to nearby property for reclamation activities, but does not require anything more for the mining itself. **WATCH**
- [HCM2006 federal lands; natural resources; permission](#) (Griffin) asks Congress to enact legislation to prohibit the federal government from establishing, authorizing or declaring any new national monument, national park, wildlife refuge, conservation area, area of critical environmental concern, wild and scenic river, wilderness, wilderness characteristic area or any other federal reservation or special use designation in Arizona and from withdrawing or reserving any additional federal mineral, land, water or other national resource rights within Arizona's border. This is must more anti-conservation propaganda and would hinder protection of the Upper Verde, Great Bend of the Gila, and other areas, if Congress actually did it. **OPPOSE**
- [HCR2003 groundwater management; technical correction \(now: for-sale housing; development; groundwater replenishment\)](#) (Griffin) states that for-sale housing

developments, if enrolled in the Central Arizona Groundwater Replenishment District, should be allowed outside the service area of a designated provider. **OPPOSE**

- [HCR2050 energy source; restriction; prohibition](#) (Griffin: Biasiucci, Bliss, et al) would put on the 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 fuels, including gas. This will make it harder to protect our air, our water, our health, and our communities. **OPPOSE**
- [HCR2051 rural communities; groundwater; tools](#) (Griffin) directs the Legislature to provide and continue to provide rural communities with an abundance of tools to adequately manage and address their current and future groundwater resources. This is meaningless without actual action to do anything.

### Senate Government Committee at 1:00 PM in SHR1

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

- [HB2023 land divisions; disclosure affidavit; recording](#) (Griffin) modifies the information required to be included in an affidavit of disclosure to include: information on water supplies; leased or owned battery energy storage devices; and whether the seller is a trustee, personal representative of an estate or conducting a mortgage foreclosure. It explains that attempting to avoid subdivision laws by acting in concert to divide a parcel into six or more lots may trigger an investigation by the Real Estate Department. **WATCH**
- HB2274 firefighters; peace officers; PTSD; coverage (Marshall: Biasiucci, Hendrix, et al) will have a strike-everything amendment on **government** that is not yet posted.
- HB2471 rulemaking; legislative approval (McGarr: Chaplik, Hendrix, et al) will have a strike-everything amendment on **government** that is not yet posted.
- [HB2591 forced labor; child labor; prohibitions](#) (Biasiucci: Dunn, Kolodin, et al) requires a sworn statement from entities that provide batteries, solar panels, etc. that there was no child or forced labor. This would be fine if it was required of everything, but why only these products? **OPPOSE**
- HB2632 zoning violations; enforcement; notice; service (Chaplik: Carbone, Dunn, et al) will have a strike-everything amendment on **government** that is not yet posted.
- HB2846 agency; licensing; information (Heap: Parker J) will have a strike-everything amendment on **government** that is not yet posted.



# Sign up for Arizona Legislative Updates & Actions

