



Arizona Legislative Updates



Keep Your Eyes on the Arizona Legislature Anti-democracy Bills Still in Play



Burrowing Owl photo courtesy of Jim Dublinski

April 23, 2021

Hi everyone!

There were several unexpected turns at the Legislature this week, although unfortunately, much went as expected. SB1485, the bill to purge the Permanent Early Voting List (PEVL) of voters who don't vote early in two election cycles, passed out of the House along party lines 31-29. [See the strong floor speech of](#)

[House Minority Leader Reginald Bolding here](#). In the odd and unexpected category, Senator Kelly Townsend voted no on SB1485 and the bill was temporarily defeated. She voted no as she wants to see the outcome of the ridiculous "audit" of the Maricopa County ballots that are stacked up over at the Veterans Memorial Coliseum. She will apparently not vote for any of the voter bills until that is completed. Today, the audit was put on hold by the courts, so it is unclear where Senator Townsend will be on Monday. Either way the GOP majority in the Senate plans to bring that bill back for reconsideration when she is ready to vote yes, so it is far from dead. Let's keep up the pressure!

I still have some signs and car magnets supporting the PEVL, so let me know if you need one and I will get it to you. [SB1485 \(permanent early voting list; eligibility\)](#) removes voters from the PEVL if they do not vote an early ballot in two consecutive primary and general elections -- even if they actually vote in person during that time. This backdoor way of actually eliminating the PEVL will result in a purge of the list and more than 100,000 voters and is just another way to suppress votes.

[Email and call your Senator and ask them to Vote NO on SB1485.](#)

[HB2309 \(violent; disorderly assembly; public order\)](#) did not come to the floor of the Senate this week, but it did pass out of the Rules Committee where Senator Fann said she would not let it come to the floor until there is an amendment to address some of the unconstitutional provisions. This bill targets protesters by increasing the penalties of lower level offenses to a felony if they are part of a gathering that the police have deemed a "violent or disorderly assembly." This will chill actions by protesters and have a disproportionate impact on people of color who are already targeted by law enforcement.

[Please call and email your state senator and ask them to vote no on HB2309.](#)

In the expected, but still disappointing news, the House and Senate passed [SB1156 \(now: solid waste; advanced recycling facilities\)](#) along primarily partisan lines (Rep. Chavez voted for it in the House along with all Republicans) and was signed by the Governor. This bill exempts from "advanced recycling" of plastic from the definition of a waste management facility. The processes include gasification and pyrolysis, as a means to turn plastics to fuel, among other things. This will mean these facilities do not have the same public review and comment, environmental protection provisions, or financial assurance mechanisms, among other requirements. Watch out for a facility coming to a town near you.

[HB2691 \(now: ADEQ; water quality program; WOTUS\)](#) was on a Third Read agenda, but did not come to a vote in the Senate. It establishes a weak and inadequate water quality program that fails to recognize the need to protect waters for their cultural values, plus leaves out the vast majority of Arizona waters. This is especially concerning at a time when we should be doing more, not less, to protect them.

[Use this link to ask your State Senator to vote NO on HB2691!](#)

These other anti-democracy bills are still alive in the Legislature:

- [HB2792 \(early ballots; request required\)](#) elections officials from providing an early ballot to someone who did not request it and makes it a class 6 felony to do so. This is ridiculous on so many levels, including that we do not currently allow mailing of ballots to people unless they have requested it. **This is on the Senate Committee of the Whole calendar for Monday.**
- [SB1003 \(early voting; signature required; notice\)](#) limits the amount of time available for county elections officials to allow someone to address a missing signature on an early ballot. It requires it to be done by 7pm on Election Day, so those ballots dropped off without signatures would automatically be disqualified. **This bill awaits action by the House Committee of the Whole.**

- [SB1106 \(S/E registration; permanent early voting list\)](#) removes the requirement that a county recorder try to contact a voter at the voter's new residence address if an election notice is returned undeliverable. It makes it a felony to try and assist any other person that resides in another state in voting, including forwarding an early ballot addressed to the other person. **This bill awaits action in House Committee of the Whole.**
- [SB1531 \(petition signatures; description; invalidity\)](#) voids the signature of any initiative or referendum petition signer that signs the petition without either hearing or reading the description printed on the petition. This is another ridiculous requirement. We do not require people to read anything about candidates before signing their petitions or voting on anything, why to sign an initiative petition? It also says the circulator has to cross out a signature if they think the person did not read or listen to the description. It is just a means of disqualifying more signatures. **It awaits action in the House Committee of the Whole.**
- [SB1713 \(S/E early ballots; identification; mailing\)](#) requires additional ID for early voting and creates a new reason to toss out early ballots if there's an error in writing the date of birth, driver's license number, or voter registration number. There are also issues with access to the appropriate numbers as there are more 66,000 registered voters with driver's license -- communities of color, Native voters, seniors, young people, and low-income voters are most likely to be affected by this new requirement. **It awaits action in the House Committee of the Whole.**
- [HCR2001 \(initiatives; single subject; title\)](#) refers to the ballot a measure that narrows what can be included in a ballot measure and requires every subject to be in the title. This would make it impossible to place something on the ballot that is comprehensive, and again, would provide another reason to toss out a ballot measure on a technicality. **This awaits action in the Senate Rules Committee.**
- [HCR2016 \(initiatives; supermajority vote requirement\)](#) refers to the ballot a measure that would require a super-majority or 55% approval rather than a simple majority approval for all ballot measures. This is a difficult threshold and will limit opportunities to address important environmental, animal, and social justice issues. **It awaits action in the Senate Rules Committee.**
- [SCR1024 \(initiatives; tax increases; vote requirement\)](#) refers to the ballot a requirement that initiatives and referenda that include taxes have a two-thirds vote from voters. This is an extremely high bar for these ballot measures. **It awaits action in the House Committee of the Whole.**
- [SCR1034 \(voter protection act; court determinations\)](#) refers to the ballot a measure to allow the Legislature to amend, supersede or appropriate or divert funds created by an initiative or referendum measure approved by the voters if the measure is found to contain any illegal or unconstitutional language by the Arizona or US Supreme Court. This would allow the legislature to throw out an entire measure, even if a small part was successfully challenged and would blow a big hole in the Voter Protection Act. **It awaits action in the House Caucuses.**

[SB1459 \(agency decisions; administrative reviews\)](#) removes the current Arizona Corporation Commission (ACC) exemption for the type of review the court will provide to ACC actions -- the court does not have to rely on the ACC's findings and conclusions in an action before the court. It is clear that the intent of this bill is to undermine the work of the ACC and treat it like an agency rather than a separate branch of government. **This bill is on the House Committee of the Whole calendar for Monday. Please call your Representatives and ask them to vote no! You can find their phone numbers [here](#).**

[HB2248 \(corporation commission; electric generation resources\)](#) does not have the votes in the Senate, but we are still watching it. This bill infringes on the powers of the Arizona Corporation Commission (ACC) and seeks to derail clean energy rules, policies, and other important actions by the ACC. It broadly preempts the Commission from directly or indirectly regulating carbon emissions.

The Clean Energy Rules are on the ACC Agenda for May 4th. Also on the ACC agenda is the Just and Equitable Transition docket to provide transition funding

for coal-impacted communities. Please lend your voice to this important effort by writing and recording a message [here at the Empowered Transition site](#).

Stop the PEVL Purge!

Please sign in on [Request to Speak](#) system to oppose the nomination of Sarahmarge (Wink) Crigler to the Livestock Loss Board. Ms. Crigler is very much involved in activities to hinder wolf recovery and has received funding via this board. (This meeting was canceled this past week.)

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

If you don't know who your legislators are, just use this [Find My Legislator link](#) and enter your address to find your district, then go to [Members](#) to see who represents your district. You will find their phone numbers and email addresses there as well.

Thank you for all that you do!



Sandy Bahr
Chapter Director
Sierra Club - Grand Canyon Chapter



Coming Up This Week at the Arizona Legislature

Wednesday, April 28th

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

Executive Nominations

- Livestock Loss Board
 - Sarahmarge (Wink) Crigler - **OPPOSE**
 - James O'haco

- Arizona State Land Department Board of Appeals
 - Bruce Francis

You can watch the Floor action in the House and Senate by using this [link](#).



Mexican gray wolf photo courtesy of US Fish and Wildlife Service

