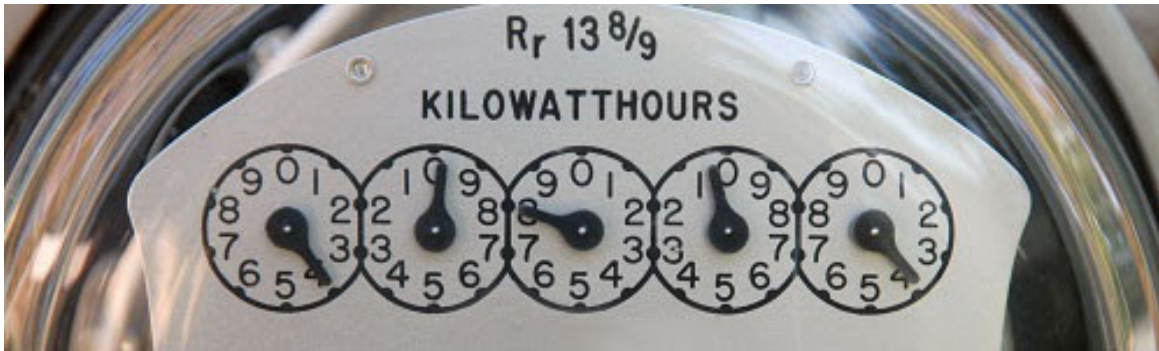


Act on Clean Energy - Stop HB2248/SB1175!



March 5, 2021

Hi everyone!

This week, the Arizona House advanced the attacks on the Arizona Corporation Commission (ACC) and its clean energy rules by passing [HB2248 corporation commission; electric generation resources](#) (Griffin) along party lines 31-28-1. This bill specifically preempts the ACC from directly or indirectly regulating carbon emissions and it establishes the current low renewable energy standard of just 15% renewables by 2025. It unconstitutionally preempts the ACC and seeks to derail the Clean Energy Rules being considered by the ACC.

HB2248's twin in the Senate, [SB1175 corporation commission; electric generation resources](#) (Kerr: Gowan, Gray, et al.), was scheduled to be heard on Thursday, but was retained on the calendar. Let's help make sure it is permanently retained and defeated. Take action today! Call your senator and ask them to oppose both SB1175 and HB2248. **You can find their numbers [here](#) or just [use this link to contact them and share with your friends](#).** Thank you!

[HB2737 corporation commission actions; investigations](#) (Parker: Barton, Biasiucci, et al.) was amended slightly in the House Committee of the Whole (COW). It still allows any legislator to challenge an action by the ACC (with a few limits in the amendment), sending it to the attorney general who could take it directly to the Arizona Supreme Court. A successful challenge would result in a hit

to the ACC budget, affecting its ability to fulfill its responsibilities to regulate utilities and other entities.

[SB1459 agency decisions; administrative reviews](#) (Petersen) passed out of the Senate along party lines 16-14. It seeks to make the ACC subject to the same administrative process as agencies. That is inappropriate as it is a separate branch of government, not just another agency.

Thank you to Senator Kirsten Engel for trying to get the Senate Natural Resources, Energy, and Water Committee to pass an amendment to protect watershed health and promote ecological flows in rivers. Sadly, neither Senator Sine Kerr nor Representative Gail Griffin would hear the bill itself in committee.

SB1156 forfeiture of office; technical correction (now: [solid waste; advanced recycling facilities](#)) is being promoted by the plastics industry and is making the rounds throughout the U.S. It seeks to masquerade the processes outlined as "advanced recycling" and part of a "circular economy," but instead they are producing more of the same, including the production and burning of fossil fuels, as well as pyrolysis. It exempts these plastics processes, including pyrolysis and conversion of plastic to fuel, from the definition of solid waste, so they are more lightly regulated, and also includes them in the acceptable uses for grants for the Recycling Fund monies. **Please call your senator and ask them to vote no. This is likely to be voted on Monday. You can find their numbers [here](#).**

The "Right to Harm" bills are likely to advance this week. [HB2372](#) (Dunn) and [SB1224 agricultural operations; nuisance; liability](#) (Kerr) significantly increase the requirements for bringing a nuisance action against large concentrated animal feeding operations and preempt local ordinances relative to regulation of these facilities as a nuisance. **[Please tell your legislators to oppose these bills by using this link!](#)**

Ask your Arizona Representatives to Oppose [HB2702 federal government; land acquisition; consent](#) (Finchem). It requires that the Governor and Legislature approve any sale or transfer of private property to the federal government that would remove the property from the tax rolls. This legislation ignores that there are many benefits, including economic benefits that federal public lands provide to our state and our economy, including recreation and habitat protection, plus sales tax from outdoor recreation as well. The bill also is likely unconstitutional. **Please use the button below to ask your legislators to vote no.**

Protect Public and Tribal Lands!

Please sign in on the [Request to Speak](#) (RTS) system to oppose SB1429, SB1485, HB2577, HB2691, and HB2714.

Please sign in to support HB2623 and HCR2034.

If you had an account with [RTS](#) previously, it is still active. If you do not have an account, go ahead and set one up, but we will have to help you activate it as it requires going to the Capitol. Contact me directly about that or reach out to [Civic Engagement Beyond Voting](#).

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

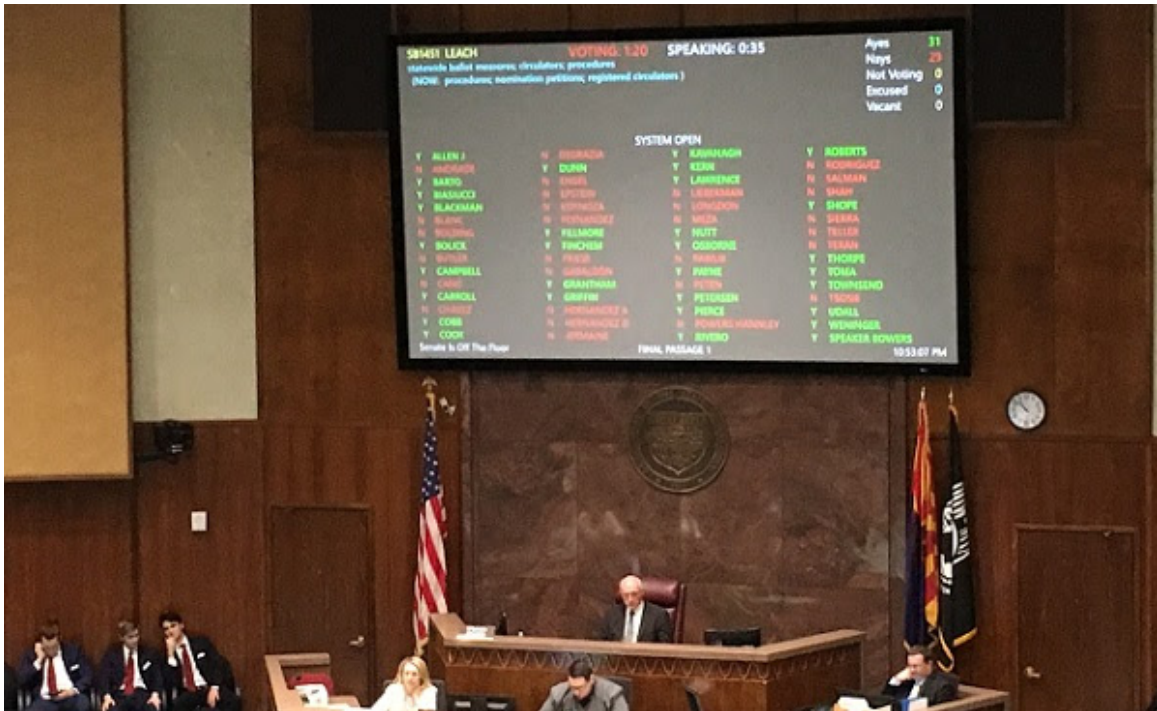
If you don't know who your legislators are, just use this [Find My Legislator link](#) and enter your address to find your district, then go to [Members](#) to see who represents your district. You will find

their phone numbers and email addresses there as well.

Thank you so much for taking action!



Sandy Bahr
Chapter Director
Sierra Club - Grand Canyon Chapter



Coming Up This Week at the Arizona Legislature

Monday, March 8th

Senate Committee on Government at 2:00 PM

- HB2310 municipalities; counties; law enforcement budgets (NOW: [executive orders](#); [review](#); [attorney general](#)) (Roberts: Barton, Biasiucci, et al.) allows any legislator to ask Legislative Council to review presidential executive orders and recommend to the Attorney General to further review an executive order to determine the legality of the order. Did they ever ask for this when Trump was President?
- [HB2362 elections](#); [ballot privacy folder](#) (Kavanaugh: Bolick, Cook, et al.) requires an election board judge to give voters an option of using a ballot privacy folder when voting at a polling location. This is probably okay, but I am not sure why it is needed. **MONITOR.**
- [HB2364 election pamphlet submittals](#); [identification required](#) (Kavanaugh: Bolick, Chaplik, et al.) requires the names of entities submitting arguments for or against an initiative or referendum to be included in the publicity pamphlet to include the person's residence address and telephone number and prohibits that information from appearing in the pamphlet, requires the city of residence to appear in the pamphlet. **MONITOR.**

House Committee on Land, Agriculture, & Rural Affairs at 2:00 PM

- [SB1065 state lands](#); [partial tracts](#); [patents](#) (Kerr) allows smaller parcels of state trust lands to be sold. **MONITOR.**

Tuesday, March 9th**Senate Committee on Appropriations at 2:00 PM**

- [HB2577 appropriation; water supply study](#) (Griffin: Bowers) appropriates \$5 million for the study of additional water supplies. It is ridiculous to spend a bunch of money looking for additional water supplies (including in the Mississippi) instead of just seeking to conserve more water and investing dollars in that. **OPPOSE.**
- HB2671 technical correction; underground storage; closure ([now: underground storage tanks; standards; reimbursements](#)) (John: Bowers) includes provisions for underground storage tanks to meet federal requirements, which I am pretty sure they should anyway, allows transfer of \$10 million from this fund to the water quality assurance revolving fund, and it eliminates the sunset of this tax. This program has become a big subsidy for entities that should be using their private insurance to pay for leaky tanks. These dollars should be to help fund actions by ADEQ, but not pay the bill for these massive corporations. I am going to review for possible opposition.

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

- [SB1177 forest products; processing; tax credit](#) (Kerr: Gowan, Gray, et al.) provides tax credits for industry that uses "qualifying forest products," which is intended to focus on forest thinning, but also can include standing dead or down trees, which provide important habitat for wildlife and can help keep soil intact postfire. We would like to see it amended to focus more on thinning. **MONITOR.**
- SB1307 water; wastewater system; county operation ([now: water; wastewater system; corrective actions](#)) (Shope) says that when ADEQ makes a written request for corrective action for a regulated wastewater treatment system or public water system for non compliance with water quality and directs the Arizona Corporation Commission (ACC) to begin corrective action that it must do so. **MONITOR.**
- [SB1429 solid waste services; private provider](#) (Townsend: Fillmore) prohibits a city from enforcing a criminal penalty against someone who refuses to retain private trash collection unless that private trash collection is retained by the city. The key concern with this is it will result in more illegal dumping, which is already a big problem. **OPPOSE.**

Wednesday, March 10th**Senate Committee on Government & Elections at 9:00 AM**

- [SB1105 ballot measures; 200-word description](#) (Menard) increases to 200 words the short description that goes on ballot measure petitions. This seems like it is probably okay. **MONITOR.**
- [SB1107 redistricting; petition signatures; 2022 candidates](#) (Mesnard) requires the Secretary of State to accept nomination papers and petitions from candidates for election in 2022 using legislative and congressional districts used in the 2020 elections, designated by the redistricting plan adopted by the Independent Redistricting Commission in 2021 or designated as the 2022 redistricting plan by a court. This seems fine. **MONITOR.**
- SB1485 elections; voting center tabulation ([now: early voting list; eligibility](#)) (Ugenti Rita) removes voters from the Permanent Early Voting List (PEVL) if they do not vote an early ballot in two consecutive primary and general elections. This is the resurrection of a bill that died and would result in a significant purge of the PEVL, plus eliminates the word "Permanent" from the statute. **OPPOSE.**

Senate Committee on Finance at 9:30 PM

- [HB2247 forest products; processing; tax credit](#) (Griffin) establishes a tax credit for qualifying forest products through 2030 and caps the total amount that can be claimed at \$2 million annually. **MONITOR**
- [HB2714 environmental technology; biomass; forestry](#) (Nutt) allows a company to qualify for the Arizona Commerce Authority's (ACA) Environmental Technology Assistance Program if it

locates or makes additional capital investment in a facility that processes biomass and forestry industry products. This is a subsidy for biomass, which is not carbon neutral, pollutes, and does not focus on forest health. **OPPOSE.**

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

- [HB2037 geological survey; state geologist](#) (Griffin) requires the state geologist to be a registered geologist or a trained geologist, serves at the pleasure of the Arizona Board of Regents. It establishes the Arizona Geological Survey within the University of Arizona and repeals its termination date. The mining industry seems to like this, so it is worth keeping an eye on it. **MONITOR.**
- [HB2038 salvage permit; big game animals](#) (Griffin) requires someone to obtain a big game salvage permit for the carcass of a big game animal and includes specific requirements for the permit. **MONITOR.**
- [HB2246 G&F; private lands; trespassing](#) (Griffin) allows private property landowners to prohibit guiding on their lands without permission by posting their lands. **MONITOR.**
- [HB2677 agricultural management practices; general permit](#) (Griffin) specifies that an agricultural general permit include best practices to reduce fugitive PM-10 emissions and specifies instances when regulated agricultural activities must obtain a state air pollution permit. **MONITOR.**
- HB2691 groundwater permits; technical correction ([NOW: ADEQ; water quality program; WOTUS](#)) (Griffin) creates an extremely weak surface water quality program that leaves out nearly all ephemeral waters such as desert washes and provides limited protections overall. **OPPOSE.**
- [HB2758 emissions inspection; collectible vehicles; dealers](#) (Pingerelli: Biasiucci, Burges, et al.) exempts collectible vehicles from emissions testing if they have collectible vehicle or classic automobile insurance or the vehicle is exempt from emissions testing based on Arizona Department of Environmental Quality rules. It is always a bit troubling that those of means can find these exemptions, but those who really cannot afford to get their car fixed can't. **MONITOR.**
- [HCR2034 Arizona's outdoors; recreation; supporting](#) (Cobb) recognizes the value of outdoor recreations. I am not sure why they are doing this again. They already passed a nearly identical resolution. **SUPPORT.**

Senate Committee on Commerce at 2:00 PM

- [HB2623 fireworks; use; overnight hours; prohibition](#) (Shah: Bowers, Lieberman, et al.) prohibits the use of "permissible consumer fireworks" between 10:00 P.M. and 8:00 A.M. This is an improvement after years of the legislature creating a bit of a free-for-all on fireworks. **SUPPORT.**



Roadrunner photo by Ricardo Small

