

Help Stop Bad Neighbor Bill In AZ House!



Resident Dan Mack stands in front of the Hickman Egg Ranch in Tonopah, Arizona credit Right to Harm film

March 19, 2021

Hi everyone!

This past week, we saw several of the anti-democracy bills advance, including those aimed at suppressing votes and hindering ballot measures. Due to your great actions along with all of those in the Voting Rights Coalition, at least some of the bills aimed at making early voting more difficult have stalled. We need to stay vigilant and keep calling, however.

- [Act and share this action opposing SB1485 to prevent PEVL purge.](#)
- [Act against and share these actions to oppose SB1593 and SB1713, limits early voting.](#)
- Act and share these actions to stop attacks on ballot measures [in the House](#) and [in the Senate](#).

Also, the Senate Judiciary Committee advanced the bill to chill actions by protesters. [HB2309 violent; disorderly assembly; public order](#) (Roberts: Barton, Biasiucci, et al) targets protesters by increasing the penalties of lower level offenses to a felony if part of a gathering that the police have deemed a violent disorderly assembly. This will chill actions by protesters and have a disproportionate impact on people of color. **Read more about the bill in [Taylor Miller's letter-to-the-editor](#) and call your senator, ask them to vote No on HB2309. You can find their numbers [here](#).**

Another version of the "Right to Harm" or bad neighbor legislation passed out of the House Land Agriculture and Rural Affairs Committee. The strike-everything amendment on SB1448 would have a chilling effect on any nuisance actions by small farmers or property owners against these big concentrated animal feeding operations by giving further deference to these facilities and forcing a plaintiff to risk having to pay attorneys' fees. **Please use the button below to tell your representatives to vote No on SB1448.**

Also, call your representatives on Thursday, March 25th to help flood their phone lines against SB1448. You can find their numbers [here](#).

Act on Bad Neighbor Bill!

Please sign in on the [Request to Speak](#) (RTS) system to oppose HB2014, HB2040, HB2308, HB2357, HB2712, HB2717, HB2759, HB2792, HCR2001, HCR2016, SB1010, SB1063, SB1106, SB1119, SB1156, SB1222, SB1459, SB1531, SB1713, SB1788, SCR1011, and SCR1034

Please sign in to support HB2127, SB1384, and SCR1046.

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 22nd

Senate Committee on Government at 2:00 PM

- [HB2014 GRRC; petition to request review](#) (Biasiucci) allows anyone to petition the Governor's Regulatory Review Council (GRRC) for review of an existing Citizens' Clean Elections Commission rule. As GRRC is hostile to any kind of progressive rule and is subject to the Governor's influence, this is clearly an attack on the Commission and Clean Elections. **OPPOSE.**
- [HB2308 recall petitions and elections; revisions](#) (Kavanagh) makes several changes to the form of recall petitions to make it more difficult. **OPPOSE.**
- [HB2357 attorney general; voter fraud; subpoenas](#) (Kavanagh: Bolick, Chaplik, et al.) requires the Attorney General to conduct investigations and issue and enforce subpoenas similar to consumer fraud. This is just to further the false narrative about massive voter fraud. **OPPOSE.**
- [HB2717 Now: judgments; legislature; governor; consent decree](#) (Finchem) requires the Legislature to approve any settlement by way of consent decree that requires an appropriation or statutory or administrative rule change. **OPPOSE.**
- [HB2759 rulemaking; petitions; GRRC](#) (Grantham) allows anyone to petition the Governor's Regulatory Review Council (GRRC) to request a review of any existing agency practice, substantive policy statement, final rule, or a regulatory licensing requirement that they think is "unduly burdensome" or unnecessary to protect public health, safety, or welfare. It requires GRRC to review the subject of the petition. This will just tie agencies up with these petitions and make them less likely to act to protect the public. **OPPOSE.**
- [HCR2001 initiatives; single subject; title](#) (Kavanagh) 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, including environmental protection measures, and would mean a series of expensive ballot measures. **OPPOSE.**
- [HCR2016 initiatives; supermajority vote requirement](#) (Dunn: Barton, Biasiucci, et al.) refers to the ballot a measure that would require a super-majority or 55% approval rather than simple majority approval for all ballot measures. This is a near impossible threshold and will limit opportunities to address important environmental, animal, and social justice issues. **OPPOSE.**

Senate Committee on Transportation and Technology at 2:00 PM

- [HB2712 highway alignments; environmental impact statement](#) (Hoffman: Cook, Fillmore, et al) requires the Arizona Department of Transportation to include an alternative that serves the most populous areas of Pinal County and represents stakeholder feedback when it issues a tier one environmental impact statement (EIS) and record of decision on a new state highway in Pinal County. This still seems to dictate the direction of the EIS and that is not how the

process is supposed to work. Powerful people or legislators should not be able to dictate the alternatives. **OPPOSE.**

Tuesday, March 23rd

Senate Committee on Appropriations at 2:00 PM

- [HB2127 appropriation; state parks; heritage fund](#) (Osborne: Blackman, Bowers, et al) appropriates \$10 million for one year to the Arizona State Parks Heritage Fund. While one year does not address the ongoing need to fund this program, this would go a long way to get it back on track. **SUPPORT.**
- [HB2379 appropriation; southern border region enforcement](#) (Dunn: Barton, Cook, et al) appropriates \$1.1 million to southern border counties for border enforcement. Is this really necessary?

House Committee on Commerce at 2:00 PM

- [SB1063 administrative review of agency decisions](#) (Mesnard) requires a trial to review agencies' final administrative decisions regarding a profession or occupation to be a de novo trial. It requires a court in decisions against a regulated party, to decide all questions of fact without deference to any previous determination by the agency. **OPPOSE.**
- [SB1156 \(now: solid waste; advanced recycling facilities\)](#) (Mesnard) seeks to exempt from waste regulations the processes outlined as "advanced recycling." The processes outlined relate to gasification, pyrolysis, and plastics to fuel. This will mean they are more lightly regulated and also includes them in the acceptable uses for grants from the Recycling Fund monies. **OPPOSE .**

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

- Overview of Water Management in Arizona, Director Thomas Buschatzke
- [SB1147 water banking; storage credits; subcontractors](#) (Kerr) authorizes the Water Banking Authority to distribute long-term storage credits to CAWCD's municipal and industrial subcontractors. **MONITOR.**
- [SB1222 conservation districts; water; invasive vegetation](#) (Kerr) gives more power and responsibilities to Natural Resource Conservation Districts (NRCD), which are made up almost entirely of agricultural interests with a fairly narrow focus. The bill expands the current program to include eradication of native vegetation. The bill does not include any provisions to ensure healthy habitats or consider impacts on wildlife regarding the proposed vegetation removal. Mesquite, a native species, for example, provide important habitat for many birds but are often the target of these eradication efforts. We are concerned these provisions will be used to eliminate mesquite and other native species in order to grow cattle when the cattle contribute to the landscape change in the first place, and denuding the land of the grasses. Removal of vegetation to increase water runoff is also ineffective and removing vegetation without a restorative focus will not give us healthy ecosystems. **OPPOSE.**
- [SB1269 sale of state lands; notice](#) (Leach) requires notices for the sale of state trust lands to be posted on the website. This seems like a good idea.
- SB1366 remediated water; groundwater; use (Kerr) will have a [S/E: remediated groundwater use; date; extension](#) that extends from 2025 to 2050 an exemption from groundwater management provisions in Active Management Area for pumping up to 65,000 acre-feet of remediated groundwater annually. **MONITOR.**
- SCR1011 supporting; hardrock mining (Kerr) will have a [S/E: border security; border crisis](#) that asks Congress and the President for the construction of more border wall in response to the numbers of unaccompanied minors on the border. How about asking for humanitarian aid and compassionate border policies? **OPPOSE.**

House Committee on Education at 2:00 PM

- [SB1788 \(now: appropriation; school of mining\)](#) (Gowan) appropriates \$4 million from the state General Fund to the University of Arizona for a School of Mining. Why should this school get a special appropriation? There is no special appropriation for the ASU School of Sustainability or any other school. **OPPOSE.**
- [SCR1046 Arizona's outdoors; recreation; supporting](#) (Engel: Alston, Bowie, et al) recognizes the importance of outdoor experiences. **SUPPORT.**

Wednesday, March 24th**House Committee on Judiciary at 9:00 AM**

- [SB1119 \(now: attorney general; federal executive orders\)](#) (Gowan) requires the attorney general's office to review presidential executive orders for constitutionality and whether Arizona should request an exemption from the order. This is not a good idea. **OPPOSE.**
- [SB1459 agency decisions; administrative reviews](#) (Petersen) removes the current ACC exemption for administrative review and inappropriately treat the Arizona Corporation Commission like a state agency. The bill would force the ACC, an independent agency, to undergo decision review from the state and also change the type of review the courts will provide. **OPPOSE.**

House Committee on Government & Elections at 9:00 AM

- [SB1010 \(now: recounts; requests; procedures; audits\)](#) (Mesnard) increases the minimum number of precincts in a post-election hand counts and allows individuals to file an action and bond in Superior Court for a recount of any election or portion of an election that is not subject to an automatic recount. So, people with money can challenge any election and demand a recount? **OPPOSE.**
- [SB1068 elections manual; legislative council; GRRRC](#) (Ugenti-Rita) requires the Secretary of State's elections manual to be reviewed by the attorney general. **MONITOR.**
- [SB1105 ballot measures; 200-word description](#) (Menard) increases to 200 words the short description that goes on ballot measure petitions. This would be a problem if coupled with SB1531 requiring it also to be read aloud by the circulator. **MONITOR.**
- [SB1106 voting residency; intent to remain](#) (Mesnard) makes it a class 6 felony for someone to register another person to vote solely for the purpose of voting in an election and without intent to stay. This is ridiculous. People may plan to move in six months, but still should be able to vote in an election here and the person registering them should be considered a felon. **OPPOSE.**
- [SB1531 petition signatures; description; invalidity](#) (Mesnard: Leach) voids the signature of any initiative or referendum petition signer that signs the petition without either hearing or reading the initiative or referendum description printed on the petition. This is another ridiculous requirement.
What if you actually had read the measure? Why should you have to read or hear the description? It also says the circulator has to cross out a signature if they think the person did not read or listen to the description. **OPPOSE.**
- [SB1613 election data; results; election equipment](#) (Townsend) requires all election equipment to be made in the U.S. and prohibits election data or results from being transferred, transmitted or stored in any other country. Again, the conspiracy theories continue.
- [SB1713 early ballots; identification; mailing.](#) (Mesnard: Ugenti-Rita) requires an additional inside envelope for early ballots and requires voters to submit a driver's license number, Tribal identification, or a voter registration number, plus an extra document—a copy of a utility bill, a bank or credit union statement that is dated within ninety days of the date of the election—in order to have their early ballot counted. Many voters do not have easy access to copiers or scanners and printers and may not be able to comply with this requirement if they do not have the other IDs. All of this must be received by 7:00 PM on Election Day with no opportunity to fix any deficiencies, at least none clear in the bill. This requires voters to go through the burdensome voter ID process every time they vote by mail, will disproportionately and negatively impact voters who are elderly, live in rural areas, have low incomes, and are people of color. **OPPOSE.**
- [SCR1034 voter protection act; court determinations](#) (Leach) 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 would likely create more backlash against the Legislature as it seeks to concentrate more power in the Legislature and weaken this important check that voters have consistently supported. **OPPOSE.**

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

- Overview of Water Management in Arizona – Thomas Buschatzke, Director of the Arizona Department of Water Resources

- Central Arizona Project Update – Ted Cooke, CAP General Manager

Executive Nominations

ARIZONA HISTORICAL SOCIETY BOARD

- Deborah Bateman, Linda Elliott-Nelson, Richard Powers, Sherry Ramp, Ileen Snoddy, Valerie Welsh-Tahbo, Wynne Brown

LIVESTOCK LOSS BOARD

- Stephen Clark, Kenneth Van De Graaff
-
- HB2040 dam safety study committee (Griffin) will have a strike-everything on surveys; land divisions; county regulation. It is not posted, but I am sure it is the same as Rep Griffin's other bill that prohibits a county from requiring a land division applicant to survey the land before receiving approval to divide or convey the land or issue a building permit. This will promote more irresponsible wildcat subdivisions in rural areas. **OPPOSE.**
- [HB2388 \(now: water supply development fund\)](#) (Griffin) broadens the definition of water provider and allows the fund to be used for more purposes. **MONITOR.**
- HB2807 archaeology advisory commission (Griffin) will have a strike-everything on Sierra Vista; hummingbird capital. I am surprised they are doing a striker on this. It recognizes Sierra Vista as the official hummingbird capital for Arizona.

House Committee on Appropriations at 2:00 PM

- [SB1384 state parks; lottery; heritage fund](#) (Shope) appropriates \$3 million from the state lottery funds to the Arizona State Parks Heritage Fund for local parks, trails, and protection of historic and cultural resources. We would love to see the full \$10 million included, however. **SUPPORT.**
- [SB1788 \(now: appropriation; school of mining\)](#) (Gowan) See above. **OPPOSE.**

Thursday, March 25th

Senate Committee on Judiciary at 9:00 AM

- [HB2792 early ballots; request required](#) (Hoffman: Barton, Biasiucci, et al) prohibits mailing early ballots to those who have not requested them. This would prohibit mailing ballots to everyone during a pandemic or make it so there could not be an all vote by mail election. **OPPOSE.**

House Committee on Government & Elections at 9:00 AM

This is the continuation of the agenda from Wednesday.



Black-footed Ferret

