

## Arizona Legislature Passes and Governor Signs "Right to Harm" Bill



Dan Mack stands near Hickman's Eggs, courtesy of Right to Harm film.

April 9, 2021

Hi everyone!

I expect this will surprise no one, but it was a pretty awful week at the Arizona Legislature. The Senate passed the "Right to Harm" or "Bad Neighbor" bill, [SB1448 \(agricultural operations; nuisance; costs; damages\)](#). This bill limits actions against industrial agricultural, particularly these large-scale concentrated animal feeding operations (CAFOs). To top it off, the Governor signed it before we could even request a veto. Apparently, operations that treat animals and people poorly and harm the air and water are on the most favored list for Governor Ducey. **Thank you to the 14 Democrats in the Senate and 26 Democrats in the House for voting no on this bill. Please join me in thanking them. Also please express your disappointment to those who voted yes. To see how legislators voted, go to the bill overview [here](#).**

The Governor also signed a bill, HB2569, to limit counties and the Secretary of State's office from

using any private grants to help conduct elections. If only the Legislature provided adequate funding for elections, it would not be a big deal, but they don't, so it is.

On the Governor's desk is another anti-democracy bill, [SB1497 \(ballot measures; proposition 105; disclosure\)](#). This bill requires the official ballot and the publicity pamphlet to include a Proposition 105 notice, warning voters that it is difficult to change anything the voters pass. Who knows how it would affect the outcome, but it is inappropriate to put this kind of language on the official ballot. **Call Governor Ducey at 602-542-4331 and ask him to veto SB1497.**

[HB2248 \(corporation commission; electric generation resources\)](#) still does not have the votes in the Senate, but we are watching it as we are concerned they will flip a vote and jam it through. 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.

**[Please send a message to your Senator and ask them to support clean energy and oppose HB2248.](#) If your senator has committed to vote no on this, please thank them. Every vote is critical to stopping this bill.**

[HB2691 \(now: ADEQ; water quality program; WOTUS\)](#) went to the Senate Floor on Monday, where Senator Engel attempted to add a small amendment to recognize the cultural value of certain waters for Tribes. Senator Kerr and the majority rejected it. This proposed water quality program just doesn't cut it. It leaves most of Arizona's waters unprotected. This is especially concerning at a time when we should be doing more, not less, to protect them.

**[Ask your State Senator to vote NO on HB2691!](#)**

The purge of the Permanent Early Voting List (PEVL), SB1485, may go to the House Floor on Monday or Tuesday, so please also keep up the pressure on that. We have heard that one of the no votes may be getting shaky. [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. This backdoor way of actually eliminating the PEVL will result in a purge of the list and is just another way to suppress votes.

**[Email and call your two State Representatives and ask them to Vote NO on SB1485.](#)**

Other anti-democracy bills that appear to still be in play include the following:

- [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.**
- [HB2309 \(violent; disorderly assembly; public order\)](#) 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. **It still has not been heard in Senate Rules, so is stalled, for now.**

[SB1156 \(now: solid waste; advanced recycling facilities\)](#) seeks to exempt from waste regulations facilities using the processes defined as "advanced recycling." The processes include gasification and pyrolysis, as a means to turn plastics to fuel, among other things. This will mean these facilities are more lightly regulated and also makes them eligible for grants from the Recycling Fund monies. **This bill awaits action in the House Committee of the Whole. Use the button below to take action on SB1156 and ask your representatives to vote no.**

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Say No to Plastics Shell Game!

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**There are again no Request to Speak actions this week and likely will not be until the budget bills are introduced.**

[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 all that you do!



Sandy Bahr  
Chapter Director  
Sierra Club - Grand Canyon Chapter



## Coming Up This Week at the Arizona Legislature

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This week again is all Floor action, Rules Committee, and caucusing about bills. You can watch the Floor action in the House and Senate by using this [link](#).



Sonoran Desert Tortoise

