



Arizona Legislative Updates



**First Amendment Under Attack at AZ Legislature!
Call your state senator today.**

REPUBLICANS ARE

ATTACKING

YOUR FIRST

AMENDMENT RIGHTS

TELL YOUR LEGISLATOR:

**No protesting
double standards!**

April 16, 2021

Hi everyone!

As we have said many times, no bill is dead until the Arizona Legislature adjourns. While HB2309 was paused for several weeks awaiting action in the Senate Rules Committee, it is now on the Rules agenda for Monday. That means the Republican Majority is planning to move it forward. [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 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 right away and ask them to vote no on HB2309.](#)

[SB1156 \(now: solid waste; advanced recycling facilities\)](#) is on the House Committee of the Whole calendar for Monday. They are planning to amend it slightly and likely will take it right to a Third Read vote for passage. This bill 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.

[Please use this link to call and email your two state representatives and ask them to oppose SB1156!](#)

[HB2691 \(now: ADEQ; water quality program; WOTUS\)](#) 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!](#)

The purge of the Permanent Early Voting List (PEVL), SB1485, has still not appeared on a House Floor calendar again, but let's keep up the pressure with calls and emails. Also, I have some signs and car magnets on this bill and SB1713, so let me know if you would like one and I will make arrangements to 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. 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 are alive in the Legislature or that were signed by the Governor this week include the following:

- [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.

- [SB1497 \(ballot measures; proposition 105; disclosure\)](#) 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. **This was signed by the Governor.**
- [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.**

[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.

Stop Attack on First Amendment!

Please sign in on [Request to Speak](#) system to oppose HB2309 and 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. The HB2309 sponsor has indicated it will chill participation in protests, so it is clearly intended to infringe on a constitutional right. The Rules Committee should vote it down.

[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 taking actions to protect our constitutional rights, our democracy, our waters, and more!



Sandy Bahr
Chapter Director
Sierra Club - Grand Canyon Chapter



Coming Up This Week at the Arizona Legislature

Monday, April 19th

Senate Rules Committee at 1:00PM

[HB2309 violent; disorderly assembly; public order](#) (Roberts: Barton, Biasiucci, et al.) See above for details on this bill. **OPPOSE.**

Wednesday, April 21st

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](#).



Ocelot photo by Tom Smylie

