



Take Action to Protect Our Democracy!



February 13, 2021

Hi everyone!

This past week saw a plethora of bad public policies advance in various committees -- attacks on voting rights, ballot measures, human rights, the Arizona Corporation Commission and clean energy, water, and more. Next week promises more of the same as it is the last week to hear bills in committees in the House where the bills started. Note there are more and more strike-everything amendments. These are amendments that eliminate the original bill and replace it with a brand new one. The bill number remains the same. They are generally used to advance bad policies.

The attacks on the Arizona Corporation Commission and its clean energy rules continued with [HB2737 corporation commission actions; investigations](#) (Parker: Barton, Biasiucci, et al.) advancing in committee and [HB2248 corporation commission; electric generation resources](#) (Griffin) now ready to go to the floor. [SB1175 corporation commission; electric generation resources](#) (Kerr: Gowan, Gray, et al.) is stalled in the Senate Rules committee. **Please keep up the pressure and**

contact your own legislators, even if you have previously done so, and ask them to oppose all three bills. If you have already emailed a couple of times, please try a phone call. [Use this link to send a message to your senator and two representatives.](#) You can find the legislators' numbers [here](#).

[Please use this link](#) or the button below to contact your Senator and ask them to oppose [SB1069 permanent early voting list; eligibility](#) (Ugenti-Rita). It removes voters from the Permanent Early Voting List if they do not vote an early ballot in two consecutive primary and general elections. This is a purge of the list and another way to suppress votes.

Please sign in on the [Request to Speak \(RTS\)](#) system to oppose HB2302, HB2308, HB2309, HB2372, HB2373, HB2543, HB2691, HB2702, HB2716, HB2792, HB2793, HB2794, HB2811, HCR2016, HCR2023, HCR2035, HCR2036, SB1156, SB1309, SB1459, SB1650, SB1713, SB1793, and SCR1028.

Please sign in to support HCR2034, SB1102, SB1152, SB1384, SB1555, and SB1788.

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](#).

For people who would like to speak remotely in committee hearings, please contact me and I will help you submit your specific request, which must be submitted the day before.

Act on Voting Rights

[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. Be well and take care.



Sandy Bahr
Chapter Director
Sierra Club - Grand Canyon Chapter



Coming Up This Week at the Arizona Legislature

Monday, February 15th

House Committee on Military Affairs & Public Safety at 10:00 AM

- [HB2309 violent; disorderly assembly; public order](#) (Roberts: Barton, Biasiucci et al.) increases the penalties for acts committed during a violent or disorderly assembly, including blocking a roadway. It says they lose public benefits too. This is clearly intended to target Black Lives Matter protests. **OPPOSE.**
- [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.**

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

- [HB2372 agricultural operations; nuisance; liability](#) (Dunn) significantly increases the requirements for bringing a nuisance action against an agricultural operation -- must bring the action within one year of the facility beginning operation and the person must be the property owner -- and it preempts local ordinances relative to regulation of these facilities as a nuisance. This is likely in response to complaints and actions against large concentrated animal feeding operations (CAFOs) that have significant smell, noise, and excessive lighting. **OPPOSE.**
- [HB2702 federal government; land acquisition; consent](#) (Finchem) requires that the Governor and Legislature to approve any sale or transfer of private property to the federal government that would remove the property from the tax rolls. This infers that the values to our state and our economy come from the property taxes when these public lands benefit our economy in all kinds of ways as outlined above, including with sales taxes associated with outdoor activities. The bill also is likely unconstitutional for two reasons 1) It

interferes with private property rights and a private transaction, seeking to impose the will of the state on a private property owner, and 2) it is contrary to the Supremacy Clause in the US Constitution. **OPPOSE.**

- [HB2817 appropriation; hazardous vegetation removal](#) (Lieberman) appropriates \$2 million to the Department of Forestry for "hazardous vegetation" removal. Hazardous vegetation is undefined, so we are concerned that this could be used to do harm to habitat that might arbitrarily be deemed "hazardous."
- [HCR2036 clean air act; agriculture; exemption](#) (John: Cook, Dunn, et al.) asks the Congress to exempt agriculture from Clean Air Act requirements related to particulate pollution. Agriculture already has to do much less than other entities relative to its pollution and there are real public health issues associated with particulate pollution. **OPPOSE.**

[Senate Committee on Government at 2:00 PM.](#)

- [SB1102 electric vehicle omnibus; appropriations](#) (Steele) directs the Arizona Department of Administration to conduct a two-year Electric Vehicle Ready Homes Pilot Program and Electric Vehicle Charging Station Pilot Program. It would also appropriate, \$500,000 for each of these from the state General Fund. **SUPPORT.**
- [SB1152 zero emission vehicles; plans; fleet](#) (Steele) requires the Arizona Department of Transportation to develop a Zero Emission Vehicle Plan and a State Zero Emission Motor Vehicle Fleet Plan. Appropriates \$500,000 from the state General Fund to acquire telematics technology to develop the State Zero Emission Motor Vehicle Fleet Plan. **SUPPORT.**
- [SB1555 historic names board; establishment](#) (Peshlakai: Alston, Bowie, et al.) re-establishes the board of historic names and outlines the membership and procedures. **SUPPORT.**
- [SB1713 early ballots; identification; mailing](#) (Mesnard: Ugenti-Rita) requires including date of birth or voter ID or driver's license number and additional ID to be inserted in the return envelope. This is unnecessary and will likely result in additional voters being disqualified. **OPPOSE.**
- [SB1714 campaign expenditures; out-of-state; disclosures](#) (Mesnard) requires a political action committee (PAC) that makes an expenditure for an advertisement to disclose the aggregate percentage of out-of-state contributors for that advertisement. Requires the disclosure to be displayed in a height that is at least 10 percent of the vertical height of the advertisement, sign, billboard or television broadcast. **MONITOR.**
- [SB1793 voter registration databases; death records](#) (Gowan) requires the Secretary of State to establish a nonpublic database for use by county recorders to cancel the names of deceased persons from county voter registration databases. Why have a nonpublic database? **OPPOSE.**

[Senate Committee on Transportation and Technology at 2:00 PM](#)

- [SB1650 transportation tax; election; gas tax](#) (Livingston: Carroll) establishes a new 20-year transportation excise tax in Maricopa County subject to voter approval. Increases, beginning January 1, 2022, and ending December 31, 2045, the statewide gas tax by 1 cent annually and indexes the tax to annual inflation. Requires an annual tax on electric vehicles (EV) and hybrid electric vehicles. The fees on EVs are too high in this bill and not fairly established. **OPPOSE.**

Tuesday, February 16th

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

- HB2498 battery storage technology; grants; appropriation (Lieberman: Butler, Rodriguez) has a strike-everything amendment on [clean energy technology; grants; appropriations](#) establishes a clean energy technology research grant program and appropriates \$5 million for it. This appears to be a positive measure. **MONITOR.**
- [HB2576 water rights; general adjudications; funding](#) (Griffin: Bowers) appropriates \$2 million for the general water rights adjudications. **MONITOR.**
- [HB2670 underground storage tanks; tax extension](#) (John: Bowers) extends the underground storage tank tax on gasoline out to 2030. This has become a subsidy for those with leaky tanks. At some point their private insurance was supposed to pick up the tab for costs. **MONITOR.**
- HB2671 technical correction; underground storage; closure (John: Bowers) will have a strike-everything amendment on [underground storage tanks; standards; reimbursements](#) includes some new references to standards for underground storage tanks, allows transfer of dollars from this fund to the water quality assurance revolving fund, and several other provisions. **MONITOR.**
- HB2683 technical correction; presentation of claim (Parker) has a strike-everything amendment on [county plans; aggregate mining; explosives](#) requires county policies on aggregate mining to include a prohibition on use of explosives within one thousand feet of a residence. This seems like a small distance. Can a county currently limit the use of explosives for a further distance as a public safety measure? We need to take a look at this. **MONITOR.**
- HB2691 groundwater permits; technical correction (Griffin) has a strike-everything amendment on [ADEQ; water quality programs; WOTUS](#) that 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.**
- [HB2806 hummingbird capital; Sierra Vista](#) (Griffin) establishes Sierra Vista as the official hummingbird capital of Arizona. I am not sure why there is a bill on this. Perhaps it will be used for a strike-everything amendment later.
- [HB2807 archaeology advisory commission](#) (Griffin) establishes the archaeology commission after the legislature allowed it to expire because it was doing its job to try and limit harm and actually providing review of projects. The new commission will have a rancher and a member of a natural resource conservation district to ensure that it does not actually do anything. **MONITOR.**
- [HCR2034 Arizona's outdoors; recreation; supporting](#) (Cobb) is a resolution in support of outdoor recreation. **SUPPORT.**

Senate Committee on Appropriations at 2:00 PM

- [SB1384 state parks; lottery; heritage fund](#) (Shope) appropriates \$10 million from the state lottery funds to the Arizona State Parks Heritage Fund for local parks, trails, and protection of historic and cultural resources. **SUPPORT.**
- [SB1788 appropriation; college of mining](#) (Gowan) appropriates \$4 million to the University of Arizona for a college of mining. Why? **OPPOSE.**

[House Committee on Commerce at 2:00 PM](#)

- [HB2716 licensing; building permits; temporary permits](#) (Griffin) requires cities to approve a building permit within seven days if it is administratively complete and places additional limits on the cities. It would force approval of projects that need more work. **OPPOSE.**

Wednesday February 17th

[House Committee on Government & Elections at 9:00 AM](#)

- [HB2302 election lawsuits; settlements; approvals](#) (Blackman) says the secretary of state cannot settle a lawsuit that affects a county recorder without the approval of the county recorder. **OPPOSE.**
- [HB2308 recall petitions and elections; revisions](#) (Kavanagh) makes several changes to the form of recall petitions to make it more difficult. **OPPOSE.**
- [HB2373 voter registration groups; forms; identifiers](#) (Dunn) says that anyone who requests or receives 10 or more voter registration forms to place their unique identifier on each form. This will likely cause issues for those who register people more casually such as at high schools and in their neighborhood. It is unnecessary and punitive as it will make the registration invalid if someone forgets to include the identifier. **OPPOSE.**
- [HB2378 ranked choice voting; presidential preference](#) (Dunn) establishes ranked choice voting for presidential elections. There are definitely merits to ranked choice voting and this is worth taking a closer look at. **MONITOR.**
- [HB2457 lobbyists; conflicts of interest; disclosure](#) (Cook) prohibits lobbying if there is a conflict between two clients unless that conflict is disclosed and the parties have approved. This seems like a positive accountability measure. **MONITOR.**
- [HB2543 state permitting dashboard](#) (Wilmeth: John, Kaiser, et al.) establishes a state permitting director who would have undue influence on permitting decisions. It would also now refer those decisions to the Governor's Regulatory Review Council, an entity that is basically set up to favor big businesses. Agencies have already had their hands tied relative to ensuring that permits are strong or in actually denying one. We should oppose this new mechanism for making the process even less accountable to the public. **OPPOSE.**
- [HB2590 day of racial healing; observed](#) (Bolding: Jermaine, Rodriguez) establishes the third Tuesday in January as national day of racial healing. We want to hear more about what the community thinks about this bill.
- [HB2723 campaign finance; reports; contribution amount](#) (Kavanagh) raises the amount from \$50 to \$200 before you have to report information about the donor. That seems kind of high. The Arizona Secretary of State's office is opposing this bill. **MONITOR.**
- [HB2759 rulemaking; petitions; GRRC](#) (Grantham) allows for petition to the Governor's Regulatory Review Council (GRRC) for repeal of a rule and automatically voids a rule, policy statement or license if GRRC decides it is contrary to law. This appears to shift more power to this governor-appointed business interest entity. **MONITOR.**
- [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.**
- [HB2793 voter registration; request required](#) (Hoffman: Barton, Biasiucci, et al.) only allows government to register people to vote if they affirmatively

request it. This appears to be a means to erect another impediment to automatic voter registration, thus limiting voting. **OPPOSE.**

- [HB2794 election deadlines; modifications prohibited](#) (Hoffman: Barton, Biasiucci, et al.) prohibits elections officials, officers of the state, and local government from modifying deadlines related to elections. This is very short-sighted as there may be special conditions and needs, especially during this time of pandemic, that require modification of these deadlines. **OPPOSE.**
- [HB2811 same day registration; prohibition](#) (Hoffman: Barton, Biasiucci, et al.) prohibits same-day voter registration and makes it a class 6 felony to register someone to vote and allow them to vote the same day. This is to erect a roadblock to efforts to win passage of a same-day voter registration measure. **OPPOSE.**
- [HCR2016 initiatives; supermajority vote requirement](#) (Dunn: Barton, Biasiucci, et al.) refers to the ballot a measure to require a 60 percent vote to approve any ballot measure. **OPPOSE.**
- [HCR2023 elections; state authority; infringement; opposition](#) (Hoffman: Barton, Biasiucci, et al.) is a resolution that declares opposition to any federal control of elections. There are some aspects of elections that are subject to federal requirements as this is a basic right. **OPPOSE.**
- [HCR2035 Washington D.C.; statehood; opposition](#) (Blackman: Barton, Biasiucci, et al.) states the Legislature's "zealous" opposition to statehood for DC. Apparently the legislators who signed on to this believe in taxation without representation. **OPPOSE.**

[House Committee on Judiciary at 9:00 AM](#)

- [HB2814 office of administrative hearings; repeal](#) (Bowers) repeals this office. We are looking into this one. **MONITOR.**

[Senate Committee on Finance at 9:00 AM](#)

- [SB1309 property classification; gasoline manufacturing equipment](#) (Shope: Borrelli, Contreras) is a new tax break for facilities that manufacture zero-sulfur gasoline from natural gas. Could we just stop subsidizing fossil fuels already? **OPPOSE.**
- SCR1028 Initiatives; tax increases; reauthorization (Petersen) has a strike everything amendment on initiatives; reauthorization. The amendment is not posted, but we will certainly oppose any requirements to automatically require measures to go back to the ballot. **OPPOSE.**

[House Committee on Ways and Means at 9:00 AM](#)

- [HB2317 community facilities district](#) (Toma) makes several changes to establishment of these districts. As they tend to be sprawl machines, we want to keep an eye on it. **MONITOR.**

[Senate Committee on Natural Resources, Energy, and Water at 2:00 PM](#)

- SB1307 water; wastewater system; county operation (Shope) will have a strike-everything on water; wastewater system; corrective actions. The striker is not yet posted.
- [SB1386 water augmentation authority; special districts](#) (Shope) relates to formation of this water augmentation authority. I am still evaluating the bill, but expect it is promoting more unsustainable development.

[House Committee on Appropriations upon adjournment of Floor](#)

- [HB2778 stream adjudications; cooperative extension; appropriation](#) (Griffin: Bowers) appropriates \$500,000 to the University of Arizona for helping claimants in the general stream adjudication. **MONITOR.**
- [HB2817 appropriation; hazardous vegetation removal](#) (Lieberman) is the same as above. **MONITOR.**

[Senate Committee on Commerce at 2:00 PM](#)

- SB1156 forfeiture of office; technical correction (Mesnard) will have a strike-everything amendment on solid waste; advanced recycling facilities. I am quite sure this will be a measure to promote pyrolysis, which is not recycling, but is exposing plastics to very high temperatures. This is making the rounds in other states. **OPPOSE.**

[Thursday, February 18th](#)

[Senate Committee on Judiciary at 9:00 AM](#)

- [SB1459 agency decisions; administrative reviews](#) (Petersen) seeks to treat the Arizona Corporation Commission, a constitutionally established branch of government, the same as other agencies when it comes to appeals of decisions to the courts. **OPPOSE.**



Loma Alta Hike photo by Ricardo Small

