



Arizona Legislative Updates



Stop the Attack on Voting Rights and Ballot Measures!



February 26, 2021

Hi everyone!

It was a bad week for democracy at the Arizona Legislature as several committees and full House and Senate advanced bills to suppress votes (SB1593, HB2792, HB2793, HB2811), purge the Permanent Early Voting List (SB1485), and make ballot measures more difficult (SCR1024, HCR2001, HCR2016). They also moved forward with some bad energy and water bills.

The attacks on the Arizona Corporation Commission (ACC) and its clean energy rules inched forward with some amendments that fail to address the constitutional and public policy flaws. I know it gets a bit tiresome having to keep contacting your legislators about these bills, but I fear that if we let up, even a little bit, they will end up on the governor's desk.

[HB2737 corporation commission actions; investigations](#) (Parker: Barton, Biasiucci, et al.) was on the House Committee of the Whole (COW) calendar twice, but did not move after they adjourned early for legislators to attend a conservative gathering. This bill 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.

[HB2248 corporation commission; electric generation resources](#) (Griffin) was amended in COW and now specifically preempts the ACC from directly or indirectly reducing carbon emissions and it establishes the current low renewable energy standard. It is still unconstitutional and still bad policy. Sadly, the House Speaker, Representative Bowers, is strongly supporting the bill. HB2248's twin in the Senate, [SB1175 corporation commission; electric generation resources](#) (Kerr: Gowan, Gray, et al.), passed out of the Senate Rules committee and awaits floor action. Senator Fann, President of the Senate, expressed support for it.

One other bill, [SB1459 agency decisions; administrative reviews](#) (Petersen), is also advancing 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.

[Please use this link to ask your legislators to oppose all four bills.](#) Also consider a phone call to your legislators. You can find the legislators' numbers [here](#).

Senator Ugenti Rita offered a [strike-everything amendment on SB1485](#) to remove 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. **Please ask senators to oppose this bill [here](#).**

Please sign in on the [Request to Speak \(RTS\)](#) system to oppose HB2079 and HB2441.

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.

The "Right to Harm" bills are advancing in the legislature, although stalled on the floor. [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!](#)

Please also take action against the legislature's attacks on ballot measures! Take action below.

Stop Attacks on Ballot Measures!

[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 1st**Senate Committee on Government at 2:00 PM**

- [HB2054 voter registration database; death records](#) (Kaiser: Chaplik, Cobb, et al) requires the Secretary of State to compare the voter registration database with death records. This is much improved from the original House bill and seems fine. **MONITOR.**
[HB2265 rulemaking; expedited process; rule expiration](#) (Kavanagh) allows an agency seeking to have a rule expire to file a notice of intent with the Governor's Regulatory Review Council. **MONITOR.**

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

- [HB2026 nuclear emergency management; appropriations; assessments](#) (Kavanagh) appropriates various amounts to various entities for emergency management and removes the Arizona Department of Health Services from the distributions from the Fund. **MONITOR.**
- [HB2035 appropriation; Arizona water protection fund](#) (Griffin) appropriates \$1 million from the General Fund to this fund that is supposed to improve riparian areas and rivers. **MONITOR.**
- [HB2288 appropriation; military installation projects](#) (Dunn: John, Osborne, et al) appropriates \$5 million from the General Fund to the Department of Emergency and Military Affairs to distribute to Yuma County for military installation preservation and enhancement projects. **MONITOR.**

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

- [SB1370 environmental quality; program terminations; repeal](#) (Kerr) repeals the termination dates for several Arizona Department of Environmental Quality (ADEQ) programs and places the Oil and Gas Conservation Commission within ADEQ. This is mostly a clean up bill. **MONITOR**
- [SB1442 hazardous vegetation removal; state forester](#) (Kerr: Engel, Fann, et al) establishes a program for the State Forester to enter into intergovernmental agreements or memoranda of understanding with agencies to remove "hazardous vegetation" for the purposes of fire prevention and forest restoration. We are concerned about how this would actually be implemented and that the focus would not be on restoration. Fire prevention should not be the goal, but instead restoration of appropriate fire regime in fire-adapted ecosystems. I think they may offer a strike-everything on this as an identical bill passed out of the House. **MONITOR.**

Wednesday, March 3rd**Senate Committee on Natural Resources, Energy, and Water at 2:00 PM**

- Presentations on Grid Reliability and Risk Management Strategies: Arizona Public Service, Salt River Project, Southwest Gas, Tucson Electric Power
- [HB2079 conservation districts; water; invasive vegetation](#) (Dunn) gives more power and responsibilities to Natural Resource Conservation Districts (NRCD), which are made up almost entirely of agricultural interests. As we have learned more about what is being proposed and happening relative to so-called invasive vegetative, including on Bureau of Land Management lands where more and more livestock grazing is being proposed at the expense of wildlife, we are opposing this bill. The bill does not include any provisions to ensure healthy habitats or consider impacts on wildlife. Mesquite, a native species, for

example, provide important habitat for many birds but are often the target of these eradication efforts. The bill expands the current program to include eradication of native vegetation. We are concerned this 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 and allowing for other plants that are less susceptible to livestock grazing. **OPPOSE.**

- [HB2081 Arizona department of agriculture; continuation](#) (Dunn) continues the Department of Agriculture through 2029. **MONITOR**
- [HB2188 pest management; unlicensed business activities](#) (Pratt) includes an educational program on pest management licensing and registration of pesticides at the Arizona Department of Agriculture as well penalties for those who apply pesticides commercially without a license. **MONITOR.**
- [HB2441 water; substitute acreage](#) (Griffin) creates an end-around to the severance and transfer process by allowing a person who owns land that may be irrigated to retire that land and irrigate other land, if land currently being irrigated was damaged by floods or if the land has impediments to efficient irrigation. If the severance and transfer process is broken, it should be fixed for everyone, not for a few narrow interests. **OPPOSE.**
- [HB2580 environmental quality omnibus](#) (Griffin) repeals several programs that are no longer active, including the express authorization related to the Clean Power Plan that was repealed by the Trump administration. It is a large bill with a lot in it, but I did not find any hidden negative impacts. It does drive home the need for the legislature to require ADEQ to do more, especially relative to carbon emissions. **MONITOR.**



Bobcat photo by Pat Mount

