

Democracy, Endangered Species Threatened at the Capitol



Desert Tortoise on the Tonto National Forest

March 6, 2020

Hi Everyone!

This week, fewer bills advanced, but among those that did was some regressive and harmful legislation, including the endangered species secrecy bill. It is now on Governor Ducey's desk, so please contact him below and ask him to veto it. Also, another measure to make it more difficult to put measures on the ballot -- [HCR2039](#) -- passed out of the House along party lines. If your legislators are Republicans, you may want to express your disappointment and tell them you support direct democracy.

On a positive note, a bill to fund the State Parks Heritage Fund passed out of the Senate 29-0-1. [SB1350](#) appropriates \$1 million per year out of the lottery. We hope the number gets bumped back up to \$10 million in the House and in the budget.

As you know, many of the bills to protect Arizona water resources did not advance and most did not even get hearings, our bill to provide a mechanism for keeping more water in rivers was one of them. On Thursday, Senator Juan Mendez sponsored an amendment that included the bill, so we were able to have a good conversation about its merits in the Senate Water and Agriculture Committee. We are not giving up on it and will continue to push for recognition of flows for nature. **Thank you to Senator Mendez and Senator Steele for being great advocates for our rivers and streams.**

If you are signed up for the [Request to Speak](#) system, please sign in against HB2054, HB2084, HB2454, HB2612, HB2674, HB2880, SB1020, SB1032, SB1434, and HCR2032.

Please sign in to support HB2073, HB2266, HB2455, and HB2497

Ask Governor Ducey to Veto Science Secrecy Bills -- Protect Endangered Species

HB2749 is modeled after Texas laws that allow information about threatened and endangered species to be kept from the public and from other state and federal agencies, and is now on the Governor's desk. We cannot fulfill our watchdog role relative to state agencies and actions that are supposed to contribute to the recovery of imperiled plants and animals without having adequate information.

Please ask the governor to veto HB2749 using the take action button below.

Take Action!

To see the other bills we are tracking, use [this link for our Legislative Tracker](#), which you can also find on our website.

If you are not sure who your legislators are, just use this [Find My Legislator link](#) and enter your address. To contact legislators, go to [Members](#). You will find their phone numbers and email addresses.

If you are not signed up for the Request to Speak and would like to be, here is how you get started. Go to [Request to Speak](#) to set up an account, just select "Create An Account" and fill out the information. You will need to go to the Capitol or to the Tucson legislative offices to activate it or you can contact me and I will help you activate it.

Thank you for taking action to protect endangered species and our democracy!



Sandy Bahr
Chapter Director
Sierra Club - Grand Canyon Chapter



Coming up this week at the Legislature and the AZ Corporation Commission

Monday, March 9th

Senate Committee on Government at 2:00 P.M. in SHR3

- [HB2054 GRRC; petition to request review](#) (Biasiucci: Bolick) allows a person to petition the Governor's Regulatory Review Council (GRRC) to review Citizens Clean Elections Commission's (CCEC) existing practices, policies, and rules, if they think it doesn't meet certain requirements. This is an effort to rein in the CCEC from doing its job. **OPPOSE.**
- [HB2084 international boundary wall; building permits](#) (Petersen: Barto, Biasiucci, et al.) prohibits a city, town, or county from requiring that a nonprofit corporation or property owner obtain a building or any kind of construction permit prior to constructing an international boundary wall, and further establishes a presumption that the state will grant permission for construction of an international boundary wall on state land. This latter provision may be unconstitutional, but the bill is just more xenophobia from the Arizona Legislature. **OPPOSE.**
- [HB2305 solid waste services; private provider](#) (Townsend) prohibits a city, town or county from enforcing a criminal penalty against a person who refuses to purchase waste collection from a private entity. **MONITOR.**
- [HB2713 agency actions; procedures; fee awards](#) (Grantham: Pierce) increases the maximum allowable amount of court fees that may be awarded to the prevailing party in certain cases against the state, cities, towns, and counties. It also makes some other modifications regarding licensing. This is a measure being supported by the Goldwater Institute, so needs to be watched. **MONITOR.**
- [HB2719 rubbish; removal; penalties](#) (Petersen) prohibits a penalty for violating an ordinance relating to the removal of rubbish, trash, etc. from exceeding the maximum fine for a class 1 misdemeanor or from including any period of incarceration. **MONITOR.**

Tuesday, March 10th

Arizona Corporation Commission Workshop on renewable energy, energy efficiency, just transition, and resource planning. It will start at 10:00 A.M. There will also be a news conference at 9:00 A.M. in the Rose Garden at the Capitol, after which we will head over to the workshop. Please come if you can. Here is a link to [RSVP](#) and also a [link to the Facebook event](#).

Senate Committee on Appropriations at 2:00 P.M. in SHR109

- [HB2073 appropriation; Arizona trail fund](#) (Gabaldón) appropriates \$250,000 for the Arizona Trail. **SUPPORT.**
- [HB2102 appropriation; unreimbursed wildland suppression activities](#) (Griffin: Nutt) appropriates \$39,600 to reimburse the Mescal-J6 fire district for wildland suppression activities. **MONITOR.**
- [HB2266 appropriations; extended bus routes](#) (Townsend) appropriates \$200,000 for extension of bus routes in Apache Junction. While this is a good thing, this sum and location of extension of bus routes is far too little. Considering the millions of dollars they are appropriating for special bridges and more and wider roads, perhaps we should look further and more funding for transit. **SUPPORT.**
- [HB2612 appropriation; survey; desert tortoises](#) (Dunn) appropriates \$300,000 to the University of Arizona Natural Resource Users Land and Policy Center to conduct species assessment surveys of desert tortoises, cactus ferruginous pygmy owls and yellow billed cuckoos in this state. The focus of this entity is "... to collaborate with stakeholders, mentor student clinicians and fellows, provide scholarly legal and policy analysis, and address the underrepresented law and policy needs of the natural resource community of Arizona and the West." It is not a research entity, it is a policy entity, so appropriating these dollars to them is just wrong. Dollars for research should go to credible biologists and research entities, not an entity that was formed to represent livestock interests. **OPPOSE.**
- [HB2620 Now: law clinic; stream adjudications; appropriation](#) (Bowers) appropriates \$500,000 to the University of Arizona to establish a law clinic to provide pro bono assistance to general stream adjudication claimants who are not represented by legal counsel. This will

likely be some of the agricultural interests, including the ones who have been slowing down the adjudication process. **MONITOR.**

House Committee on Elections at 2:00 P.M. in HHR4

- **Presentation** on Elections Cybersecurity by the Arizona Department of Administration, the Arizona Secretary of State, and the U.S. Department of Homeland Security
- [SB1020 ballot measures; proposition 105; disclosure](#) (Ugenti-Rita) requires that the following language be printed on the ballot and in the publicity pamphlet. "NOTICE: PURSUANT TO PROPOSITION 105 (1998), THESE MEASURES CANNOT BE CHANGED IN THE FUTURE IF APPROVED ON THE BALLOT EXCEPT BY A THREE-FOURTHS VOTE OF THE MEMBERS OF EACH HOUSE OF THE LEGISLATURE AND IF THE CHANGE FURTHERS THE PURPOSE OF THE ORIGINAL BALLOT MEASURE, OR BY REFERRING THE CHANGE TO THE BALLOT." It is inappropriate to print anything like this on an official ballot and is really electioneering both on the ballot and in the publicity pamphlet. **OPPOSE.**
- [SB1032 early voting; signature required; notice](#) (Ugenti-Rita) limits the amount of time the County Recorders have to contact a voter about a missing signature on their early ballot and allow them the opportunity to sign it. Under this bill they would have until 7:00PM Election Day, which likely would not allow the county recorders enough time to reach everyone who inadvertently left off their signature. **OPPOSE.**
- [SB1434 recall petitions and elections; revisions](#) (Gowan) makes it more difficult to recall elected officials. **OPPOSE.**

Wednesday, March 11th

Senate Committee on Natural Resources and Energy at 2:00 P.M. in SHR109

- [HB2452 underground storage tanks; performance standards](#) (Griffin) requires underground storage tanks (UST) to comply with federal performance standards in effect on January 1, 2020. This appears to be fine, provided this administration does not eliminate the federal standards. **MONITOR.**
- [HB2454 archaeology advisory commission; membership](#) (Griffin) adds two members to this commission, one from the livestock industry and one from a Natural Resource Conservation District, which is clearly intended to weaken recommendations from this Commission, especially those related to protection of cultural resources that involve livestock interests. **OPPOSE.**
- [HB2455 air quality omnibus](#) (Griffin) moves the Voluntary Vehicle Repair and Retrofit program from the counties to the Arizona Department of Environmental Quality. This is a plus as the program had not been operational in recent years and it helps people fix their cars so they do not pollute as much. Vehicles no longer have to be 12 years or older to qualify for assistance. It reduces the co-pay, raises the cap on costs for ineligibility, and allows ADEQ to focus research on emissions rather than on alternative fuels. **SUPPORT.**
- [HB2497 lawn equipment emissions reduction program](#) (Dunn: Biasiucci, Finchem, et al.) allows for a \$100 voucher for those who replace gasoline mowers with a manual mower. Currently, the voucher is only available for electric mowers. **SUPPORT.**
- [HB2594 Now: salvage permit; big game animals](#) (Griffin) requires someone to get a big game salvage permit in order to possess and transport the carcass of a big game animal killed by an automobile or is euthanized due to injuries from natural causes. There do not seem to be any negative ulterior motives associated with this. **MONITOR.**
- [HB2819 Now: Arizona geological survey; state geologist](#) (Griffin) requires the state geologist to be a registered geologist or a trained geologist and moves the Arizona Geological Survey to the University of Arizona. **MONITOR.**

Senate Committee on Finance at 2:00 P.M. in SHR1

- [HB2293 renewable energy storage equipment; valuation](#) (Dunn: Cobb) provides an exemption from state and municipal taxes for machinery and equipment used directly for energy storage. It is unclear that this is actually needed to advance energy storage. **MONITOR.**

House Committee on Transportation at 2:00 P.M. in HHR3

- There are a bunch of appropriations bills for several bridges and roads, including widening I-17. Most of them are sponsored by Senator Livingston, who is opposing many other appropriations that help people and parks. He opposed funding the Heritage Fund.

Thursday, March 12th

Senate Committee on Judiciary at 9:30 A.M. in SHR109

- [HB2776 publicity pamphlet; submittal dates](#) (Bolick: Biasiucci, Blackman, et al.) changes the date for filing arguments for or against ballot measures to 27 days prior to the Primary Election. **MONITOR**.
- [HCR2032 initiative; single subject; title](#) (Kern: Allen J, Barto, et al.) 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 ballot measures. Considering how expensive it is already to propose a measure, this proposal would put the initiative process even further in the hands of only those with the deepest pockets. **OPPOSE** .

Senate Committee on Water and Agriculture at 10:00 A.M. in SHR3

- [HB2613 water resources annual report](#) (Dunn) merely changes the date when this report is due. **MONITOR**.
- [HB2674 water; substitute acreage](#) (Griffin: Bowers, Dunn, et al.) 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**.
- [HB2747 aquifer protection permits; injection wells](#) (Griffin) exempts class V wells that have permits under the Arizona Department of Environmental Quality's or the Environmental Protection Agency's Underground Injection Control (UIC) permit programs from aquifer protection permit requirements. **MONITOR**.
- [HB2880 assured water supply; availability; plats](#) (Roberts: Finchem, Shope) prohibits the Arizona Department of Water Resources (ADWR) Director from reviewing the physical availability of groundwater if the application to modify or renew a determination of assured water supply that does not increase the total groundwater, among other things. This is a weakening of the determination of assured water supply. **OPPOSE**.



Ironwood Tree, photo by Sandy Bahr

