

 **Arizona
Legislative Updates** 

Resignations, Appointments, and More and More Bills!



More photos from last week's Environmental Day at the Capitol
Photos by Chais Gentner, Mark Coryell, and other participants.

February 3, 2024

Hi all!

There are very long agendas again for next week, so I could not review all of the bills in time to get this out last night. Please take a look and sign in on request to speak to weigh in against a lot of bills and support a few too. Note we may send out a special alert on a few bills as they advance to the floor. As always, please contact your legislators and let them know your concerns and position on significant bills. You can find contact information for all legislators [here](#).

This week we saw two resignations -- Amish Shah as he runs for Congress and Leezah Sun as she was about to be expelled -- and the appointment of a new legislator -- Rep, Jevin Hodge -- to the vacancy that was created when Athena Salman resigned. This legislature has seen more turnover than any in recent history. A little over a week ago, Jennifer Longdon resigned and last year Raquel Terán stepped down to run for Congress, Andrés Cano resigned to go to Harvard, Steve Kaiser resigned, and Liz Harris was expelled. Those little Green Books the Arizona Capitol Times puts out with information on legislators are barely printed before they are out of date.

Many of Rep. Gail Griffin's bad water bills are on the Rules calendar for Monday, so they are likely to come to the floor soon. Stay tuned on that. In the Senate, **they are advancing [SB1066 solar royalties fund; county residents](#). (Borrelli: Bennett, Bolick, et al), the bill that imposes a solar tax on certain solar developments (not rooftop). This is on the Senate Rules agenda for Monday, so please call your senator and ask them to oppose it!**

If you have not created an account on the [Request to Speak system](#), I encourage you to do so. Just set it up and then come to the Capitol to activate it or have me do so for you. After that, you can sign in for and against bills each week and it does make a difference. **This week, please sign in to oppose SB1131, SB1147, SB1181, SB1195, SB1242, SB1289, SCR1015, and HB2014, HB2020, HB2060, HB2063, HB2405, HB2457, HB2491, HB2545, HB2546, HB2647, HB2719, HCR2028, HCR2040, and HCM2001. Support SB1176, HB2367, HB2487, and HB2593.**

You can see more bills we are tracking [here](#).



[RSVP for Voting Rights News Conference Here](#)

This week the Voting Rights Coalition held a news conference to kick off the legislative session and to let legislators know we are committed to fighting the anti-voter anti-democracy bills and advancing measures that provide greater access to voting. You can [watch the news conference here](#).

Mark your calendar for mid-session check-in news conference too. It will be in the Rose Garden of the Arizona State Capitol Complex from 12pm-1pm MST on Thursday, February 29, 2024. We will be demanding the protection and expansion of voting rights during the 2024 AZ State Legislative Session! Remember, we cannot have a healthy environment without a healthy democracy.

ASL interpretation will be provided.

Register here in advance!

For more information, reach out to Sandy Bahr at sandy.bahr@sierraclub.org.

Many thanks for all that you do!

All the best,



Sandy Bahr
Chapter Director
Sierra Club - Grand Canyon Chapter

Coming Up This Week at the AZ Legislature



Historic Capitol courtesy of Sandy Bahr

Monday, February 5th

Land, Agriculture, & Rural Affairs Committee at 2:00PM in HHR3
[Members of the public may access a livestream of the meeting here.](#)

- [HB2053 G&F; publications revolving fund](#) (Dunn) increases, from \$80,000 to \$250,000, the maximum amount of monies that must remain in the Game and Fish Publications Revolving Fund before reverting excess monies to the Game and Fish Fund. **WATCH**
- [HB2121 cell-cultured animal product; prohibition](#) (Marshall: Bliss, Cook, et al) prohibits and establishes penalties for selling a cell-cultured animal product for human or animal

consumption. **WATCH**

Senate Elections Committee at 2:00PM in SHR1

[Members of the public may access a livestream of the meeting here.](#)

- [SB1131 low voter turnout elections; repeat](#) (Kavanagh) requires local elections in which less than 25 percent of eligible registered voters vote to be repeated on the next statewide or federal election ballot. This will cause huge issues for local government and leave things in limbo as they await the do over. **OPPOSE**

Transportation, Technology, & Missing Children Committee at 2:00 PM in SHR2

[Members of the public may access a livestream of the meeting here.](#)

- [SB1184 continuation; department of transportation](#) (Farnsworth) continues the Arizona Department of Transportation through July 1, 2028.

Tuesday, February 6th

House Natural Resources, Energy, and Water Committee at 2:00 PM in House Hearing Room (HHR) 1

[Members of the public may access a livestream of the meeting here.](#)

- [HB2020 long-term storage; stormwater; rainwater; rules](#) (Griffin) allows long-term storage credits for stormwater infrastructure that may result in incidental recharge. **OPPOSE**
- [HB2024 lottery; on-farm irrigation efficiency fund](#) (Griffin) says that \$50 million of any remaining lottery dollars will be appropriated to this irrigation efficiency fund. This can help reduce groundwater pumping, so is probably okay. **WATCH**
- [HB2055 underground water storage; permitting](#) (Dunn) changes the timeframes for the Arizona Department of Water Resources to deal with applications for water storage permits. **WATCH**
- [HB2060 irrigation non-expansion area; substitution; acres](#) (Griffin) says an individual who owns lands that can be irrigated may retire those acres and substitute them for others and use the water for any purpose. **OPPOSE**
- [HB2063 exempt wells; certificate; groundwater use](#) (Griffin) requires the Arizona Department of Water Resources (ADWR) to issue a certificate of water rights to those with exempt wells (35 gallons per minute or less) that register with the well with ADWR. It limits it if subflow -- surface water -- is involved. **OPPOSE**
- [HB2102 appropriation; Arizona geological survey](#) (Griffin) appropriates \$750,000 for the Arizona Geological Survey. **WATCH**
- [HB2128 mine inspector; mine safety; appropriation](#) (Griffin) appropriates \$1 million for mine safety. **WATCH**
- [HB2367 solid waste; fees; rules](#) (Griffin) authorizes the Arizona Department of Environmental Quality to establish various solid waste fees via rulemaking. The current fees in statute are far too low. **SUPPORT**
- [HB2369 dredge; fill; permits; clean up](#) (Griffin) clarifies that the Game and Fish in lieu program relates only to the federal program and not any state program. It does not have much of an impact as the state has no program. **WATCH**
- [HB2487 residential lease community; Prescott AMA](#) (Bliss) says that cities, towns, and counties can only approve commercial developments in a residential leased community or a multifamily development in the Prescott Active Management Area (AMA), if these developments are part of the service area for a designated water provider -- has an assured water supply -- and there is a written commitment from the provider to provide water for the development or the development has acquired enough Type 1 grandfathered rights to service the development annually. This appears to tighten up consumer protection for these developments, so we will likely support it. **SUPPORT**
- [HB2545 annual vehicle emissions testing; exemption](#) (Jones: Gillette, Kolodin, et al) says that vehicles manufactured after 2018 are exempt from emissions testing. **OPPOSE**
- [HB2546 vehicle emissions; exemption](#) (Jones: Gillette, Kolodin, et al) says emissions testing is not required for vehicles manufactured in 2018 or later. **OPPOSE**

- [HB2628 department of environmental quality; omnibus](#) (Griffin) includes provisions for drinking water programs that allow for other sources of funding and the monitoring of other pollutants per the Safe Drinking Water Act. It clarifies what vehicles are subject to emissions testing. The bill eliminates coal combustion residue (CCR), also known as coal ash, from the definition of closed solid waste facility. It includes a conditional enactment. This seems like a positive bill overall.
- [HB2647 physical availability credits; water supply](#) (Smith: Griffin) allows a landowner who has an irrigation grandfathered right in an active management area to retire the land from irrigation, but retain a physical availability credit to non-irrigation use of the land. This specifically gets around assured water supply requirements for subdivisions in AMAs and allows continued groundwater mining without any replenishment. There must be replenishment when the irrigation grandfathered right is converted to a new credit as merely slowing the rate of groundwater depletion is not enough. **OPPOSE**
- [HB2685 mine inspector; geological survey; authority](#) (Bliss: Nguyen, Bennett) requires the Arizona Geological Survey to map and inventory all areas that contain sand and gravel (aggregate) and requires some notice to nearby property for reclamation activities, but does not require anything more for the mining itself. **WATCH**

House Commerce Committee at 2:00 PM in HHR3

[Members of the public may access a livestream of the meeting here.](#)

- HB2297 adaptive reuse; commercial buildings; zoning (Biasiucci: Bliss, Carbone, et al) [S/E: same subject](#) - This bill has a strike-everything amendment on it, meaning they will totally replace the originally bill with new language. It says a municipality has to allow for adaptive reuse or multifamily dwellings on a commercial property without a rezoning. It includes provisions that require them to allow maximum density and caps the setback that can be required. It exempts certain areas. **WATCH**
- [HB2518 municipalities; housing needs assessment; zoning](#) (Gress) requires height and density bonuses for development within one-half mile of light rail and requires that the multifamily development include 20 percent permanent affordable housing and a residential development that is providing low-income housing. **WATCH**
- [HCM2001 reevaluate restrictions; chemical industry](#) (Willoughby) objects to new regulations on the chemical industry. It's unclear just which regulations they are including in their objections, but one area the Biden Administration has been taking action is relative to per- and polyfluoroalkyl substances (PFAS), otherwise known as "forever chemicals" that cause harmful health impacts. **OPPOSE**

Senate Appropriations Committee at 2:00 PM in SHR109

[Members of the public may access a livestream of the meeting here.](#)

- [SB1147 livestock compensation; appropriation](#) (Kern: Wadsack, Heap) appropriates \$250,000 for the livestock compensation fund to reward irresponsible livestock interests when a wolf kills or harms any of their livestock. There are no rules, little transparency, and many conflicts in this program. **OPPOSE**
- [SB1176 appropriation; Arizona trail fund](#) (Gowan: Diaz) appropriates \$250,000 for the Arizona Trail Fund. **SUPPORT**

Wednesday, February 7th

Senate Committee on Government at 9:00 AM in SHR1

[Members of the public may access a livestream of the meeting here.](#)

- [SB1195 public monies; prohibited uses](#) (Kern) is a wacky bill. It says no public entity -- this would include any agencies, universities, etc. -- cannot promote, advocate, or plan for or belong to an organization that does relating to reducing meat and dairy consumption, reducing or replacing vehicle travel with walking, biking, or public transit, reusing water for human consumption that has touched human feces (note that would eliminate the Colorado River), reducing greenhouse gas emissions or tracking any information to determine consumption based emissions, limiting the increase of the average global temperature or producing a climate action plan, and a bunch more ridiculous provisions. In addition to being really wacky, if passed, it would tie the hands

of agencies, cities, and universities relative to doing anything relative to climate change or doing things to clean up our air by reducing vehicle travel. **OPPOSE**

- [SCR1015 public monies; prohibited expenditures](#) (Kern) refers to the ballot the provisions of the bill above, SB1195. **OPPOSE**

House Committee on Government at 9:00 AM in HHR3

[Members of the public may access a livestream of the meeting here.](#)

- [HB2136 ADOA; continuation](#) (Dunn) continues the Arizona Department of Administration until July 1, 2028.
- [HB2457 government investments; plans; fiduciaries; products](#) (Montenegro) prohibits any investments by the state that consider any environmental, social, or governance goals. This is to prevent the state from divesting from fossil fuels or otherwise being a responsible investor. **OPPOSE**
- [HB2491 administrative rules oversight committee; dissent](#) (Bliss) provides for submitting and recording a dissent letter, but also changes the make-up of the Governor's Regulator Review Council, the entity that must review all rules, to increase the members appointed by the Senate President and House Speaker. This would likely result in shutting down some positive rulemaking. **OPPOSE**
- [HB2571 Arizona highway magazine; privatization](#) (Biasiucci) allows ADOT to sell the magazine to a private entity. This is concerning as the magazine has highlighted many parts of our state over the years and focused a lot on conservation.
- [HB2593 public records; time frame](#) (Carbone: Biasiucci, Cook, et al) requires response to public records requests within five days notifying people of when their request will be fulfilled and provides for civil penalties for willful noncompliance. **SUPPORT**

House Appropriations Committee at 2:00 PM in HHR1

[Members of the public may access a livestream of the meeting here.](#)

- [HB2014 wells; intention to drill; appropriation](#) (Griffin) requires the Arizona Department of Water Resources (ADWR) to conduct an audit of all notices of intention to drill, and appropriates an unspecified amount from the state General Fund for the audit. This will distract ADWR from focusing on actually limiting groundwater pumping. **OPPOSE**

House Municipal Oversight & Elections at 2:00 PM in HHR4

[Members of the public may access a livestream of the meeting here.](#)

- [HB2405 voter registrations; recorder; inactive status](#) (Gillette: Biasiucci, Bliss, et al) allows a county recorder to declare a person's voter registration status as inactive, disenfranchising more voters. **OPPOSE**
- [HB2719 bond elections; date; voter turnout](#) (Carbone: Biasiucci, Dunn, et al) requires a number of things relative to bond elections, including that there must at least be a 60 percent turnout for the bond to be issued. This would hamstring local government's ability to bond. **OPPOSE**
- [HCR2028 elections; signature verification process](#) (Kolodin: McGarr, Rogers) refers to the ballot a signature verification process that can result in disqualifying more voters. **OPPOSE**
- [HCR2040 public monies; prohibited expenditures](#) (Smith: Biasiucci, Carbone, et al) is the same as SCR1015 (see above). **OPPOSE**

House Transportation & Infrastructure Committee at 2:00 PM in HHR3

[Members of the public may access a livestream of the meeting here.](#)

- [HB2037 department of transportation; continuation](#) (Cook: Pawlik, Seaman) continues the department until July 1, 2032.

Thursday, February 8th

Senate Natural Resources. Energy, Water Committee at 9:00 AM in SHR2.

[Members of the public may access a livestream of the meeting here.](#)

- Presentations
 - Overview of CAP - Brenda Burman, General Manager of Central Arizona Project

- Arizona Golf Water Stewardship - Rob Collins, Chairman of Arizona Alliance for Golf Water Committee
- Executive Nominations - Game and Fish Commission, James E. Goughnour
- [SB1181 groundwater replenishment; member lands; areas](#) (Petersen) is another special bill for Buckeye regarding assured water supply and replenishment obligations. **OPPOSE**
- [SB1221 basin management areas; appropriation](#) (Kerr: Griffin) establishes a process for creating basin management areas via a petition with signatures from 15 percent of the registered basin voters in the basin. These can only be established if land subsidence is endangering property or affecting water storage, and there is an accelerated decline in groundwater levels. What if there was already a rapid decline? This is a weak weak version of what the Governor's Water Council recommended. **OPPOSE**
- [SB1242 ADWR; application; review; time frames](#) (Shope: Kerr) applies licensing time frames to applications for assured water supply. This type of time frame results in a rush to approve and frequently cuts out adequate public review. **OPPOSE**
- [SB1264 Colorado River; pumping; notice; objection](#) (Borrelli: Biasiucci, Gillette) relates to well-drilling permits in communities adjacent to the Colorado River. **WATCH**
- [SB1289 DWR; hydrology reports](#) (Hoffman) requires the Governor and the Department of Water Resources to provide a report on the hydrology of an active management area to the House and Senate Natural Resource, Energy, and Water committees 30 days before it is issued. There is no reason they should get it before the public. **OPPOSE**
- [SB1301 electricity producers; safeguards; electromagnetic pulse](#) (Farnsworth: Bolick, Borrelli, et al) requires electricity providers to consider and provide protections relative to electromagnetic pulse. **WATCH**
- [SB1345 Arizona power authority; continuation](#) (Kerr: Carroll, Gowan, et al) continues the Arizona Power Authority until July 1, 2032. **WATCH**



Burrowing owl that has been banded.

