



## Some Good and Mostly Bad Bills and Referrals Advance



March 9, 2024

Hi all!

The Arizona House did not do too much this week as a number of members were in Israel. The Senate, however, continued to pass bad public policies, including bad water bills such as SB1243, a bill that sets up a water market to further deplete our aquifers. They did stop HCR2018, a referral that would prohibit actions to limit vehicle miles traveled. A private thank you to Senator Bennett on voting no on this would be appropriate. He is at [kbennett@azleg.gov](mailto:kbennett@azleg.gov).

[SCR1015 public monies; prohibited expenditures](#) (Kern) would put the provisions of SB1195 (see committees below for details) on the 2024 ballot. **It awaits a Third Read vote in the Senate. Tell your senator to vote NO!**

[HCR2050 energy source; restriction; prohibition](#) (Griffin: Biasiucci, Bliss, et al) would put on the ballot a proposed constitutional amendment to prohibit a city, town, county or any other political subdivision of the state from restricting the manufacture, use or sale of a device based on the energy source that is either used to power the device or consumed by the device. Device is not defined, but this is clearly intended to preclude any limits on fossil fuels, including gas. This will make it harder to protect our air, our water, our health, and our communities. **This passed out of the House along party lines and has been assigned to Senate Natural Resources, Energy, and Water Committee.**

If you have not created an account on the [Request to Speak system](#), I encourage you to do so. If you need it activated, please let us know. We can help you out. Also, Civic Engagement Beyond Voting has a training and can also help you get signed up for this system. [Find more information here.](#)

**This week, please sign in to Oppose** HB2008, HB2014, HB2015, HB2020, HB2022, HB2060, HB2062, HB2063, HB2127, HB2201, HB2368, HB2545, HB2546, HB2589, HB2647, HB2788, HB2865, HCM2001, HCM2004, HCM2005, HCM2007, HCM2008 HCR2032, HCR2052, HCR2056, HCR2058, SB1041, SB1181, SB1147, SB1153, SB1195, SB1366, SB1649, SCR1012, and SCR1042. **Support** HB2367.

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

You can find contact information for all legislators [here](#).

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**For more information on these and other bills, reach out to Sandy Bahr at [sandy.bahr@sierraclub.org](mailto:sandy.bahr@sierraclub.org).**

Many thanks for using your voice to oppose these bills!

All the best,



Sandy Bahr  
Chapter Director  
Sierra Club - Grand Canyon Chapter

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**Coming Up This Week at the AZ Legislature**



Historic Capitol courtesy of Sandy Bahr

## Monday, March 11th

### House Land, Agriculture, and Rural Affairs Committee at 2:00 PM in HHR3.

[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 to implement the program, limited transparency, and many conflicts in this program. Those who serve on the board of the Livestock Loss Board that oversees these dollars also receive funding from the fund. You can read more about the problems with this program [here](#). Another reason not to fund this there are significant dollars from the federal government for the federal program. **OPPOSE**
- [SB1649 misbranding; misrepresenting; food products](#) (Bennett) limits labeling products as "meat" if they don't come from animals. **OPPOSE**

### Senate Elections Committee at 2:00 PM in SHR1

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

- [HCR2032 voting centers; precinct voting](#) (Jones: B Parker, Smith, et al.) would put a measure on the 2024 ballot that prohibits boards of supervisors from establishing voting centers to accommodate additional voting for a specific election as needed. This will limit access to voting. **OPPOSE**
- [HCR2058 legislative districts; population; census; citizenship](#) (Heap: Chaplik, Gillette, et al) would put a measure on the 2024 ballot to require a state census that the Independent Redistricting Commission (IRC) must use to determine legislative districts based on citizenship population. This is a direct attack on the IRC and would subvert US census data to dilute and attack communities. If successfully referred and approved, it would impact minority districts disproportionately. **OPPOSE**

### Senate Transportation, Technology, and Missing Children Committee at 2:00 PM in SHR2

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

- [HB2545 annual vehicle emissions testing; exemption](#) (Jones: Gillette, Kolodin, et al) says that vehicles manufactured after 2018 are exempt from emissions testing. This will result in a degradation of air quality. **OPPOSE**
- [HB2546 vehicle emissions; exemption](#) (Jones: Gillette, Kolodin, et al) says emissions testing is not required for vehicles manufactured in 2018 or later. Again, this is something that would result in a degradation of air quality. **OPPOSE**

### Senate Finance and Commerce Committee at 2:00PMi in SHR109

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

- [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**

### House Municipal Affairs and Public Safety at 2:00 PM in HHR1

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

- [SCR1042 support; Texas; southern border](#) (Bolick: Bennett, Borrelli, et al) supports Texas's unlawful and harmful activities along its border with Mexico that have resulted in the deaths of immigrants. **OPPOSE**

## Tuesday, March 12th

### House Natural Resources, Energy, and Water Committee at 2:00 PM in HHR1

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

- [SB1041 groundwater savings certificate; assured water](#) (Hoffman: Kern, Wadsack, et al) appears to be another way around the assured water supply requirements. It Requires the Arizona Department of Water Resources to issue a groundwater savings certificate for development with a gray water system. This is an end-around the assured water supply requirement. **OPPOSE**
- [SB1181 groundwater replenishment; member lands; areas](#) (Petersen) is another special bill for Buckeye regarding assured water supply and replenishment obligations, basically promoting unsustainable development. **OPPOSE**

### House Commerce Committee at 2:00 PM in HHR3

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

- [SB1366 regulatory sandbox; blockchain](#) (Bolick: Fernandez, Wilmeth) expands the definition of innovation to allow blockchain technology to use this regulatory sandbox, which is a way of regulating them lightly -- they can access financial programs without a license. That is the last thing we need with blockchain. **OPPOSE**

## Wednesday, March 13th

### Senate Government Committee at 9:00 AM in SHR1

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

- [HB2136 ADOA; continuation](#) (Dunn) continues the Arizona Department of Administration through 2028.
- [HB2788 United Nations; sustainable development; prohibition](#) (Jones: Biasiucci, Bliss, et al.) prohibiting Arizona or any of its political subdivisions from adopting the sustainable development agenda of the United Nations, which means they object to support for ending poverty, support for achieving food security, ensuring healthy lives, achieving gender equality, and protecting the planet and our ability to live on it. **OPPOSE**
- [HCM2004 federal land acquisition; acreage return](#) (Smith: Biasiucci, Carbone, et al.) is a message to Congress and the President, asking them to enact legislation that requires the federal government to give to a state or county one acre of federal land for every acre the federal government reserves from the respective state or county. This is an anti-public lands protection message and would be totally unworkable -- even if it was a good idea. **OPPOSE**
- [HCM2005 federal lands; transfer to states](#) (Smith: Biasiucci, Carbone, et al.) asks Congress and the President to pass legislation to convey 30 percent of public lands to the states. Arizona has 9.2 million acres of state trust land that it cannot seem to manage properly -- it is not equipped to do so. Besides, it's pretty clear the intent with this is to have the land to exploit it to the maximum, including more mining, livestock grazing, and development. Where would the water come from? **OPPOSE**
- [HCR2052 rulemaking; legislative approval \(now: rulemaking; legislative authority\)](#) (McGarr: Gillette, Griffin, et al.) refers to the ballot a measure to allow the legislature to

reject rules. **OPPOSE**

- [HCR2056 preferential treatment; discrimination; prohibition](#) (Montenegro: Biasiucci, Bliss, et al) prohibits addressing the impacts of racism and discrimination by prohibiting any actions based on race or ethnicity. **OPPOSE**

### House Government Committee at 10:00 AM in HHR3

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

- Presentation on State Parks
- [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, 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. It allows any eligible voter to sue over it. **OPPOSE**

### House Regulatory Affairs Committee at 2:00 PM in HH5

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

- [SB1153 regulatory costs; rulemaking; legislative ratification](#) (Kern: Hoffman, Rogers, et al) prohibits a proposed rule from becoming effective, if the proposed rule is estimated to increase regulatory costs by more than \$500,000 within five years after implementation, until the Legislature enacts legislation ratifying the proposed rule. **OPPOSE**
- [SCR1012 rulemaking; legislative ratification; regulatory costs](#) (Kern: Hoffman, Rogers, et al) refers the provisions of SB1153 to the ballot. **OPPOSE**

## Thursday, March 14th

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

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

- [HB2008 commercial; industrial; conservation requirements; rules](#) (Griffin) requires the Arizona Department of Water Resources (ADWR) Director to adopt rules by January 1, 2025, for active management areas (AMA) for commercial and industrial water users that provide for greater water efficiency, conservation and on-site water reuse and recycling. However, it prohibits the rules from requiring them to obtain a certificate of assured water supply or otherwise meet a statutory replenishment obligation. Shouldn't we be requiring all entities, including mining operations, to have a 100-year assured water supply? **OPPOSE**
- [HB2014 wells; intention to drill; appropriation \(NOW: wells; intention to drill\)](#) (Griffin) requires an audit of all notices of intent to drill. This will slow down actions on limiting groundwater pumping. As amended, it removes the appropriation, so it would also be an unfunded mandate. **OPPOSE**
- [HB2015 subsequent water management areas; basins](#) (Griffin) says a groundwater basin or subbasin may be designated as an Active Management Area (AMA) or Irrigation Non-Expansion (INA) upon petition by 10% of registered voters who receive their drinking water from that groundwater basin or subbasin. This would make it more difficult to establish either an AMA or an INA and would disenfranchise voters who have already been harmed by groundwater pumping and who are hauling their water. **OPPOSE**
- [HB2020 long-term storage; stormwater; rainwater; rules](#) (Griffin) allows long-term storage credits for stormwater infrastructure that may result in incidental recharge. **OPPOSE**
- [HB2022 conservation easements; maintenance; weeds](#) (Griffin) requires the holder of a conservation easement to maintain the property when this is the responsibility of the property owner. This bill would discourage conservation easements. **OPPOSE**

- [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**
- [HB2062 assured water supply; certificate; model](#) (Griffin) requires the ADWR to review the merits of an application for a certificate of assured water supply in the Phoenix AMA and issue a new written determination of action within 15 days if certain criteria are met, including if the application was submitted on or after January 26, 2021, and on or before May 31, 2023, and using only specific models. Unmet water demand would worsen under this bill. If you submit an application between those two dates, ADWR would have to use outdated information to make these determinations as well. **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**
- [HB2127 assured water supply certificate; effluent](#) (Griffin) allows a subdivision in an AMA to use effluent from the subdivision to meet its assured water supply designation. This bill assumes that the effluent actually belongs to the subdivision and could result in double counting of the effluent. **OPPOSE**
- [HB2201 Harquahala non-expansion area; groundwater transportation](#) (Dunn: Griffin) allows groundwater to be transported from the Harquahala Irrigation Non-expansion Area to any location in La Paz County and adds private entities to the list of those who can do so. This has many of the same problems as the bill above, except it keeps the water in La Paz County. Still, we cannot support creating this type of groundwater mining sacrifice area. **OPPOSE**
- [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 and don't properly fund the programs. **SUPPORT**
- [HB2368 transportation; groundwater; Douglas AMA](#) (Griffin) allows a private water company to annually withdraw groundwater from the Upper San Pedro Groundwater Basin for transportation to the Douglas AMA for municipal purposes. We are concerned about putting this in statute in case there is a need to reduce groundwater pumping in the Upper San Pedro Groundwater Basin. **OPPOSE**
- [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**
- [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.
- [HB2589 assured water supply; analysis; availability](#) (Dunn) establishes criteria for the ADWR Director to accept an analysis of assured water supply as a valid demonstration of physical availability of groundwater to meet the estimated demand of a proposed development. This pokes more holes in the groundwater management act and assured water supply requirements. **OPPOSE**
- [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. The allowable 3 acre feet per acre credit is too high. It's not 1980. That should be much less to ensure a benefit to the aquifer, especially considering we are talking about AMAs where water is no longer actually physically available. We should not pretend otherwise. We're concerned about automatically deeming this water as physically available without requiring real finding of that relative to modeling. Those are a few of our concerns. Sadly, we cannot continue with business as usual. Whether the Legislature wants to acknowledge it or not, Arizona does have a water problem and we

have to put everything through the lens of actually reducing pumping and not just slowing the rate at which we deplete our aquifers and leave a huge burden for future generations of Arizonans. **OPPOSE**

- [HB2865 natural resource conservation districts; board](#) (Griffin: Diaz, Dunn) establishes the State Natural Resource Conservation Board and transfers oversight of natural resource conservation districts from the State Land Commissioner to the Board. It appropriates \$150,000 and 2 FTE positions from the state General Fund in FY 2025 to the Board and \$1,000,000 in FY 2026 to the Natural Resource Conservation District Fund. These entities are unaccountable and some of them engage in actions to the detriment of the environment. This would create a bigger more well-funded entity.

**OPPOSE**

- [HCM2007 Grand Canyon Footprints monument; repeal](#) (Biasiucci: Carter, Chaplik, et al) asks the President to rescind or revoke the designation of the Baaj Nwaavjo I'tah Kukveni - Ancestral Footprints of the Grand Canyon National Monument and not to do any more monuments or special protections unless the legislature agrees to it. **OPPOSE**
- [HCM2008 urging Congress; Antiquities Act; repeal](#) (Gillette: Biasiucci, Cook, et al) asks the Congress and the President to repeal the Antiquities Act, which is the act that authorizes the President to establish national monuments such as the one listed above. Grand Canyon, Petrified Forest, and Saguaro national parks were originally established as national monuments. **OPPOSE**



Roadrunner photo by Ricardo Small

