



Sine Die! Finally, We can all Breathe Easier!



June 21, 2024

Hi all!

Phew! The Arizona Legislature finally adjourned *sine die* last Saturday and we can all breathe a little bit easier. They did more than their fair share of harm before heading out, however, including a godawful budget that does little to prepare Arizona for the challenges we face, a plethora of bad water bills, and a couple more bad referrals.

I will provide a quick overview here, but look for our Environmental Report Card on the Legislature for a fuller picture.

In the last two days of the session, legislators sent nine water bills to the Governor's desk, she signed four of them and vetoed five of them. She should have vetoed them all as none of them make our water future more sustainable and none of them take the comprehensive approach she said she wanted relative to water. Read more about the bills [here](#) and read our veto request [here](#). There is some talk of a special session to address the 80 percent of the

state that has no groundwater protections. Frankly, having seen what transpired during the session, I am not optimistic about a special session.

Unfortunately, the Governor also signed a bill to exempt more actions from the Arizona Power Plant and Line Siting Committee process that requires a certificate of environmental compatibility. [HB2003 replacement lines; structures; commission hearings](#) (Griffin) allows a utility that previously received a Certificate of Environmental Compatibility (CEC) to replace a cable or wire on a transmission line or an existing structure with a new structure without getting a new CEC, but it must be in compliance with the existing CEC. Unfortunately, it includes a big loophole for any lines that were sited prior to 1971. Utilities failed to provide any kind of information on what lines or how many would be affected. The bill could have been easily fixed and Senator Sundareshan offered an amendment to do so, but the proponents refused to remove the pre 1971 loophole. Those lines had no review by the Committee, no CEC, and no terms and conditions with which to comply. Modifications could have significant impacts to natural and cultural resources. This passed and was signed by the Governor.

In the good news category, the Governor vetoed [HB2376 federal government; land acquisition; consent](#) (Diaz: Hendrix). It mandated approval by the state legislature for any land sale to the U.S. Government. This was a measure to block acquisitions to protect lands around the headwaters of rivers and springs, inholdings, and to otherwise protect blocks of public lands or areas with special habitat or cultural resources.

[HB2377 federal lands; state management costs](#) (Diaz: Hendrix, McGarr) would have required the Auditor General and the Joint Legislative Budget Committee to complete a cost and revenue study of the annual costs to manage all federal public land in Arizona and all current revenue generated by federal lands. This measure did not include the indirect revenues and benefits for these public lands and would provide a skewed perspective on these important lands. This failed to go to a final read in the House, so died.

Also in the good news category was that none of the bad energy and transportation referrals reached the ballot. HCR2040, HCR2049, and HCR2050 all failed to get a floor vote in the Senate.

[HCR2040 public monies; prohibited expenditures](#) (Smith: Biasiucci, Carbone, et al.) would have placed a measure on the 2024 ballot to prohibit the state or any political subdivision, including universities, to spend any public dollars to reduce global temperatures, have a climate action plan, participate in anything related to reducing meat consumption, do anything to address impacts of racism, etc. It never came to the Senate Floor.

HCR2049 had a [strike-everything amendment](#) that would have referred to the ballot a constitutional amendment to prohibit any fees based on vehicle miles traveled. As we reduce reliance on gasoline and gasoline-powered vehicles, gas tax revenues will continue to decrease and other ways to fund road maintenance are needed such as looking at vehicle miles traveled. This never came to the Senate Floor.

[HCR2050 energy source; restriction; prohibition](#) (Griffin: Biasiucci, Bliss, et al) would have put on the 2024 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. This would have made it harder to protect our air, our water, our health, and our communities. It never came to the Senate Floor.

The legislature also failed to bring [HCR2056 elections; foreign contributions; donations; certification](#) (Montenegro: Biasiucci, Bliss, et al.), across the finish line. It would have referred a ballot measure to restrict voting accessibility, create more administrative burdens to the detriment of voters, and leave election officials with little to no support. It failed to reach the Senate Floor for a Third Read.

The bad news again is they did refer several bad measures that may appear on the ballot, including the following.

[SCR1041 ballot measures; challenges](#) (Mesnard) refers a measure that allows challenges to proposed ballot measures by any person and earlier in the process. This would be hinder ballot measures as they could be challenged while people are still collecting signatures.

[SCR1044 judicial retention elections](#) (Gowan: Shamp) refers to the 2024 ballot a measure that eliminates terms of office for judges and allows them to continue to serve during "good behavior" and reduces the frequency of judicial retention elections.

[HCR2060 Now: border; benefits; fentanyl; illegal entry](#) (Toma) will be on the ballot for this fall, unless the constitutional challenge to it is successful. LUCHA is suing because the measure includes more than one subject and that is prohibited by the Arizona Constitution. This referral will make it easier for law enforcement to engage in racial profiling and to investigate and detain suspected undocumented individuals. It is very likely unconstitutional, would cost the state a lot, and, of course, is inhumane, seeking to criminalize people for seeking opportunities and reuniting with their families.

The budget, again, was not great on many levels, but certainly from an environmental perspective. Even during the best of times, environmental programs are underfunded. This budget included nothing for the State Parks Heritage Fund, no dollars for the Arizona Trail, no funding for Trees for Kids, and a lot of environmental fund diversions. It did include some funding for water quality programs at the Arizona Department of Environmental Quality and at least there was no funding for the Water Augmentation Fund -- that was intended for the big desalination project.



Thank you, thank you, thank you for all of your support and actions throughout this session. You make a difference! You can see more bills we tracked [here](#) and look for the report card on the Legislature in the coming weeks.

See below for some upcoming actions and an interim committee at the Legislature

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

All the best,

Sandy Bahr
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Coming Up at the Capitol Next Week!



Thursday, June 27th

Executive Tower Lobby at 10:00 AM

- Deliver 15,000 plus signatures on shutting down the Pinyon Plain uranium mine. For more details, [go here](#).

Friday, June 28th

Joint Legislative Ad Hoc Study Committee on Water Security at 1:00 PM in HHR1

- Overview of Amended SB1221 - Senate Research Staff
- Comparison of AMAs, INAs, and BMAs - Dan Jones, Salmon Lewis & Weldon PLC
- Agricultural Perspective on Groundwater Management Act Origins - Ron Rayner
- Overview of Changes and Concessions Made from Introduced SB1221 to Current SB1221 - Stefanie Smallhouse, Arizona Farm Bureau Federation
- Significance and Value of Closing a Basin on Rural Economies, Groundwater Conservation, and Aquifer Protection
- Agricultural Industry Testimony on Good Faith Negotiations
- Other Water Bills Introduced this Session

