



NEWS RELEASE

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Contact: Sandy Bahr, Sierra Club – Grand Canyon Chapter (602) 253-8633-o, (602) 999-5790-c

51st Legislature Ensures More Environmental Damage Puts at Risk Health and Safety, Wildlife Habitat, and Constitutional Rights

Phoenix, Ariz. – The 51st Arizona Legislature adjourned on the 151st day of the Legislative session, but not before it had passed legislation to put at risk health and safety; public lands, wildlife habitat, and cultural resources; and constitutional rights to initiative and referendum.

Building upon last year’s passage of the “Polluter Protection Act,” also known as Environmental Audit Privilege, the Arizona Legislature passed and Governor Brewer signed into law [HB2485 health and safety audit privilege](#) (Carter, Stevens: Barton, et al.). It grants a “privilege,” which is basically secrecy, for violations of health and safety laws and harm that might not be a violation.

“This bill provides protections for bad actors, those companies that have something to hide from the public regarding their health and safety record,” said Sandy Bahr, Chapter Director for the Sierra Club’s Grand Canyon Chapter. “They will be less accountable to the public and also will not be subject to any kind of civil action that relates to the information in audits, including information about harm to our health and safety.”

The Legislature also passed [HB2551 NOW: off-highway vehicles; use; authority; enforcement](#) (Gowan) to allow law enforcement, including Arizona Game and Fish Department wildlife managers and the county sheriffs, to ignore damage to wildlife habitat from off-highway vehicles (OHVs) and to do *no* enforcement of violations of OHV laws on federal public lands that have been closed to OHVs – these are the lands that need the most protection and have been closed primarily to protect resources.

“Unmanaged OHV use significantly harms wildlife, wildlife habitat, native vegetation, and cultural sites, plus it impairs air quality and spreads non-native invasive plants,” said Bahr. “This bill is just plain irresponsible.”

In the waning hours of the legislative session, the majority pushed through a very bad elections bill. [HB2305 initiatives; filings: circulators](#) (Farnsworth) passed out of the House and Senate and was signed by the Governor. It is currently the subject of a citizen referendum, but, if enacted into law, the bill would suppress voting by making it more difficult to stay on the Permanent Early Voting List. It also erects significant roadblocks to citizen initiatives and referenda.



“Over the last 15 years, numerous bills have been introduced by the Arizona Legislature, including several constitutional amendments that would severely limit our right to the citizen initiatives,” said Bahr. “This year was no different and one of those bills was signed by the Governor. Fortunately, we still have the right to do a referendum on that bill, to stop it, and ask the voters to reject it. In the past, voters have rejected significant measures to undermine this important constitutional right – one to require a two-thirds vote on wildlife measures, two proposals to move the petition filing date back, and a proposal intended to make it impossible to initiate wildlife measures.”

The good news at the end of the legislative session was legislators did not bring the terrible energy efficiency bill to the floor – [HB2404 NOW: building codes; energy efficiency](#) (Carter). HB2404 would have prohibited local government from adopting more energy-efficient building codes, which are one of the most cost-effective ways to reduce energy use and to save ratepayers money. The bill was being pushed by the Homebuilders of Central Arizona and supported by Arizona Public Service (APS).

This year, 33 House members and 16 senators received failing grades, meaning they voted correctly on two or fewer bills. Eleven representatives and seven senators earned an “A+,” which means they voted 100 percent pro-environment and also did not miss a vote on the key bills the Sierra Club scored. Three senators and 10 House members also received an “A.” Governor Brewer earned an “F,” just as she has throughout her administration. She did not veto any of the anti-environmental legislation; none of the positive bills reached her desk.

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