

Arizona League
of Conservation Voters

Arizona Legislative

SCORE

CARD

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47th State Legislature

www.azlcv.org

Arizona Conservation Voter
Volume 14, Number 2 **Spring 2005**

FROM THE DIRECTOR



Dear Conservation Voter,

On May 8, a column by former editorial page editor and now columnist Jim Kiser, ran in the *Arizona Daily Star*. He retold the fable of the grasshopper and the ant, bemoaning the fact that we have a “grasshopper” legislature, when what we need is an “ant” legislature. I am borrowing this analogy, because I could not have said it better myself.

Once again, our heavily right-leaning legislature has missed an opportunity to plan for Arizona’s future, and instead has concentrated on the unnecessary, the redundant and, in some cases, the downright mean-spirited. For this legislature, too often ideology has trumped public interest.

Most troubling is the lack of willingness to pass substantive legislation to allow us to plan for Arizona’s water future. Following the Arizona Town Hall last fall, Representative O’Halloran took the lead in introducing numerous bills that would lead towards progress in planning for future water needs. The few bills that did pass were “watered down”. A little extra rain, and the rural legislators decided we could continue whistling a happy tune rather than taking action.

Yet another favorite target: the government agency doing its job of protecting public and environmental health by actually enforcing environmental laws. Yes, the legislature at one point actually voted to abolish the Department of Environmental Quality!

While there were a few bright spots—a lone water planning measure, energy efficient appliance standards, funding to ADWR to run needed programs, and an indoor air quality measure, as usual, most of our success was on defense.

I especially would like to thank Deputy Director Susan Culp for all her hard work at the legislature, our Scorecard Committee for its thoughtful and time-consuming compilation and assessment of legislator performance. I would also like to thank Nicole DeMent, who generously volunteered her time during the legislative session to help with lobbying efforts at the Capitol. And lastly, thank you to all of our members for those calls, letters and emails to legislators. It really does make a difference.

Sincerely yours,

Stephanie C. Sklar

The Arizona Conservation Voter is the newsletter of the Arizona League of Conservation Voters. The Arizona Conservation Voter is published three times annually: January, April and September. The League also publishes an annual scorecard following the legislative session in May. Contents are copyrighted, but articles may be reprinted provided credit is given to authors and the League. Annual membership for the League begins at \$35. All members receive the above publications.

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Arizona League of Conservation Voters
info@azlcv.org • azlcv.org

Tucson: PO Box 40154, Tucson, AZ 85717 • (520) 622-2819
Phoenix: 2701 N 16th St, Suite 105, Phoenix, AZ 85006 • (602) 277-3326

Mission: The Arizona League of Conservation Voters is the largest member-supported statewide conservation organization in Arizona. As the political arm of the environmental community, the League works to elect pro-conservation candidates to state offices, educates elected officials on issues of importance to its members and lobbies on behalf of conservation measures. The League produces an annual scorecard assessment of legislators’ performance for the protection of Arizona’s land, air, water, wildlife and the ability of citizens to fully participate in the political process.

SNAPSHOT OF THE SCORES

HONOR ROLL

House of Representatives

Meg Burton Cahill (D-17) – 100%
Ted Downing (D-28) – 100%
Steve Gallardo (D-13) – 100%

Phil Lopes (D-27) – 100%

Robert Meza (D-14) – 100%

Tom O'Halleran (R-1) – 100%

Tom Prezelski (D-29) – 100%

Senate

Linda Aguirre (D-16) – 100%

Gabrielle Giffords (D-28) – 100%

Harry Mitchell (D-17) – 100%

OTHER HIGH SCORES

House Democrats

Debbie McCune Davis (D-14) – 95%

Amanda Aguirre (D-24) – 93%

Olivia Cajero Bedford (D-27) – 93%

Martha Garcia (D-13) – 93%

Ann Kirkpatrick (D-2) – 93%

Linda Lopez (D-29) – 93%

David Lujan (D-15) – 93%

Ben Miranda (D-16) – 93%

David Bradley (D-28) – 91%

Leah Landrum Taylor (D-16) – 91%

Manuel Alvarez (D-25) – 90%

Pete Rios (D-23) – 90%

House Republicans

Pete Hershberger (R-26) – 98%

Jennifer Burns (R-25) – 80%

Russ Jones (R-24) – 76%

Michele Reagan (R-8) – 75%

Senate Democrats

Jorge Luis Garcia (D-27) – 97%

Richard Miranda (D-13) – 97%

Rebecca Rios (D-23) – 97%

Victor Soltero (D-29) – 95%

Bill Brotherton (D-14) – 92%

Senate Republicans

Carolyn Allen (R-8) – 83%

Barbara Leff (R-11) – 72%

BOTTOM SCORES

House of Representatives

Eddie Farnsworth (R-22) – 8%

Pamela Gorman (R-6) – 8%

Judy Burges (R-4) – 13%

Rick Murphy (R-9) – 15%

Colette Rosati (R-8) – 20%

John Allen (R-7) – 23%

Trish Groe (R-3) – 23%

David Burnell Smith (R-7) – 23%

Andy Biggs (R-22) – 25%

Warde Nichols (R-21) – 25%

Russell Pearce (R-18) – 28%

Bob Stump (R-9) – 28%

Senate

Ron Gould (R-3) – 3%

Jack Harper (R-4) – 8%

Karen Johnson (R-18) – 13%

Thayer Verschoor (R-22) – 13%

Robert Burns (R-9) – 26%

AVERAGES:

House

Average Score: 63%

Average Score (Democrats): 91%

Average Score (Republicans): 46%

Senate

Average Score: 63%

Average Score (Democrats): 91%

Average Score (Republicans): 44%

“THE MISSING”

What the 47th Legislature Didn't Accomplish This Year

This was a very busy legislative session, and in spite of all odds, a number of good measures actually made it through the committee process and were able to be included on the Scorecard. But taking a step back for a moment, we should look closely at those measures that made it through. Was it enough? What else was offered but unable to be scored because the measure never made it to a full vote?

Some of the highlights for conservation were passage of a water conservation incentive program (HB 2323), improved funding for the Department of Water Resources (HB 2174), and a water planning measure (HB 2277). The energy efficient appliances bill (HB 2390) made it through, along with the indoor air quality measure (SB 1009). Of these HB 2323, a tax credit for installing water conservation systems in residences, was the strongest. Championed by the Water Conservation Alliance of Southern Arizona (Water CASA), this bill will make it more affordable for people to retrofit their homes to capture rainwater or install gray-water capture and reuse systems for landscaping purposes, with the potential to save up to 40 gallons of drinking water per person per day.

The passage of these bills are successes, but some of them started off stronger at the beginning and were slowly amended to remove teeth and limit their scope. HB 2277, pertaining to water planning, is a good case in point. At the outset, it was a strong measure designed to require all water systems to prepare consistent and coordinated information to the Department of Water Resources on water supply. It was a need identified by the Governor's Drought Task Force. In order to adequately plan for drought, the Department of Water Resources needs such information to assess the long term viability of the state's water supply, regional vulnerabilities to drought, and ensure that Arizona residents can count on drinking water supplies, particularly as Arizona communities continue to grow.

Over the course of the legislative session, a series of exemptions from the requirements of HB 2277 were included, and the inspection and enforcement provisions were removed. Water providers with an assured water supply designation are exempted. Also, large municipal water providers do not have to provide a water conservation plan, and small municipal water providers may be exempted from the water conservation plan requirement if they petition for such an exemption and show that they will become a large municipal water provider by 2012. The worst

that can happen to a water system that does not provide the water planning information is that the Department of Water Resources notifies the cities, towns and counties in the service area of the noncompliance. It is still a good planning measure, will provide data to the Department that they badly need (and had a tough enough time getting through the Legislature as it was) but it could have been better.

Other, stronger water measures did not even reach the floor, including a measure requiring disclosure of the adequacy of a water supply to property buyers by any subsequent seller of a subdivided property. This would have protected future home buyers by informing them of the water supply available to their

Legislators are graded on how they act when the measures actually reach the floor, but often it is what is missing that counts the most.

property. Also, another measure would have allowed local governments to deny approval of a subdivision if the developer or subdivider could not show it had an adequate water supply to serve it. Considering the serious nature of water supply in our arid and growing state, this is one issue that the Legislature truly dropped the ball on. We have had good rain the past few months, but now is not the time to sit idle when we should be planning for the future.

The Legislature, yet again, did not engage constructively in passing forest health measures that would target the small diameter trees that need to be thinned and protect the larger, old-growth stands. Instead, we have more subsidies and tax credits that could be used to log in inappropriate areas and potentially worsen the health of our forests.

We did not see much action taken at the Legislature to protect the health of Arizonans and the environment from toxics and chemicals, either. Representative Landrum Taylor made a heroic effort to pass the chemical fire response coordination measure again, and it cleared the House but stalled in the Senate. There was no movement on protecting low-income, ethnic-minority communities from the disproportionate siting of hazardous waste facilities. Most toxic storage and disposal operations in Arizona are located in just a handful of zip codes. They are often our poorest neighborhoods, which are the least able to protest and fight such placement and yet bear the burden of the highest chemical exposures.

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ACTIONS USED FOR SCORING

AIR QUALITY

SB 1009 school buildings; air quality (L Gray)

This measure would require the School Facilities Board (SFB) to provide school districts with information on improving and maintaining indoor air quality in schools buildings every two years. It also requires the SFB to conduct an environmental site assessment when constructing new school buildings, and requires school districts to maintain and operate their ventilation systems in accordance with standards acceptable to the board. It is a small step in ensuring school children have a healthy learning environment.

A “YES” vote is a green vote. Weight: 2

- Passed the Senate on March 23, 2005
- Passed the House on April 11, 2005
- Passed Senate Final Read on April 19, 2005
- Signed by Governor on April 25, 2005

ENERGY POLICY

SB 1380 NOW: solar energy; evaluation; equipment; costs (Martin)

This measure was a strike-everything amendment placed on SB 1380 after HB 2374 was unable to be heard in the Senate. It provides for a solar energy tax credit to encourage residential and commercial installation and use of solar energy generation devices. It increases the amount of tax credit allowed for residential installation from \$1,000 per residence to \$5,000, and for commercial installation of a photovoltaic power system, the credit would be equal to \$10,000 or 15% of the cost of the device, whichever is less. However, most of the provisions of this measure were gutted in conference committee. As introduced, the measure would jump start solar energy use in Arizona and promote clean, renewable energy resources.

A “YES” vote is a green vote. Weight: 3 in House; 1 in Senate

- Passed the House again as a strike-everything amendment on SB 1380 on April 28, 2005
- Went to conference committee on May 9, 2005
- Failed in the Senate on May 12, 2005
- Failed in the Senate upon reconsideration on May 12, 2005

HB 2390 energy efficient appliances; sales (Mason)

This measure establishes minimum energy efficiency standards for 12 specific appliances that are not already covered under

federal energy efficiency standards, including torchiere light fixtures, exit signs, commercial refrigerators and freezers, commercial clothes washers, large commercial packaged air conditioning units, and others. Adopting these minimum standards will enable Arizona to save significant money and resources and prevent Arizona from becoming a dumping ground for appliances that falsely tout energy efficient features.

A “YES” vote is a green vote. Weight: 1

- Passed the House on March 24, 2005
- Passed the Senate on April 14, 2005
- Passed House Final Read on April 20, 2005
- Signed by Governor on April 25, 2005

SB 1023 solar energy advisory council; continuation (Tibshraeny)

This measure continues the Solar Energy Advisory Council for 10 years, until 2015. The Solar Energy Advisory Council advises the state Commerce Department director on solar energy issues, and encourages solar energy development in Arizona.

A “YES” vote is a green vote. Weight: 1

- Passed the Senate on January 27, 2005
- Passed the House on March 29, 2005
- Signed by the Governor on April 5, 2005

TOXICS, ENVIRONMENTAL JUSTICE & PUBLIC HEALTH

HB 2358 omnibus solid waste program reform (Barnes, Huffman: Hershberger, et al)

This measure makes a variety of changes to the Arizona Department of Environmental Quality’s solid waste program statutes. Among the changes are a provision requiring ADEQ to hold a public hearing before approval of a solid waste facility plan, makes ADEQ’s decision to approve or deny a solid waste facility plan effective on the date issued by ADEQ, and a variety of other technical changes and clarifications.

A “YES” vote is a green vote. Weight: 1

- Passed the House on February 28, 2005
- Stalled in the Senate – never heard in committee process

HB 2520 chemical fire response; task force (Landrum Taylor)

This measure requires the Arizona Emergency Response
continued on page 6

ACTIONS USED FOR SCORING

continued from page 5

Commission to ensure that mandatory hazardous materials training programs are available for first responders, and also sets up an Arizona Chemical Fire Response Coordination Task Force. This task force is charged with establishing a hazardous materials tracking process for larger cities, inventory and inspection procedures for facilities storing hazardous materials, data collection on potential contamination, and coordination of agency responses and public information dissemination for chemical fire incidents.

A “YES” vote is a green vote. Weight: 1

- Passed the House on March 21, 2005
- Stalled in the Senate – passed Senate Natural Resources & Rural Affairs Committee, but then did not progress

SB 1139 solid waste program reform; omnibus (C Allen)

This measure is identical to HB 2358, and makes a variety of changes to the Arizona Department of Environmental Quality’s solid waste program statutes. Among the changes are a provision requiring ADEQ to hold a public hearing before approval of a solid waste facility plan, makes ADEQ’s decision to approve or deny a solid waste facility plan effective on the date issued by ADEQ, and a variety of other technical changes and clarifications.

A “YES” vote is a green vote. Weight: 1

- Passed the Senate on March 10, 2005
- Stalled in the House – never introduced to chamber or assigned to committee

SB 1140 department of environmental quality; continuation (C Allen)

This measure continues the Arizona Department of Environmental Quality. As originally drafted and introduced, the continuation would have been for the full 10 years. It was amended in committee to reduce the time to a 5 year continuation. The bill was further amended on the floor of the Senate to restore the 10 year continuation, but require ADEQ to provide a written report on the department to a joint legislative audit committee in 2009.

A “YES” vote is a green vote. Weight: 3

- Failed Senate Third Read on March 23, 2005
- Brought back for reconsideration and passed the Senate on March 24, 2005
- Stalled in the House – never heard in committee process

SB 1455 NOW: DEQ; continuation (Flake)

This measure is a strike-everything amendment offered in the House Environment Committee by Representative Ray Barnes,

the committee chair, to continue the Arizona Department of Environmental Quality for 2 years. A floor amendment, again by Representative Barnes, passed in the House Committee of the Whole extending the continuation for 4 years. The version transmitted to the Governor approves the continuation of the Arizona Department of Environmental Quality for 4 years. While ADEQ certainly deserved to receive a full 10-year continuation, it was a relief that the Legislature finally did pass a continuation measure.

A “YES” vote is a green vote. Weight: 1

- Passed the House as a strike-everything amendment to SB 1455 on April 18, 2005
- Passed Senate Final Read on April 28, 2005
- Signed by Governor on May 4, 2005

LAND USE PLANNING

HB 2364 county development rights; transfer (Nelson: O’Halleran, Flake)

This measure authorizes counties to transfer development rights between property parcels within their jurisdiction for the purpose of protecting floodplains, natural habitats, recreation areas and park land, or lands that have unique aesthetic, architectural or historic value.

A “YES” vote is a green vote. Weight: 2

- Passed the House on March 14, 2005
- Passed the Senate in amended form on April 13, 2005
- Measure went to conference committee on April 19, 2005
- Passed House Final Read on April 28, 2005
- Passed Senate Final Read on May 2, 2005
- Signed by Governor on May 9, 2005

WATER RESOURCES

HB 2174 NOW: assured water supply; fund; committee (O’Halleran)

This measure establishes a fund consisting of fees paid to the Arizona Department of Water Resources for applications for assured and adequate water supply designations. The dollars are then earmarked to support administration and other costs and expenses associated with operating those programs. It will ensure that the department has the funds it needs to ensure that these programs are run appropriately.

A “YES” vote is a green vote. Weight: 2

- Passed the Senate as a strike-everything amendment to HB 2174 on April 13, 2005
- Passed House Final Read on April 20, 2005
- Signed by Governor on April 25, 2005

HB 2277 NOW: water providers; community system plans (O'Halleran, Hershberger, Landrum Taylor, et al)

This measure requires community water systems to prepare detailed system water plans and file them with the Arizona Department of Water Resources. It would apply to community water systems that do not have an assured water supply, and the plans would have to include a water supply plan, drought preparedness plan, and water conservation plan. They would also be required to submit annual data on water withdrawals, deliveries and diversions. It will help Arizona get important baseline data on water use and demand throughout the state.

A "YES" vote is a green vote. Weight: 3

- Passed the House on March 14, 2005
- Passed the Senate, amended, on April 13, 2005
- Passed House Final Read on April 20, 2005
- Signed by Governor on April 25, 2005

HB 2323 tax credits; water conservation systems (C Gray: Giffords)

This measure authorizes a tax credit for residential installation of water conservation systems, including rainwater capture, storage and reuse equipment and gray-water systems. The credit is capped at \$1,000 per taxable year per household, and the corporate and builder tax credit cannot exceed \$200 per unit. The total tax credit is capped at \$1.5 million per calendar year, and credit is only offered 2006 through 2011.

A "YES" vote is a green vote. Weight: 5

- Passed the House on March 14, 2005
- Passed the Senate on May 11, 2005
- Passed House Final Read on May 11, 2005
- Signed by Governor on May 20, 2005

SB 1067 appropriation; Zuni tribe water settlement (Flake, Bee, Blendu, et al)

This measure would appropriate \$1,596,000 for resolving the Zuni Tribe water settlement. As originally drafted, the money would have been appropriated from the state general fund, but it was amended in the Senate to pull the dollars from the Game & Fish Department's Heritage Fund. The Zuni intend to restore the Zuni Heaven area, a wetland important for wildlife and cultural values, with the settlement money. While a worthy effort, which we support, it is an inappropriate use of Heritage Fund dollars.

A "NO" vote is a green vote. Weight: 4

- Passed the Senate, amended, on March 7, 2005
- House Committee of the Whole amendment to exclude O'Halleran floor amendment removing the Heritage Fund

raid from consideration – passed April 18, 2005

- Passed the House on April 20, 2005
- Vetoed by Governor on May 2, 2005

SB 1190 exempt wells (Flake, Arzberger, Blendu, et al)

This measure would prohibit exempt well drilling within 100 feet of the operating distribution system of a municipal water provider with a designated assured water supply after July 1, 2005. The cumulative effect of multiple exempt wells on a city or town water supply can become a significant drain, and could jeopardize the supply for a whole community, particularly when used for non-essential purposes such as landscaping.

A "YES" vote is a green vote. Weight: 2

- Passed the Senate on February 28, 2005
- Passed the House on April 20, 2005
- Passed Senate Final Read on April 28, 2005
- Signed by Governor on April 28, 2005

WILDLIFE & HABITAT PROTECTION

HB 2613 forest health amendments (Chase, Brown, C Gray, et al)

This measure makes changes to the healthy forest legislation passed in 2004, expanding many of the tax incentives for logging industries. It reduces the fuel tax for vehicles used in transporting forest products and a property tax reduction for any property or improvements used in qualified forest product harvesting. The bill also instructs the Department of Commerce to implement a program encouraging local governments to provide additional incentives for businesses that promote forest health. The bill does not, however, include needed protections for old growth forest stands or large, fire-resistant trees.

A "NO" vote is a green vote. Weight: 3

- Passed the House on March 16, 2005
- Passed the Senate on April 11, 2005
- Vetoed by the Governor on April 14, 2005

SB 1333 NOW: ecological and animal terrorism (Verschoor, Bee, Burns, et al)

This measure would add "animal and ecological terrorism" to the Racketeer Influenced and Corrupt Organizations statutes, covering criminal acts that are profit-oriented. Animal and ecological terrorism is defined as a felony act that is intended to obstruct, deter or impede any person from a lawful animal activity, mining, foresting, harvesting, gathering or processing natural resources. It is politically motivated to smear law-abiding animal welfare and environmental organizations and their

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PROFILES

CONSERVATION HEROES



Senator Carolyn Allen (R – District 8) deserves a round of applause for standing strong to protect the health of the public and the environment by sponsoring legislation to continue the Arizona Department of Environmental Quality after its sunset review and improve its programs.

The agency was under siege this legislative session for taking a stronger stance on enforcement against polluters, and at the prompting of industry interests, many members of the Legislature sought to punish ADEQ for those actions. However, Senator Allen remained supportive of continuing the agency and voiced her displeasure at the political attacks against the agency.



Senator Gabrielle Giffords (D – District 28) worked very hard this year on water conservation legislation, introducing a bill in the Senate, SB 1483, co-sponsored with Representative Chuck Gray, that would have created incentives for homeowners to install water conservation and

reuse equipment and tax credits for builders to plumb houses with gray-water reuse capacity from the very start. When it comes to drought and using our water resources wisely, we must always be exploring methods for conserving and reusing this important resource. Senator Giffords has shown great leadership on this effort.



Representative Chuck Gray (R – District 19) was also instrumental in introducing the water conservation measure on the House side, HB 2323, and worked with Senator Giffords to shepherd this important bill through the legislative process. SB 1483 and HB 2323 were identical

bills, creating incentives for homeowners and builders to install water conservation equipment, such as gray-water reuse or rainwater capture and reuse systems in residences. HB 2323 eventually made it through the process and went on to the Governor's desk.



Representative Leah Landrum Taylor (D – District 16) made another valiant effort at passing the chemical fire response coordination legislation, and remains one of the most steadfast proponents for public health protections from toxics in the Legislature. HB 2520, which would have coordinated the efforts of agencies in responding to chemical

fires and provided training and information to emergency responders for such events, made it out of the House, where it stalled in the Senate. Representative Landrum Taylor has been relentless on this issue, and her persistence and tenacity are a credit to her and her constituents.



Representative Lucy Mason (D – District 1) has been a tireless advocate for clean energy and energy efficiency at the Legislature this year. Her hard work was key in passing the energy efficient appliances standards, which both protect consumers from fraud and has the potential to save Arizonans a tremendous amount of money, energy and water. Representative Mason also championed solar energy legislation this year.



Representative Tom O'Halleran (R – District 1) remains a true champion for conservation, and if the Legislature as a whole is a "grasshopper," we are fortunate to have an "ant" in Representative O'Halleran as the Chair of the House Natural Resources & Agriculture Committee. O'Halleran consistently sponsors and guides forward-thinking, long-term solutions for our natural resources through the legislative process. He also sponsored the amendment removing the Heritage Fund raid from the important Zuni Tribe water settlement appropriation. Unfortunately, some of the most effective ideas that were introduced early in the session never made it, and others were diminished through the process, but O'Halleran continues to be a strong voice for long term solutions on water policy, forest health, and other critical issues.



Senator Barbara Leff (R – District 11) showed the most improvement this legislative session, bringing her 2004 score of 44% up to a 72% this year on environmental issues.

We would also like to recognize three legislative districts – **LD 13** in southwest Phoenix, **LD 27** in west Tucson, and **LD 28** in central Tucson – as being the highest scoring districts as a whole in Arizona, with 97% overall scores for the legislators representing those residents. LD 13 is represented by **Senator Richard Miranda** and **Representatives Steve Gallardo** and **Martha Garcia**. LD 27 is represented by **Senator Jorge Luis Garcia** and **Representatives Olivia Cajero Bedford** and **Phil Lopes**. Lastly, LD 28 is represented by **Senator Gabrielle Giffords** and **Representatives David Bradley** and **Ted Downing**. These leg-

islaters are truly going the extra mile to provide for a good quality of life, public and environmental protection, and a livable future for Arizona.

ENVIRONMENTAL VILLAINS



Representative Ray Barnes (R – District 7) gleefully participated in the unwarranted flogging of the Arizona Department of Environmental Quality, and sponsored a strike-everything amendment in the House Environment Committee that would only have continued the agency for two years, rather than the full 10 years that were recommended after their sunset review. He also threatened to run an amendment forcing ADEQ to accept any decision of an administrative law judge. The continuation was extended to 4 years by Representative Barnes on the floor, but one should expect more balance and reason on such matters out of the Representative chosen to chair the Environment Committee.



Representative Andy Biggs (R – District 22) has been a persistent advocate for incorporating “animal and ecological terrorism” into the racketeering statutes, marking the second year in a row that he has championed this misguided and unwarranted measure in the House. Perhaps next legislative session he can find more already existing crimes to write laws against. His score reflects an exceptionally anti-conservation bent, earning a significantly below average 25%.



Representative Cheryl Chase (D – District 23) has again had a very poor showing on forest health issues, sponsoring more amendments to the flawed forest health measure that passed last year. Rather than focusing the measure on needed actions to restore forest health and protect old growth stands and intact, functional forest ecosystems, she sought to further expand subsidies to industry activities that could result in worsening the situation. Representative Chase's bills continue to ignore the recommendations of forest experts and the Forest Health Councils instituted by the Governor.



Representative Eddie Farnsworth (R – District 22) and **Representative Pamela Gorman** (R – District 6) get the prize for the lowest scores on conservation legislation in the House – an 8% for both of them. Out of all the bills that were used for scoring this year, many of them fairly limited in scope to begin with, Representatives Farnsworth and Gorman only saw fit to vote for a small handful of them. One was the solid waste program reform measure, which everyone voted for and then left for dead after the onslaught against the agency started.

On another note, Representative Eddie Farnsworth also wins recognition for being the most regressed on the 2005 Scorecard. In 2004, he earned a 45% score, which is not stellar, but sunk the farthest in 2005 with his meager 8%.



While Representatives Farnsworth and Gorman took the bottom rung in the House, **Senator Ron Gould** (R – District 3) received the lowest score on the entire Scorecard, with a 3%. Voting in favor of continuing the Solar Energy Advisory Council, not exactly a stretch, is the only reason his score was not an outright zero.



House Speaker James Weiers (R – District 10) gets jeers for his Committee of the Whole motion to exclude Representative O'Halleran's amendment removing the raid on the Heritage Fund from SB 1067. Even after other, more appropriate, funds were offered up to take the place of the Heritage Fund swipe to resolve the Zuni Tribe's water settlement, he continued to push taking the money from already scarce funds that support wildlife and the habitat they need to survive. Badly done, Mr. Speaker.



Senator Thayer Verschoor (R – District 22) has also been on the “animal and ecological terrorism” bandwagon, pushing this pointless and unnecessary legislation in the Senate side along with Representative Biggs. Perhaps next year he will find more criminal activities to re-label as “terrorism”. He also earned a record low score of 13%.

As with the “Environmental Heroes” section, we believe it incumbent upon us to note the legislative district that has shown the most recalcitrance in protecting the environment – **LD 22** encompassing the Gilbert area – which got the bottom rung of the legislative district ladder with an overall score of 15%. Those legislators are also “recognized” in this section for their failure to support protections of our land, air, water and quality of life for this and future generations. LD 22 is represented by **Senator Thayer Verschoor** and **Representatives Andy Biggs** and **Eddie Farnsworth**.





CHANGE IN SCORING

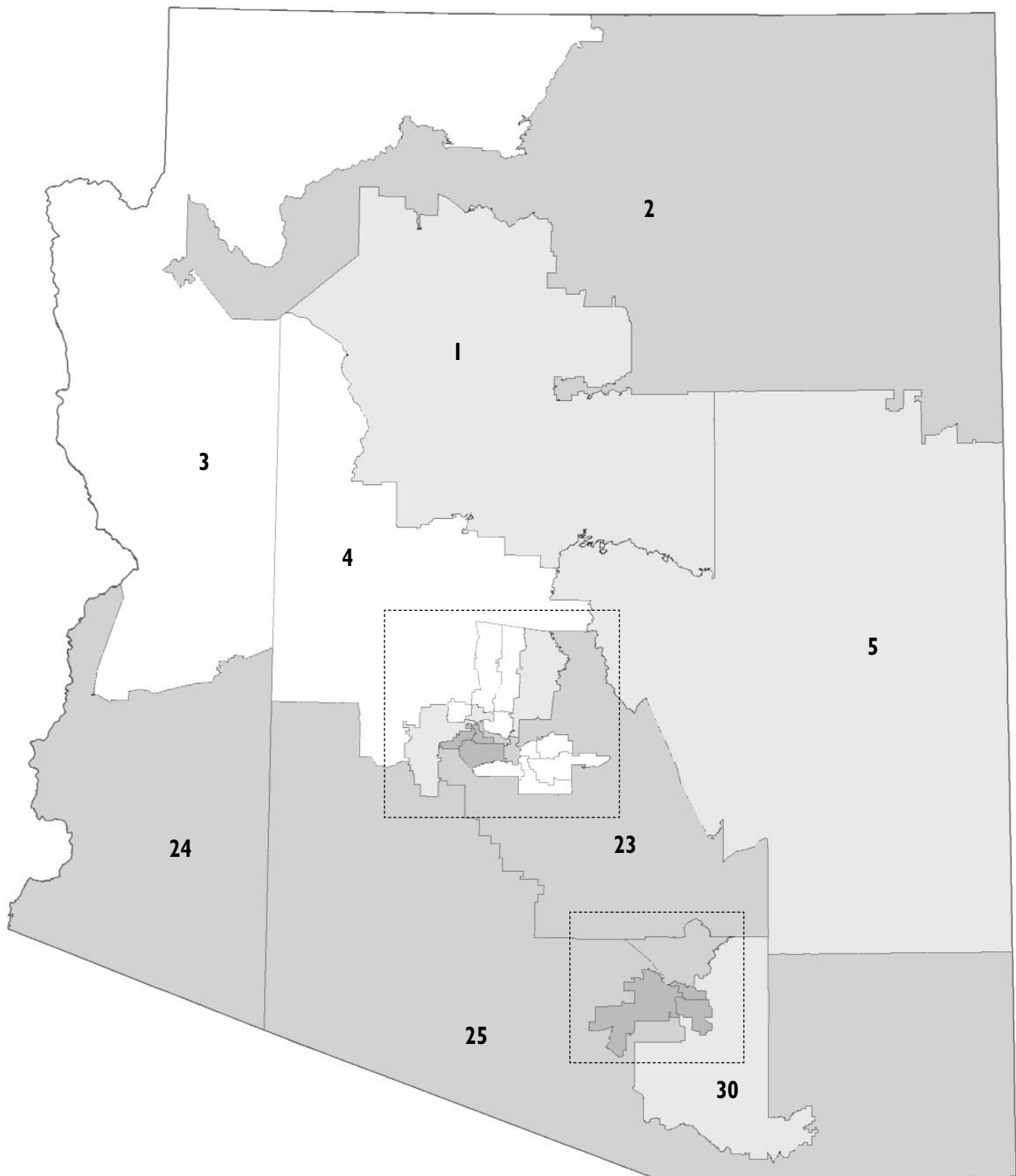
In our continual efforts to improve the Scorecard and the information we provide to our members, the Arizona League of Conservation Voters will begin giving “extra credit” to legislators who sponsor positive environmental legislation, starting in 2006.

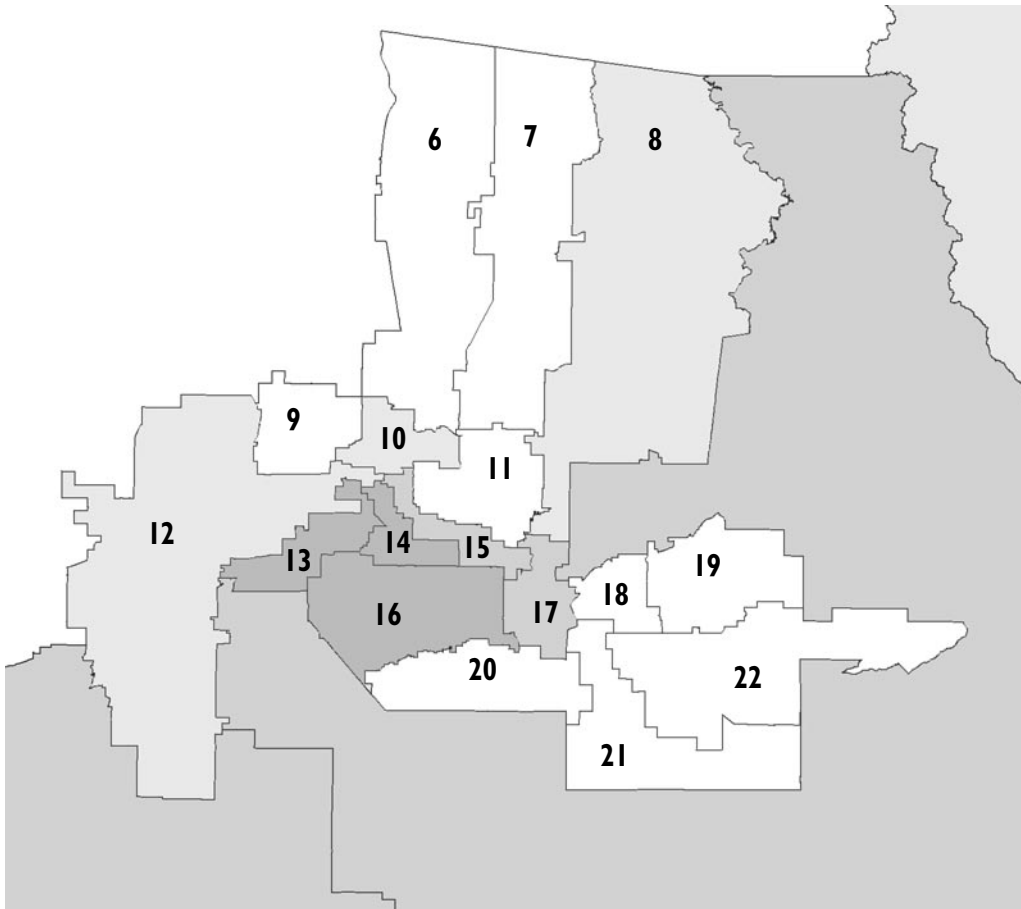
For every good bill sponsored that actually becomes law, a legislator will get 2 points, and 1 point for those that do not make it. For those who sponsor anti-conservation legislation, 2 points will be subtracted from their score if that measure passes, and 1 point if it doesn't.

LEGISLATIVE MAPS

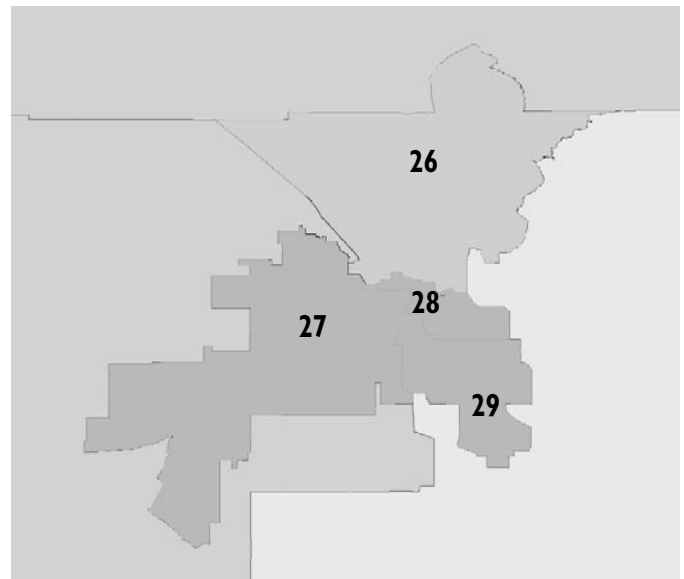
How did the legislative districts measure up?

Key:  90–100%  75–90%  50–75%  50% and below





PHOENIX DISTRICTS



TUCSON DISTRICTS

STATESMANSHIP RECOGNITION

“The essence of statesmanship is not a rigid adherence to the past, but a prudent and probing concern for the future.”

—Hubert Humphrey



The Arizona League of Conservation Voters would like to recognize a true statesman this year. Statesmanship involves seeking out solutions to the problems facing Arizona and working with all who care about ensuring a bright future for our state.

Statesmanship goes beyond party lines, beyond ideology, and strives for genuine service to the public need.

This year, we are pleased to recognize **Representative Pete Hershberger**. Not only does he care about our natural heritage here in Arizona (he received a 98% score this year) but also works hard on a variety of other issues—education, children, and human services. Arizona could certainly use more elected officials like Representative Hershberger.

We commend him for his commitment to the betterment of Arizona, willingness to work in a bipartisan fashion, and his service not only to his own constituents, but to the long term prosperity of the state as a whole.

“THE MISSING”

continued from page 4

Lastly, the Arizona Department of Environmental Quality truly deserved to be continued for the full 10-years after their last sunset review and audit. But, the Legislature degenerated into petty attacks against the agency for actually taking strong enforcement steps against some of the worst polluters and violators of our environmental laws. The agency was continued for 4 years, which was actually a relief after the Senate’s shenanigans in threatening to shut down the agency altogether – but such actions lacked foresight and a basic respect for the agency responsible for safeguarding the public health and our natural heritage.

In the midst of this frenzy against the Department of Environmental Quality, the agency’s substantive bills, including

reforms of the solid waste program, were ignored completely. The solid waste program, responsible for solid waste disposal, landfill siting and compliance, and recycling programs, is badly underfunded. They have been trying for some time to increase the “tipping fee” for solid waste disposal so that they have the money they need to manage this important program. But, yet again, this was not done.

So, remember when you look at the scores, which certainly demonstrate who supports protecting this beautiful state and the people who live here, that it remains an incomplete picture. Legislators are graded on how they act when the measures actually reach the floor, but often it is what is missing that counts the most.



Photo by Lisa Stage

ACTIONS USED FOR SCORING

continued from page 7

advocacy efforts. The House version, HB 2295 sponsored by Representative Andy Biggs, was identical to SB 1333.

A "NO" vote is a green vote. Weight: 2

- Passed in the Senate on March 3, 2005
- Substituted for HB 2295 in the House and passed on March 9, 2005
- Vetoed by the Governor on March 15, 2005

SB 1166 NOW: terrorism; animal; ecological (Verschoor)

This measure is similar to SB 1333, and expands the definition of "racketeering" to include animal terrorism, ecological terrorism, and smuggling. While the language is tighter, preventing the rampant abuses that could have taken place under SB 1333, it remains a politically motivated assault on the legitimacy of environmental and animal welfare advocacy, will have no benefit for law enforcement activities, and is not necessary. Labeling criminal activities as "terrorism" is simply inappropriate and dilutes the serious nature of terrorist threats.

A "NO" vote is a green vote. Weight: 1

- Passed the House as a strike-everything amendment on April 20, 2005
- Went to conference committee on April 28, 2005
- Passed Senate Final Read on May 10, 2005
- Passed House Final Read on May 11, 2005
- Signed by Governor on May 20, 2005

CITIZEN PARTICIPATION

HB 2053 NOW: municipal ballot measures; signature (Huffman)

This measure would allow cities and towns with populations less than 50,000 to use an alternate calculation for signature requirements to refer a local government decision to the ballot. It would raise the bar for referring controversial zoning decisions to a vote of the people, and restrict the constitutional rights of Arizonans to the referendum process.

A "NO" vote is a green vote. Weight: 1

- Failed in the House on March 14, 2005
- Failed in the House upon reconsideration on March 14, 2005

SCR 1010 enabling local taxes; supermajority vote (Martin, Harper: Murphy)

This measure would require any legislative authorization of a local election to raise taxes or levy fees to pass by a supermajority (2/3) vote. This would impact the capability of local governments to do bonding or revenue generation for local or regional planning efforts, such as open space protection, regional transportation plans, etc.

A "NO" vote is a green vote. Weight: 2

- Failed in the Senate on February 17, 2005



YES! I want to contribute to the Arizona League of Conservation Voters.

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Contributions to the Arizona League of Conservation Voters are NOT tax deductible due to our lobbying efforts.

THE 47TH ARIZONA LEGISLATURE

MEMBERS AND SCORES

District 1 – 67%

Sen. Ken Bennett, R (Prescott) – 41%
Rep. Lucy Mason, R (Prescott) – 59%
Rep. Tom O'Halleran, R (Sedona) – 100%

District 2 – 85%

Sen. Albert Hale, D (Window Rock) – 85%
Rep. Ann Kirkpatrick, D (Flagstaff) – 93%
Rep. Albert Tom, D (Chambers) – 78%

District 3 – 28%

Sen. Ron Gould, R (Lake Havasu City) – 3%
Rep. Trish Groe, R (Lake Havasu City) – 23%
Rep. Nancy McLain, R (Bullhead City) – 58%

District 4 – 28%

Sen. Jack Harper, R (Sun City West) – 8%
Rep. Tom Boone, R (Glendale) – 63%
Rep. Judy Burges, R (Skull Valley) – 13%

District 5 – 64%

Sen. Jake Flake, R (Snowflake) – 62%
Rep. Jack Brown, D (St. Johns) – 73%
Rep. Bill Konopnicki, R (Safford) – 56%

District 6 – 34%

Sen. Dean Martin, R (Phoenix) – 38%
Rep. Ted Carpenter, R (Phoenix) – 56%
Rep. Pamela Gorman, R (Anthem) – 8%

District 7 – 44%

Sen. Jim Waring, R (Phoenix) – 69%
Rep. Ray Barnes, R (Phoenix) – 40%
Rep. David Burnell Smith, R (Carefree) – 23%

District 8 – 59%

Sen. Carolyn Allen, R (Scottsdale) – 83%
Rep. Michele Reagan, R (Scottsdale) – 75%
Rep. Colette Rosati, R (Phoenix) – 20%

District 9 – 23%

Sen. Robert Burns, R (Peoria) – 26%
Rep. Rick Murphy, R (Glendale) – 15%
Rep. Bob Stump, R (Peoria) – 28%

District 10 – 53%

Sen. Linda Gray, R (Glendale) – 59%
Rep. Doug Quelland, R (Phoenix) – 58%
Rep. Jim Weiers, R (Phoenix) – 43%

District 11 – 43%

Sen. Barbara Leff, R (Paradise Valley) – 72%
Rep. John Allen, R (Scottsdale) – 23%
Rep. Steve Tully, R (Phoenix) – 35%

District 12 – 51%

Sen. Robert Blendu, R (Litchfield Park) – 47%
Rep. John Nelson, R (Glendale) – 49%
Rep. Jerry Weiers, R (Glendale) – 58%

District 13 – 97%

Sen. Richard Miranda, D (Tolleson) – 97%
Rep. Steve Gallardo, D (Phoenix) – 100%
Rep. Martha Garcia, D (Phoenix) – 93%

District 14 – 96%

Sen. Bill Brotherton, D (Phoenix) – 92%
Rep. Debbie McCune-Davis, D (Phoenix) – 95%
Rep. Robert Meza, D (Phoenix) – 100%

District 15 – 86%

Sen. Kenneth Chevront, D (Phoenix) – 82%
Rep. David Lujan, D (Phoenix) – 93%
Rep. Kyrsten Sinema, D (Phoenix) – 83%

District 16 – 95%

Sen. Linda Aguirre, D (Phoenix) – 100%
Rep. Leah Landrum Taylor, D (Phoenix) – 91%
Rep. Ben Miranda, D (Phoenix) – 93%

District 17 – 88%

Sen. Harry Mitchell, D (Tempe) – 100%
Rep. Meg Burton Cahill, D (Tempe) – 100%
Rep. Laura Knaperek, R (Tempe) – 63%

District 18 – 27%

Sen. Karen Johnson, R (Mesa) – 13%
Rep. Mark Anderson, R (Mesa) – 41%
Rep. Russell Pearce, R (Mesa) – 28%

District 19 – 46%

Sen. Marilyn Jarrett, R (Mesa) – 44%
Rep. Chuck Gray, R (Mesa) – 35%
Rep. Gary Pierce, R (Mesa) – 58%

District 20 – 45%

Sen. John Huppenthal, R (Chandler) – 33%
Rep. John McComish, R (Phoenix) – 43%
Rep. Bob Robson, R (Chandler) – 58%

District 21 – 46%

Sen. Jay Tibshraeny, R (Chandler) – 59%
Rep. Warde Nichols, R (Chandler) – 25%
Rep. Steven Yarbrough, R (Chandler) – 55%

District 22 – 15%

Sen. Thayer Verschoor, R (Gilbert) – 13%
Rep. Andy Biggs, R (Gilbert) – 25%
Rep. Eddie Farnsworth, R (Gilbert) – 8%

District 23 – 88%

Sen. Rebecca Rios, D (Apache Junction) – 100%
Rep. Cheryl Chase, D (Kearny) – 73%
Rep. Pete Rios, D (Hayden) – 90%

District 24 – 81%

Sen. Robert Cannell, D (Yuma) – 74%
Rep. Amanda Aguirre, D (Yuma) – 93%
Rep. Russ Jones, R (Yuma) – 76%

District 25 – 81%

Sen. Marsha Arzberger, D (Willcox) – 72%
Rep. Manny Alvarez, D (Elfrida) – 90%
Rep. Jennifer Burns, R (Tucson) – 80%

District 26 – 76%

Sen. Toni Hellon, R (Tucson) – 61%
Rep. Peter Hershberger, R (Tucson) – 98%
Rep. Steve Huffman, R (Tucson) – 69%

District 27 – 97%

Sen. Jorge Luis Garcia, D (Tucson) – 97%
Rep. Olivia Cajero Bedford, D (Tucson) – 93%
Rep. Phil Lopes, D (Tucson) – 100%

District 28 – 97%

Sen. Gabrielle Giffords, D (Tucson) – 100%
Rep. David Bradley, D (Tucson) – 91%
Rep. Ted Downing, D (Tucson) – 100%

District 29 – 96%

Sen. Victor Soltero, D (South Tucson) – 95%
Rep. Linda Lopez, D (Tucson) – 93%
Rep. Tom Prezelski, D (Tucson) – 100%

District 30 – 57%

Sen. Timothy Bee, R (Tucson) – 62%
Rep. Marian McClure, R (Tucson) – 65%
Rep. Jonathan Paton, R (Tucson) – 44%

Arizona League of Conservation Voters
PO Box 40154
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