



## STATE LEGISLATIVE WRAP UP – 2017 SESSION

### Summary

The Arizona state legislature adjourned *sine die* on Wednesday, May 10 after passed a \$9.8 billion state budget and a number of bills affecting Arizona's mining industry. The debate over the state budget largely focused on funding K-12 education and providing new bonding capacity for the state's three public universities. Additional funds had to be appropriated to cover higher costs for state contractors that provide services to the developmentally disabled as a result of the voter-approved increase in the minimum wage.

Several aspects of the budget are of particular interest to the mining community.

- \$600,000 to reopen the Mining and Mineral Museum under the management of the University of Arizona. Funds will go towards building rent and a curator's salary.
- \$2 million for ADWR for the development of Arizona's drought contingency plan.
- \$1.2 million for additional personnel for groundwater management.
- \$1.5 million for a post-release fire crew.
- \$2,450,000 for one-time projects at State Land Department including workflow and right-of-way digitization, survey assets, professional services contracts, and re-assessment of federal permits.

### Bills

#### **S1072; Administrative Decisions; Scope of Review**

Summary: Establishes that the court must review the administrative record and supplementing evidence before it affirms, reverses, modifies or vacates and remands an

agency action. Requires the court to award fees to a prevailing party in a civil action against a state agency or commission exempt from rulemaking on the grounds that a rule, decision, guideline, enforcement policy or procedure is either not authorized by statute or violates the Arizona or U.S. Constitution.

AMA Position: Neutral with amendments

Outcome: Transmitted to Governor on 5/10/17

#### **S1184; Appropriation; Arizona Geological Survey**

Summary: Appropriates \$941,000 to the Arizona Geological Survey for the 2017-18 fiscal year.

AMA Position: Support

Outcome: Signed by Governor on 5/8/17

#### **S1285; Game and Fish; In Lieu Fee; Trust Fund**

Summary: Establishes an In-Lieu Fee Program Restoration Endowment Trust Fund for Game and Fish to fulfil its role as in lieu fee sponsor for permittees under the Clean Water Act. Funds will come from compensatory mitigation credits and U.S Army Corps of Engineers programs.

AMA Position: Support

Outcome: Signed by Governor on 4/24/17

#### **S1415; Mining and Mineral Museum; Transfer**

Summary: Officially transfers the management and operations of the museum, located in downtown Phoenix, to the University of Arizona.

AMA Position: Support

Outcome: Signed by Governor

#### **H2090 Land Department Rules; Licensing Time Frames**

Bill Summary: Requires the State Land Department to adopt licensing time frame rules by June 30, 2018. Proposed as a Strike Everything Amendment in the Senate.

AMA position: Support

Outcome: Dead

## **Memoria to U.S. Congress & Resolutions**

### **HCM2005/SCM1005; Hardrock Mining; Rule; Urging EPA**

Summary: Regarding the rule for CERCLA financial assurance for hard rock mines, this memorial urges the EPA to 1) extend the comment period, 2) consider concerns that have been submitted, 3) confer with state and federal regulators, and 4) withdraw the current rule and replace it with a new rule that defers to existing state and federal regulations.

AMA Position: Strongly Support/Priority Issue

Outcome: Transmitted to Secretary of State

### **HCM 2006; Clean Power Plan; Repeal; Replace**

Summary: Urges the EPA and Department of Energy to work with the states to replace the Clean Power Plan.

AMA Position: Support

Outcome: Transmitted to Secretary of State

### **HCM 2008; Exceptional Events Rule; Revision**

Summary: Urges the EPA to revise the Exceptional Events Rule to provide for an effective process to address background ozone and other emissions that are outside of the states' regulatory control.

AMA Position: Support

Outcome: Transmitted to Secretary of State

### **HJR 2002/SJR 1003; Lower Colorado Basin; Forbearance Authority**

Summary: Allows Arizona to withgo certain rights to Colorado River water if the U.S. executes a shortage agreement with Mexico and allows the ADWR Director to enter into such an agreement with Mexico and the other Colorado River Basin states.

AMA Position: Support

Outcome: Transmitted to Secretary of State

### **SCM 1001; Critical Habitat; Expansion; Urging Repeal**

Summary: Urges Congress to repeal the final rules which were adopted in March 2016 to expand the definition of critical habitat in the Endangered Species Act.

AMA Position: Support

Outcome: Transmitted to Secretary of State

### **SCM 1002; Division; 9<sup>th</sup> Circuit; Urging Congress**

Summary: Urges Congress to divide the 9<sup>th</sup> Circuit Court into two separate circuits.

AMA Position: Support

Outcome: Transmitted to Secretary of State

### **SCM 1008; Ozone Concentration Standard; Reinstatement**

Summary: Urges Congress to require the EPA to revert to the prior ozone standard of 75 parts per billion (ppb) rather than the 70 ppb standard that EPA adopted in 2015.

AMA Position: Support

Outcome: Transmitted to Secretary of State

### **SCM 1010; Urging BLM; Travel Management Plans**

Summary: Urges the BLM to coordinate and consult with all affected stakeholders, including state and local elected officials and property owners, in the development of Travel Management Plans (TMP) affecting Arizona.

AMA Position: Support

Outcome: Transmitted to Secretary of State

### **SCM 1011; Antiquities Act; Monuments; Urging Congress**

Summary: Urges Congress to repeal or amend the Antiquities Act to require congressional, state, county and local approval in order to designate a national monument.

AMA Position: Support

Outcome: Transmitted to Secretary of State

### **SCR 1010; Nuclear Energy; Support**

Summary: Expresses the legislature's support for the continued use of nuclear energy.

AMA Position: Support

Outcome: Transmitted to Secretary of State

**SCR 1019; BLM Planning 2.0 Rule; Opposition**

Summary: Expresses the legislature's opposition to the BLM Planning 2.0 Rule.

AMA Position: Support

Outcome: Transmitted to Secretary of State. Rule was repealed by Congress and signed by the President on March 27.