

# YELLOW SHEET REPORT

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## ·NEWS NOTES AND GOSSIP·

### Judge's brother's tweets spur motion for disqualification

Petersen and Toma filed a motion to change judge for cause in their challenge to the 2023 Elections Procedure Manual because Judge Timothy Ryan's brother, Tom Ryan, called the legislative leaders "Yahoos" on



social media and deemed the suit frivolous in a thread. "In light of these developments – and even assuming that Judge Ryan is not subjectively persuaded by his brother's foundational misunderstandings of legislative standing principles – the Plaintiffs have ample reason to believe that they 'cannot obtain a fair and impartial trial,'" the duo's attorney Thomas Basile wrote. Tom Ryan wrote a thread on X breaking down the lawsuit and claiming the legislative leaders lack standing to bring the suit in the first place. Tom Ryan called the litigation "performative" and "frivolous," proclaimed the suit a "cowpie," noted the legislature previously "got their biscuits scorched" on the same issue and wrote, "Where is the proof that the Senate and House authorized these two Yahoos to sue on their behalf? Sheesh!" complete with a gif from Dumb and Dumber. Ryan quote-tweeted attorney Marc Elias announcing Arizona Alliance for Retired Americans and Voto Latino's intervention in the suit and wrote, "Sen Petersen and Rep Toma are about to go through some things. Stay Tuned!" Basile writes that the legislative leaders "are not alleging that Judge Ryan has communicated with his brother about any aspect of this proceeding, or even that he is subjectively aware of the social media postings," but they claim the posts warrant disqualification as they create a "perception that the judge's ability to carry out judicial responsibilities with ... impartiality is impaired." Ryan told our reporter he has never and would never talk to his brother about cases in his court and clarified Judge Ryan was not on X and called the notion he could influence his brother "nuts." "I have the right to call out chucklenuts and yahoos when I see chucklenuts and yahoos," Ryan said. "Thank you, Warren Petersen and Ben Toma, for finally getting things I thought about their lawsuits in front of my brother."

### **Pigs flying is 'theoretically possible' too**

Parties to the lawsuit challenging the legislature's \$15.3 million allocation to the Prescott Frontier Days rodeo in FY2024 don't anticipate going to the discovery stage or to trial but said settlement isn't likely either in a status conference this morning. The key dispute in the case is whether the allocation violated the Gift and Appropriation clauses of the Arizona constitution, a finding which widely hinges on whether the money will go toward a legitimate public purpose. Attorneys from the Arizona Center for Law in the Public Interest, the AG's office and Prescott Frontier Days set a briefing schedule with dispositive motions on the case due Feb. 29 and tentatively scheduled discovery dates running into summer if need be. Maricopa County Superior Court Judge Scott Blaney asked if the parties had tried to reach a settlement. Daniel Adelman, attorney for the Arizona Center for Law in the Public Interest, said it was "theoretically possible" but added "so far we have not come up with anything."

### **What's in your wallet?**

The Arizona Democratic Party's Q4 report is finally in after a multiweek delay caused by a glitch in the state's campaign finance report platform. ADP ended the year with \$1.4 million cash on hand, with about \$482,500 from individual contributions, \$387,920 in contributions from political committees and \$191,000 from businesses. AEA's PAC contributed more than \$50,000 and NaphCare, the Dept. Of Corrections health care vendor contributed \$25,000. Democrats are entering 2024 with more than \$1.3 million in cash on hand than the state Republican Party. AZGOP ended the year with \$159,435.

### **Court of Appeals to get visit from Lake**

Lake's bid for ballot affidavit envelopes is headed to the Arizona Court of Appeals after a Maricopa County superior court judge wholly denied Lake's public records special action in late November. Lake filed a public records suit for the envelopes to support her ongoing election contest, in which she claims improper signature verification in Maricopa County translated to a win in the 2022 gubernatorial race. The Maricopa County Recorder's office denied Lake's request initially in line with a law requiring voter information be kept confidential and more broadly under the privacy and best interest of the state exemptions written into public records law. Judge John Hannah made it clear from the start of proceedings that the reason Lake sought the ballot affidavit envelopes was immaterial, rather the case hinged on whether ballot affidavit envelopes should be made public at all. And after a multi-day trial, Hannah [found](#) both citations of state law supported the Recorder's position as rendering envelopes containing voter information and signatures available to the public stood to undermine the signature verification process, create risk of voter fraud and deter voter participation. Lake filed a notice of appeal in superior court Thursday.

## **·WAKE UP CALL·**

### **County supervisors appoint Charles Lucking to LD5 seat**

*Arizona Capitol Times*

The Maricopa County Board of Supervisors appointed a second member to the state House of Representatives in a week. The board appointed Charles Lucking to fill a House vacancy in Legislative District 5, ensuring the district is fully represented after both former House members resigned in January.

**[Senate panel kills one Hobbs voucher bill, moves another](#)***Arizona Capitol Times*

A Senate committee killed a measure to require private schools to lay out and provide services for students with disabilities Wednesday and narrowly advanced a bill to require updated Empowerment Scholarship Account cost projections from the Arizona Department of Education.

**[AG's office investigates Yuma County broadband project](#)***Arizona Capitol Times*

Arizona Attorney General Kris Mayes is investigating a \$30 million broadband project in Yuma County that Republican lawmakers allege involved illegally gifted public funds.

**[Bill requires political info on home sale listings](#)***Arizona Capitol Times*

Must-haves for those in the market for a new home often include elements such as location, amenities, square footage or hardwood floors.

**[Arizona Republican who resisted pro-Trump pressure in 2020 to stand down](#)***The Guardian*

A Republican elected official in Arizona who protected the vote and withstood a barrage of pressure and threats in 2020 from within his own party to sway the election toward Trump announced on Thursday that he will not seek re-election.

**[Rachel Dolezal, the White woman infamous for claiming to be Black, fired over OnlyFans account](#)***CNN*

Rachel Dolezal, the White woman and former National Association for the Advancement of Colored People (NAACP) chapter president who courted major controversy nearly 10 years ago for falsely claiming she was Black, has been fired from her position with an Arizona school district over an OnlyFans account.

**[Arizona bill would allow for more Cochise County supervisors](#)***KJZZ*

Arizona representatives passed a bill on Wednesday that would give Cochise County supervisors the opportunity to multiply. Each of Arizona's 15 counties is governed by an elected board of supervisors. Cochise County doesn't have a large population, Rep. Gail Griffin says it's large in size, and argues five supervisors would be better than the three spots currently allowed on the board.

**[Trump mob chases away Clint Hickman, one of the last mainstream Republicans](#)***The Arizona Republic*

One of the few remaining mainstream Republicans left in office in Arizona announced he is packing it up. After several years of threats and harassment, Maricopa County Supervisor Clint Hickman told the Washington Post's Yvonne Wingett Sanchez that he will not run for reelection this year.

**['2000 Mules' was a lie? Cuing apologies from Kari Lake and company in 5, 4, 3 ...](#)***The Arizona Republic*

So, it turns out that "2000 Mules" was mere donkey droppings. The investigative whizzes who claimed to have evidence of 2,000 ballot "mules" stuffing drop boxes in five key battleground states, including Arizona, were apparently scamming the red-hatted rubes who glommed onto the documentary as proof that the 2020 election had been stolen.

**[Arizona lawmaker: Let's just declare Trump the winner of the 2024 election now](#)***The Arizona Republic*

Remember when certain Arizona Republican legislators wanted to veto our vote for president? Now there's a plan afoot to simply award Arizona's 11 presidential electors to Donald Trump even before we go the polls.

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**·PRESS RELEASES·****State Representative David Cook Applauds \$13 Million Investment for Semiconductor Research & Training at NAU**

STATE CAPITOL, PHOENIX – State Representative David Cook applauded the Arizona Commerce Authority’s (ACA) announcement today of a \$13 million investment in Northern Arizona University (NAU) to expand training and programs related to metrology, a foundational component of semiconductor manufacturing and innovation.

**“I commend the ACA for its strategic investment in top-tier semiconductor training at Northern Arizona University,”** stated Representative Cook. **“This initiative not only benefits rural Arizonans by offering them access to state-of-the-art education programs and career paths but also strengthens our entire state’s position in a critical, future-focused industry.”**

This investment is part of the ACA’s broader \$100 million commitment to enhance semiconductor and microelectronics development in Arizona, underscoring the state’s commitment to technological leadership and economic growth.

Click here to read the ACA announcement:

<https://www.azcommerce.com/news-events/news/2024/2/arizona-commerce-authority-allocates-funding-to-northern-arizona-university-for-semiconductor-training-and-research/>

*David Cook is a Republican member of the Arizona House of Representatives serving Legislative District 7, which includes Pinal, Gila, Coconino, and Navajo Counties. He is Chairman of the House Transportation & Infrastructure Committee and the House International Trade Committee. Follow him on X/Twitter at @RepDavidCook.*

###

**Kelly, Shaheen, Collins, and King Introduce Bipartisan Legislation to Address PFAS Contamination in Private Wells**

Senator Mark Kelly (D-AZ), along with Senators Jeanne Shaheen (D-NH), Susan Collins (R-ME), and Angus King (I-ME) introduced bipartisan legislation to address PFAS contamination in private wells. The *Technical Fix for the State Response to Contaminants Program* bill would ensure that states have flexibility to use funding from the \$5 billion provided in the Bipartisan Infrastructure Law for PFAS and other emerging contaminants in small and disadvantaged communities to help assist private well owners get rid of toxins in their drinking water. The senators had previously [urged](#) the Biden administration to ensure this funding is available to address contamination in residential wells.

“Protecting our scarce groundwater resources from emerging contaminants like PFAS was a top priority of mine when we were negotiating the Bipartisan Infrastructure Law,” **said Kelly**. “With this bill, we will make sure all Arizonans who rely on groundwater for the water they drink are able to benefit from our historic investments in PFAS cleanup.”

“All Granite Staters deserve access to clean drinking water without having to worry about contamination from toxic PFAS chemicals,” **said Shaheen**. “This important fix would help ensure that families who rely on private wells for their drinking water in New Hampshire and throughout the nation aren’t left out of

historic investments in clean drinking water. New Hampshire families were top of mind as we negotiated the Bipartisan Infrastructure Law, and I'm committed to ensuring we're reaching all Americans, including those who rely on private wells, to ensure their water is safe from contamination.”

“PFAS and other harmful contaminants have been discovered in private water systems in Maine and across the country, and contamination will only become more evident as testing becomes more readily available,” **said Collins**. “It is crucial that the funding we provided through the Bipartisan Infrastructure Law be executed with the appropriate flexibility not only to support public water systems but also to help address contamination for those who rely on private wells. With more than half of Maine residents getting their drinking water from private wells, and an estimated 23 million people or more nationwide relying on residential wells, it is important that the historic investments in safe drinking water help all families.”

“Every Maine household deserves access to clean drinking water free of harsh or toxic chemicals like PFAS,” **said King**. “This responsible amendment to the Safe Drinking Water Act provide states more flexibility when mitigating PFAS contamination in private wells — providing an added peace of mind for Maine communities where private wells are prevalent. This is a proactive step forward to better protect our drinking water and promote public health.”

This piece of legislation amends the *Safe Drinking Water Act* to modify eligibility for the State Response to Contaminants program to allow private well programs to qualify, ensuring that Bipartisan Infrastructure Law funds are used to make clean, safe water accessible to more Americans, including those who rely on private wells.

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## **Arizona for Abortion Access Coalition Announces Campaign Manager Cheryl Bruce**

**PHOENIX** — Today, Arizona for Abortion Access announced hiring Cheryl Bruce as its Campaign Manager. Bruce is a seasoned campaign professional with more than a decade of experience working in progressive politics across the country, including in Nevada, Maryland and North Carolina. Bruce has a proven track record of running competitive races and leading campaigns to victory.

**“We’re excited Cheryl is in Arizona leading our statewide effort to keep politicians out of personal healthcare decisions and enshrine abortion rights in the state Constitution,”** said Arizona for Abortion Access spokesperson Chris Love. **“From her experience helping to elect the nation’s first female-majority Legislature in Nevada to winning a DCCC Frontline race in Maryland last cycle, Cheryl’s experience and determination to win are exactly what this campaign needs to steer us to victory.”**

**“I’m honored to be on the frontlines in the fight for abortion access here in Arizona. Momentum for our campaign is growing every day thanks to the hard work and energy of our grassroots movement and the expertise of our coalition partners,”** said Bruce. **“We have a lot of work to do and we can’t let up for a second. I’m thrilled to be part of this campaign and determined to help deliver a historic win in November.”**

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## ARIZONA LEADERS CELEBRATE NEW EPA SOOT STANDARDS PROTECTING ARIZONANS FROM DANGEROUS AND DEADLY PARTICULATE POLLUTION

**Phoenix, AZ** – Local leaders will gather at First New Life Church on Wednesday, February 21, at 9:00 a.m. to celebrate the [recent announcement](#) by the U.S. Environmental Protection Agency (EPA) regarding the finalization of stronger standards for Particulate Matter (PM 2.5), commonly known as soot pollution.

The EPA's revised National Ambient Air Quality Standards (NAAQS) for PM 2.5, announced on February 7, 2024, mark a significant step forward in efforts to reduce harmful pollution and improve air quality nationwide. These updated standards are expected to save lives, enhance public health outcomes by reducing asthma cases and hospital visits, and minimize missed work and school days due to associated health issues.

Speakers will highlight the anticipated benefits of the updated standards, emphasizing improved air quality and reduced pollution levels in communities disproportionately affected by environmental injustices.

### Key Details:

- Date: Wednesday, February 21, 2024
- Time: 9:00 a.m. MST
- Location: First New Life Church, 1902 W Roeser Rd, Phoenix, AZ 85041

### Speakers:

- Will Humble, Executive Director, Arizona Public Health Association
- Columba Sainz, Community Leader, Advocate, and Mother
- Senior Pastor Aubrey Barnwell, First New Life Church and African American Christian Clergy Coalition

### Background:

Soot, or PM 2.5, is produced by burning fossil fuels and poses significant health risks due to its ability to penetrate lungs and bloodstream. Communities of color and lower-wealth areas are disproportionately exposed to higher levels of this dangerous pollutant.

The EPA's decision to tighten public health protections from soot pollution is a crucial step towards safeguarding public health and advancing environmental justice.

Soot pollution standards have not been updated since 2012, and the updated standards reflect a necessary response to the ongoing health risks posed by this pollutant.

Members of the media are invited to attend and cover this significant event. For further inquiries or to confirm attendance, please contact Sandy Bahr at (602)-999-5790 or [sandy.bahr@sierraclub.org](mailto:sandy.bahr@sierraclub.org).

The news conference will be livestreamed [here](#).

###

## Mayor Gallego, Tom Perez Host Discussion on Financial Incentives in *Inflation Reduction Act*

**PHOENIX**—On Monday, February 19th, Mayor Kate Gallego and White House Senior Advisor and Director of the Office of Intergovernmental Affairs Tom Perez will host a roundtable discussion about financial incentives in the *Inflation Reduction Act* (IRA)—the largest investment in clean energy and climate action in history.

The IRA provides state, local, Tribal, territorial and non-governmental partners significant new funding for clean energy, emissions reduction, climate resilience, and conservation-related investments through both grant funding and tax credits. [Direct pay \[whitehouse.gov\]](#) (also called “elective pay”) enables tax-exempt and governmental entities to take advantage of tax credits for building clean energy projects. For the first time ever, governmental and tax-exempt entities are able to take advantage of the types of clean energy tax credits that the private sector has traditionally used.

As communities continue to grapple with the adverse effects of climate change, Gallego has vowed to make Phoenix the most sustainable desert city in the world. In doing so, she has focused on [leveraging federal opportunities \[azcentral.com\]](#) to help reduce emissions, improve air quality, combat [extreme heat \[azcentral.com\]](#), and create thousands of new, green jobs.

**WHAT:** Roundtable Discussion on *Inflation Reduction Act* Financial Incentives

**WHEN:** Monday, February 19, at 1:00 PM

**WHERE:** RSVP to [arielle.devorah@phoenix.gov](mailto:arielle.devorah@phoenix.gov) for location details

### WHO:

- Kate Gallego, *Mayor of Phoenix and Chair of Maricopa Association of Governments*
- Tom Perez, *Senior Advisor and Assistant to the President, Director of the Office of Intergovernmental Affairs*
- Stephen Roe Lewis, *Governor of the Gila River Indian Community*
- Heather Carter, *Senior Vice Chancellor for Maricopa County Community Colleges District*
- Representatives from the Cartwright School District
- And others.

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## ADVISORY: COUNCILWOMAN ANSARI TO RELEASE HOUSING POLICY PLAN ON MONDAY, FEBRUARY 19<sup>TH</sup>

**PHOENIX, AZ**— On February 19th, Councilwoman Yassamin Ansari will be joined by housing advocates to release her federal housing policy plan and tour multiple affordable housing properties in Arizona’s Third Congressional District. The tour will start at Harmony at the Park II, head to a property in development on Washington St, and end at Salt River Flats.

**What:** Advancing Housing Policy in Phoenix Tour

**Who:** Phoenix City Councilwoman Yassamin Ansari

**When:** Monday, February 19th at 9:00 AM

**Where:** Harmony on the Park II, 600 N 20th Street, Phoenix, AZ 85006 ; 2532 E. Washington St., Phoenix, AZ 85034; Salt River Flats, 4000 S 14th St. Phoenix, AZ 85040

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## MONDAY: Arizona Educators Call on GOP Leaders to Negotiate on Educator Pay and Proposition 123

**WHAT:** Press conference with 30+ Arizona teachers and school staff about the need for a bipartisan compromise to renew Proposition 123 and raise educator pay

**WHEN:** Monday, February 19, 10 to 11 am

**WHERE:** Rose Garden at the Arizona State Capitol

**VISUALS:** 30+ educators holding signs and sitting on one side of a large table with a black tablecloth, with empty seats on the other side labeled “Senate President Petersen” and “Speaker Toma”

### BACKGROUND:

Governor Hobbs and legislators of both parties have expressed support for renewing Proposition 123 as a way to fund raises for Arizona educators. The Arizona Education Association, the labor union for Arizona’s public school employees, is pushing for any Proposition 123 renewal package to include raises for all educators, from classroom teachers and school counselors to classroom aides and bus drivers.

AEA President Marisol Garcia said:

“Arizona needs to raise educator pay, and renewing Proposition 123 is one promising route to make it happen. But for any Proposition 123 renewal to become law, it will need bipartisan support and a robust campaign. So far, Republican legislative leaders have not responded to our requests to work together on this issue.

On Monday, Arizona educators will be at the negotiating table, literally, and we’ve extended an open invitation to President Petersen and Speaker Toma to join us.

If President Petersen, Speaker Toma and their Republican colleagues are genuinely interested in raising pay for Arizona educators, then it’s time for them to get serious, work with us and get it done.”

## “QUOTE OF THE DAY”

“I oppose codifying partisanship in our school board races because they already are too partisan.” — *Sen. Christine Marsh, D-Phoenix, on a bill to make school board elections partisan.*