



Arizona Capitol Times

Your inside source for Arizona government, politics, and business

**A deep dive into utility
formula rates**

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**Rural housing advocates
hope for Hail Mary**

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**GOP candidates debate
state Treasurer's Office**

See page 13 for more details



LeRoy McGill (Courtesy of
the Arizona Department of
Corrections)

Attorney General Mayes oversees execution of LeRoy McGill

BY KIERA RILEY
kriley@stateaffairs.com

When the curtains parted, LeRoy McGill
craned his head to the side.

He smiled at the cadre of law
enforcement officers and
officials flanking the right
side of the room, nodded

and said hello. His eyes wandered across
the stands, tracing over the two media
witnesses cradling legal pads and his two
defense attorneys sharing a box of tissues.

His gaze then landed on a man named
Bubba. He nodded and Bubba raised his
fist.

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*“As Arizona voters have
affirmed and Arizona courts
have reinforced, the death
penalty is the law of the land in
Arizona. As Arizona’s top law
enforcement official it is my
duty to enforce the law of our
state. Today that duty has been
carried out.”*

— Attorney General Kris Mayes, on the
execution of death row inmate LeRoy McGill

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APS rate case kicks off with hours of protest over 14% increase

BY REAGAN PRIEST
rpriest@stateaffairs.com

“No rate hikes! No rate hikes! No rate hikes!”

Before packing two Arizona Corporation
Commission hearing rooms for nearly four
hours of public testimony, local advocacy
groups and utility ratepayers gathered outside
of the commission’s downtown Phoenix
building on May 18 to protest Arizona Public
Service’s proposed 14% rate increase.

APS is the state’s largest electricity provider,
serving 1.5 million residential and commercial
customers. It is currently in the process of
asking the commission, the state’s utility
regulatory body, for its third rate increase in
four years.

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Arizona Attorney General Kris Mayes speaks to reporters outside the U.S. Supreme Court on Nov. 5, 2025, in Washington. (AP Photo / Mark Schiefelbein)

**Rachel Walden: Digging
into the data at the
Arizona Corporation
Commission**

See pages 3-4 for more details



CAPITOL QUOTES



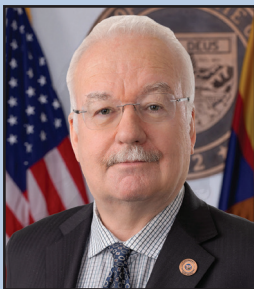
“I think my opponent’s a lovely person, but this is about experience. She’s not qualified frankly — and I mean this with all due respect — to be the bookkeeper at a pizza parlor.”

— State treasurer candidate Elijah Norton, on his opponent Katherine Haley’s experience, and whether she’s qualified for the office



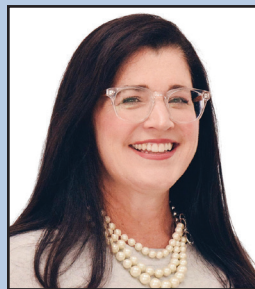
“We cannot make risky bets. (Elijah Norton wants to) sell our portfolio to the highest bidder with the goal of ... higher yields.”

— State treasurer candidate Katherine Haley, on the role of the state treasurer and her opponent Elijah Norton’s potential policies



“After long delays caused by the governor, the restarted negotiations are going smoothly.”

— Senate Majority Leader John Kavanagh, R-Fountain Hills, on state budget negotiations and Gov. Katie Hobbs’ recent bill moratorium



“It’s really the difference maker, very particularly in rural Arizona, between a project getting the green light or not being able to pencil in at all.”

— Nicole Newhouse, executive director of the Arizona Housing Coalition, on the at-risk rural housing tax credits advocates are hoping will make it into the state budget

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Arizona Corporation Commission Vice Chair Rachel Walden poses for a photo in her office on May 19, 2026. (Reagan Priest / Arizona Capitol Times)

RACHEL WALDEN

Digging into the data at the Arizona Corporation Commission

BY REAGAN PRIEST
rpriest@stateaffairs.com

In 2024, Rachel Walden went from school board member to the Arizona Corporation Commission. Now, over a year into the role, she's serving as the commission's vice chair and bringing her background in finance to the stand to examine the budgets of the state's largest utility companies.

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Questions and answers have been lightly edited for style and clarity.

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Rachel Walden: Digging into the data at the Arizona Corporation Commission

Can you tell me about your career trajectory?

I have a bachelor's degree. I went to graduate school, I did the two-year graduate program for history and humanities at ASU. During that time that I was in college, I worked at my mom's company that she started. She was a financial planner, so I did a lot of financial work for them and tax work, and I ended up in a career in finance. I started at Vanguard in 2004, and I spent 10 of the 12 years that I was there in the client relationship role, where I ran the retirement plans for the corporations. I left in 2017 when my daughter was born, so I was a stay-at-home mom. Like a lot of moms, I got more and more political during 2020. I was really opposed to the school shutdowns and the government overreach, so I was looking for ways that I could get involved and I ended up running for school board. It was actually my conversation with (ACC Commissioner) Nick Myers that put the idea in my head. He said, "You should look at running for school board." I didn't think I would ever run for office, that was a really foreign concept to me. I said, "I don't know if I'm qualified to do that, what are the qualifications?" And he goes, "Are you a Republican? (Then) you're qualified." So I ran for school board in 2022 and that started this political path that I'm on now.

What led you to run for the ACC?

It was Nick's fault again. It was going really well on the school board, and I was in my first year, and I had actually reached out to him about what the game plan was going to be for the commission seats. He's like, "Well, how do you feel about a statewide race?" I was like, "I don't have time to help with the statewide race." He's like, "I don't mean to help, I mean for you to do it." I think he knew that we were similarly minded in what we thought was important, like free markets, trying to keep costs down, not being energy-biased. I spent probably the next three weeks sweating over it. My husband was on board immediately. I'm like, this is crazy, because I just got on the school board, you don't really go from school board to a statewide race. I thought a lot about it, did a lot of reading and studying until I could get to a place where I felt like, "I think I'm the

right person for the job, I'm gonna do it."

How did your background in finance prepare you for this role?

There is a part of the commission that is very, very important that no one talks about, and that's the securities side of it, where we do securities fraud. With (former Commissioner) Jim O'Connor not running again (in 2024), there was a void where none of the other commissioners had that financial experience, and I've been able to really showcase that on those (securities) cases that we've had. I argued in my campaign that the commission role is more of a financial role than anything. There's a lot of expenses the utility could try to slip into their rates, and it's the judge's job and then our job to ensure that the expenses truly reflect the cost of service. To do that, you do have to get into the data and into the financial reporting.

What have you learned in your time on the commission so far?

There's been a learning curve in the prep work. When I first started, I was like I'm gonna read this 7,000-page rate application. (But) not every piece in the rate application is necessarily applicable to the work that I'm going to do to try to keep expenses down. So learning where to go to really home in on information that I can try to write amendments and maybe modify a recommended order and opinion to cut costs. I have the best adviser in the country, not just the state. I talked to her a lot on the campaign trail too, because I'm more interested in facts than ideology. I hate the idea of ever misrepresenting anything. So I will get more down into the weeds than another elected official would get, because I like to dive in and then understand something well enough that I can then explain it in simple terms. If I can't think of a simple analogy or a way to explain it to a lay person, then I don't understand it well enough.

What has been your biggest challenge in this role?

The biggest challenge is actually the continual work it takes to try to keep voters informed and educated on the commission. Historically speaking, energy wasn't complicated in Arizona,

and inflation and rising costs have never been as high as they are, either. For a lot of people, it feels like the utility bill is their final straw. That's just one more nail in the coffin of the demise of their wallet. They feel like, "Well, we elected you, and why aren't you standing up for us?" So we're trying to spell out, I am standing up for you, here's what's happening. You can disagree with me, but at least understand why I voted how I did, or understand the process, understand the facts. It was challenging on the campaign trail, and it's challenging right now. I think it's always going to be that way, so long as we have all these other groups that are giving false information and upsetting people. It is upsetting because nothing makes people angrier than when they feel like they have no control.

What do you wish more people knew about the commission?

I wish they knew more about the rate case process. We're trying to get that out, our (public information officer) wrote a really good handout that I posted. The Legislature, the Governor's Office, they don't all know the process. And the voters don't know, and when they understand it's very eye-opening for them. I actually

had a couple of precinct committeemen from the East Valley in my office a couple weeks ago, and we were talking to them, and they said, "Oh, you guys are like a court." I said yes, and we can only rule on what's in the evidentiary record. It's not ideology here, we're dealing in cold, hard facts. If you think something is raising rates, whether it's renewables or fossil fuels, you've got to give us the data, because we can't rule on ideology here. We're not the Legislature. And when people understand the process, then they understand that we're not a rubber stamp.

What do you do to stay grounded in a role like this?

I do a lot of physical activity. It's really helpful, and it keeps me calm. It's hard to have people say nasty things about you. It's hard to have people lie about you. So I have to be OK with walking away. I love the work I'm doing. I like the challenges, and I hope I can continue to work in government for a while, because I feel like I have a knack for solving problems and a passion for really getting into the details to look for solutions. But on the flip side, I have to be willing to know that I may not get reelected again, and that's OK. I have a great life to go back to.

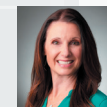


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"I love the work I'm doing. I like the challenges, and I hope I can continue to work in government for a while, because I feel like I have a knack for solving problems and a passion for really getting into the details to look for solutions."

— Rachel Walden

CONTINUED FROM FRONT PAGE

Attorney General Mayes oversees execution of LeRoy McGill

He kept it still in the air as the white-gloved medical team felt for veins, tied blue rubber tourniquets, pierced needles and taped each down. The IV tubes crossed the tattooed celtic knots intersecting McGill's wrists and the crook of his arm.

In his last words, McGill thanked everyone for being "accommodating and nice." He said, "I'm going home."

A priest entered, donning a white robe with embroidered silver crosses and a purple stole. He read McGill's last rites, placing his hand on his head.

Bubba still had his fist up as a blue gloved hand, shown only on a television screen, plunged saline, and then pentobarbital. McGill closed his eyes and let out a few snores.

The priest continued to pray, tempering his voice to a whisper imperceptible by the loudspeaker.

When McGill went still and silent, the priest stopped speaking. Bubba put his arm down. A medical staff member took his pulse, and at 10:26 a.m., the deputy director of the Department of Corrections announced he was dead.

Grover "Bubba" Ridgeway and McGill saw each other in person for the first time in the execution chamber. Bubba raised his fist to let McGill know his family was thinking of him.

The two had connected over the phone sometime after their worst days were behind them, tied together by time spent at Boysville, a children's shelter in San Antonio.

According to Bubba, physical and sexual abuse was rampant. And according to the court record, McGill did not make it out unscathed.

By the time McGill set two people on fire in 2002, leaving one dead and another severely burned over three quarters of her body, substance abuse had been a fact of life, tracing back to his time at Boysville.

Ten years later, addiction's orbit would lead to his first arrest and probation for the illegal use of a credit card. The next year he robbed two fast food restaurants, pled guilty to two counts of armed robbery and was sentenced to 10 years and six months in state prison.

He got out three years early and was paroled in 1993. He worked at a company making PVC pipe. He lived with his mother. He attended court-mandated treatment programs.

In 1995, he moved out of his mother's house and into an apartment neighboring his brother, Kean, and his girlfriend Angela. Angela's brother Robert moved in with McGill for a time and put him in touch with his girlfriend's cellmate, Jonna "Angel" Hardesty.

Hardesty and McGill corresponded in writing over the course of her incarceration and met in person only after her release. She moved in with McGill in January 1996.

The two started regularly using methamphetamine.

Then, over the course of a few weeks in April 2002, McGill lost his job, and then his apartment, leaving himself and Hardesty homeless. The two lived out of a car and drifted into a one bedroom apartment rented by Jack Yates.

KEY POINTS

- **LeRoy McGill executed by the state for 2002 murder of Charles Perez**
- **Friend of McGill detailed his childhood, priest prayed over execution**
- **Attorney general stands behind death penalty, citing cruel murder**

Yates allowed McGill and Hardesty into the fold. The two joined Charles Perez, Nova Banta, Edwin and Kimberly Keith, their two young daughters, and occasionally, Hardesty's brother Jeffrey Uhl, crashing alongside them in the living room.

The apartment was "busy," and methamphetamine and marijuana use was standard.

Weeks into McGill and Hardesty's stay, Yates' shotgun went missing.

Banta and Perez pointed to Hardesty and McGill, and Yates kicked the two out of the apartment. McGill and Hardesty then went to stay with a friend who lived a short walk away.

On the night of July 12, McGill was high. And at around 3:30 a.m., he set off for Yates' apartment. He met Uhl and Keith outside. He told Keith to get his wife and kids out of the apartment, leaving Yates, Perez and Banta inside.

Uhl let McGill in. Perez and Banta sat next to each other on a couch.

According to Banta, McGill walked in, said they should not talk behind people's backs, doused the two in gasoline, and lit and threw a match, engulfing her and Perez in flames.

The two ran out of the apartment in a rush of flames as the fire spread, eventually engulfing the complex.

Yates, Uhl and a neighbor in an adjoining unit got out alive. Banta survived with third-degree burns to three quarters of her body. Perez died at the hospital, with 80% of his body burned.

McGill was indicted on March 11, 2003, for first degree murder. And shortly after, the state sent notice that it planned to seek the death penalty, finding McGill had a previous conviction, that his presence created a grave risk of death to others and that he had committed the murder in an especially heinous, cruel or depraved manner.

Banta told police at the hospital that it was McGill who had set her on fire, and she later identified McGill in court as a witness for the prosecution.

In November 2004, a jury returned a death sentence.

McGill sought appeals in state and federal court, lodging one last attempt at life in prison after the Arizona Supreme Court issued a warrant for his execution, claiming deficiencies in his trial attorney, false statements to the jury on his eligibility for parole and incorrect or tainted testimony from witnesses.

A judge found all of McGill's claims were "untimely, precluded, or both."

He declined to appeal. His execution date stayed static, and, on May 20, the state carried out his death sentence by lethal injection.

In a press conference, Mayes acknowledged her statutory role as the individual responsible for selecting which inmates are subject to the death penalty and said her office had developed a "thoughtful and well reasoned methodology" in making the decisions.

"We look at factors like cruelty. We look at factors like whether children were murdered. We look at factors like whether police officers were murdered in the line of duty by these individuals, we look at the heinousness of the crime," Mayes said.

The first execution under Mayes came about after death row inmate Aaron Gunches moved for his own death. Her office then chose Richard Djerf, a man convicted of the murder of four members of the Luna family, Albert, 47, Patricia, 42, Rochelle, 18, and Damien, 5.

As for McGill, Mayes pointed to the details of the murder.

"Look, this particular individual killed a person using Styrofoam and gasoline," Mayes said. "And that's obviously extremely heinous, so that's why I made this selection."

The styrofoam allegation has been repeated in briefings throughout the legal process as an aggravating factor, with McGill making the first mention in an interview with a detective after his arrest.

He claimed someone else had combined styrofoam and gasoline, which turned into a gel and made the fire "harder to put out."

The detail was disputed throughout McGill's post-conviction relief proceedings as he claimed his trial attorney failed to call an arson witness or cross examine the state's experts.

One of the state's witnesses at the trial found no indication of styrofoam in the tests he ran but noted he did not specifically test the composition of the victims' clothing. The 9th Circuit Court of Appeals found the state's presentation of evidence on the issue "inconsistent at best."

But in any case, the state maintains that setting two people on fire met the cruel, depraved and heinous standard of a death sentence. In the aftermath of the third execution, Mayes continued a familiar refrain to abide by the state's death penalty statute.

"As Arizona voters have affirmed and Arizona courts have reinforced, the death penalty is the law of the land in Arizona," Mayes said. "As Arizona's top law enforcement official it is my duty to enforce the law of our state. Today that duty has been carried out."

Banta, family and friends of Perez, and any other involved victims stayed out of legal proceedings and the execution.

"My thoughts today are with the family and the loved ones of Charles Perez as well as with Nova Banta," Mayes said.

"My thoughts today are with the family and the loved ones of Charles Perez as well as with Nova Banta."

— Arizona Attorney General Kris Mayes

GUEST COMMENTARIES

Protecting Arizona's families with 21st century policing tools

Across the state of Arizona, from the high country of the Rim to the bustling streets of our metropolitan hubs, the men and women of law enforcement share a singular and unwavering mission. That mission is to ensure that every Arizonan can live, work and raise a family in a safe community.

As the executive director of the Arizona Police Association, I represent the interests of more than 12,000 law enforcement professionals who serve on the front lines of our state. Our organization is the largest of its kind in Arizona, serving as a unified voice for the officers, deputies, and detention professionals who keep our neighborhoods secure. We see firsthand the evolving challenges our members face. Criminals today are more mobile and tech-savvy than ever before. To keep pace, law enforcement must be equipped with the most effective and responsible tools available. Chief among these is Automated License Plate Reader (ALPR) technology.

While some may view technology through a lens of skepticism, the reality on the ground is clear. ALPR is a vital "force multiplier" that saves lives.

There is often a misunderstanding of what ALPR actually does. We do not look at it as a tool for mass surveillance of private citizens; rather, it is a digital assistant for public safety. ALPR systems capture



By Joe Clure

license plate data in public spaces and instantly cross-reference it against "hot lists" of vehicles tied to serious crimes.

When a vehicle is flagged, it is because it is linked to:

- Amber Alerts: Finding a child in those critical first minutes of an abduction.
- Silver Alerts: Locating an endangered senior who has wandered from home.
- Stolen Vehicles: Identifying cars that are often used to commit further violent offenses.
- Wanted Felons: Notifying officers

when a suspect in a violent crime is moving through our jurisdiction.

In a state as vast as Arizona, where suspects can travel between cities and counties in a matter of minutes, this real-time intelligence is often the difference between an arrest and a cold case.

The Arizona Police Association understands that with any powerful tool comes the responsibility of strict oversight. Our members are not just officers; we are Arizona residents as well. We value privacy and civil liberties as much as anyone.

That is why we advocate for uniform and transparent policies across all Arizona agencies. ALPR technology is designed to identify plates, not people. The focus is on the vehicle's involvement in a crime, not the identity of the driver. Furthermore, our association supports:

- Strict Data Retention: Information should only be kept for as long as is necessary for legitimate law enforcement purposes.
- Access Controls: Only authorized personnel with a documented need should ever access this data.
- Human Verification: An ALPR alert is a lead, not a conviction. Our officers are trained to verify every hit

before taking action, ensuring that technology supports human judgment instead of replacing it.

The statistics are compelling, but the human stories are what truly matter. When a stolen car is recovered before it can be used in a drive-by shooting, or when a kidnapped child is spotted on a highway and safely returned to their parents, the value of this technology is undeniable.

Our criminals are not standing still. They are using technology to evade detection and exploit the gaps between our jurisdictions. If we deny our officers the ability to use proven tools like ALPR, we are essentially asking them to protect our communities with one hand tied behind their backs.

The Arizona Police Association is committed to the safety of the public and the integrity of the profession. We owe it to every resident of Arizona to use every lawful, ethical, and effective tool at our disposal.

ALPR technology is not a "silver bullet," but it is a cornerstone of modern, proactive policing. By embracing these tools responsibly, we are not just fighting crime more efficiently. We are building a safer Arizona for everyone.

Joe Clure is executive director of the Arizona Police Association.

More needs to be done to protect Medicare Advantage for the future



By Rep. Janeen Connolly

The Centers for Medicare & Medicaid Services recently delivered good news to seniors on the Medicare Advantage (MA) program, guaranteeing a 2.48% increase for the 2027 MA rate funding. This is a huge increase from the previously proposed 0.09% increase. While this necessary boost in funding is a much better reflection of the everyday needs of MA beneficiaries, the program would benefit from more resources if we want to ensure millions of Americans can continue to depend on Medicare Advantage for affordable co-pays, reasonable out-of-pocket costs and covered supplemental benefits.

Despite this welcome rate increase, some in Congress have recently turned their attention back to the No UPCODE Act. This bill will not only reduce funding for in-home and coordinated care services for those struggling with chronic illnesses, but it could also lead to higher premiums for MA beneficiaries and fewer supplemental benefits. These changes would have severe consequences for the 35 million Americans on MA, and it would be especially impactful for low-income and rural seniors who depend on MA for home medical care and access to vision and dental benefits.

Congress is rightfully concerned about fraud and waste. I am a state

representative with many retirees in my district, but I am also a retiree myself. I was on Medicare before being elected and on disability before joining the workforce. I know all too well the stress of managing these costs and copays on a fixed income.

These issues cannot be addressed at the expense of seniors, low-income folks, and rural communities. The No UPCODE Act threatens to shift billions in costs onto the seniors who can least afford it. Congress must do better and protect Medicare Advantage.

Rep. Janeen Connolly, a Democrat, represents Legislative District 8.

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CONTINUED FROM FRONT PAGE

APS rate case kicks off with hours of protest over 14% increase

May 18 marked the beginning of hearings in the company's rate case, a quasi-judicial process requiring the participation of regulated monopoly utilities that want to adjust the rates they charge customers. At the end of the lengthy process, the five-member, all-Republican commission will ultimately decide what rate increase APS will receive.

The rate increase request comes amid a nationwide cost-of-living crisis, record-breaking high temperatures, and a midterm election year in which two commissioners, Nick Myers and Kevin Thompson, are seeking reelection. Those facts were not lost on ratepayers who testified at the opening day of hearings.

"A 'yes' vote for this 14% rate hike is a death sentence to many of our most vulnerable citizens," said Kori McClemens, a local activist, during public comment. "Their blood will be on your hands, and we will remember who you are at the ballot box."

Testifiers were especially concerned about data center costs, multimillion dollar salaries for APS executives and potential annual rate increases with the APS proposed formula rate structure. One audience member heckled APS CEO Ted Geisler during the hearing and as he left for the commission's lunch break, calling out his \$3.7 million dollar salary.

Myers, the commission's current chair, defended himself and his fellow commissioners at the end of the lengthy public comment period.

"The utilities can come in and ask for whatever kind of rate increase they want, that does not mean that they're going to get everything they ask for," Myers said. "As a matter of fact, I've never actually seen that happen."

What is in the APS rate application?

In June 2025, APS filed an application to the commission requesting a 14% rate increase. If approved, the average household could see around \$240 more in utility costs per year.

The company says the request is driven by inflation, increasing costs for utility equipment and the exploding demand for electricity in the APS service territory as temperatures soar and data center developers set their sights on the desert.

APS is also requesting a 45% rate increase for large load customers like data centers and manufacturing facilities. The company is looking to update how it allocates costs to serve large load customers, ensuring that any new power plants or transmission lines needed to serve those customers are paid for by the developers or end-users.

Some ratepayers with rooftop solar panels will also see an increase under the APS proposal, as the company seeks to increase its already-controversial grid access charge. The charge amounts to a small monthly fee that APS has argued is necessary because solar customers do not fully pay the costs the company incurs to serve them.

The company is also seeking its first formula rate structure, a new ratemaking mechanism approved by the commission in 2024.

Typically, utility companies in Arizona set their rates based on the actual costs incurred to serve customers in a historic 12-month period. APS' application relies on a test



Sandy Bahr speaks outside the Arizona Corporation Commission on May 18 alongside advocates protesting Arizona Public Service's rate increase request. (Reagan Priest / Arizona Capitol Times)

KEY POINTS

- **Arizona Public Service is requesting a 14% rate increase, potentially costing customers \$240 more per year**
- **Ratepayers voiced extreme opposition to the rate increase during four hours of testimony on May 18**
- **The Arizona Corporation Commission will likely vote on the rate increase in December**

year including costs from 2024, and the rates customers are currently paying rely on data from the 2022 test year.

Under a formula rate structure, APS would be allowed to adjust rates annually based on projected future costs and without going through the typical rate case process. The company says this will prevent large rate increase requests every few years by reducing the regulatory lag that comes with the nearly two-year long rate case process.

APS is also requesting a 10.7% return on equity, otherwise known as the rate of return the company's shareholders will receive on their investment, which APS uses to fund infrastructure developments and other customer costs.

What do opponents say?

The Residential Utility Consumer Office, the state agency tasked with representing ratepayers at the commission, is opposing the company's formula rate proposal and its return on equity request. RUCO Director Cynthia Zwick told the Arizona Capitol Times that her office is not convinced that formula rates will reduce costs for customers since nearly every utility company is looking to implement them.

"Depending on where you live, not only will you see an increase in your electric bill, you will likely also see one in your gas bill and you will likely see one in your water and

your wastewater bill," Zwick said. "So you could see one, two, three or four increases on an annual basis and we just simply think that doesn't make sense."

Attorney General Kris Mayes, herself a former commissioner, argues APS' rate increase could be slashed to 3% by reducing the return on equity request, which her office says amounts to a \$524 million "wealth transfer" from ratepayers to shareholders.

Mayes filed expert testimony suggesting the return on equity should be reduced to 6%. RUCO and commission staff recommended a ROE closer to 9%.

Zwick said RUCO is also advocating for creating a completely separate customer class for data centers and other large load customers, in addition to raising their rates. Additionally, Zwick said the commission should be wary of data center proposals with broad non-disclosure agreements that reduce transparency.

What happens next?

The May 18 hearing kicked off what is likely to be a six-week long hearing process where attorneys will present evidence and make their case to an administrative law judge about whether the rate increase should be approved as is or adjusted. The judge is expected to issue a recommended order on the rate application in November.

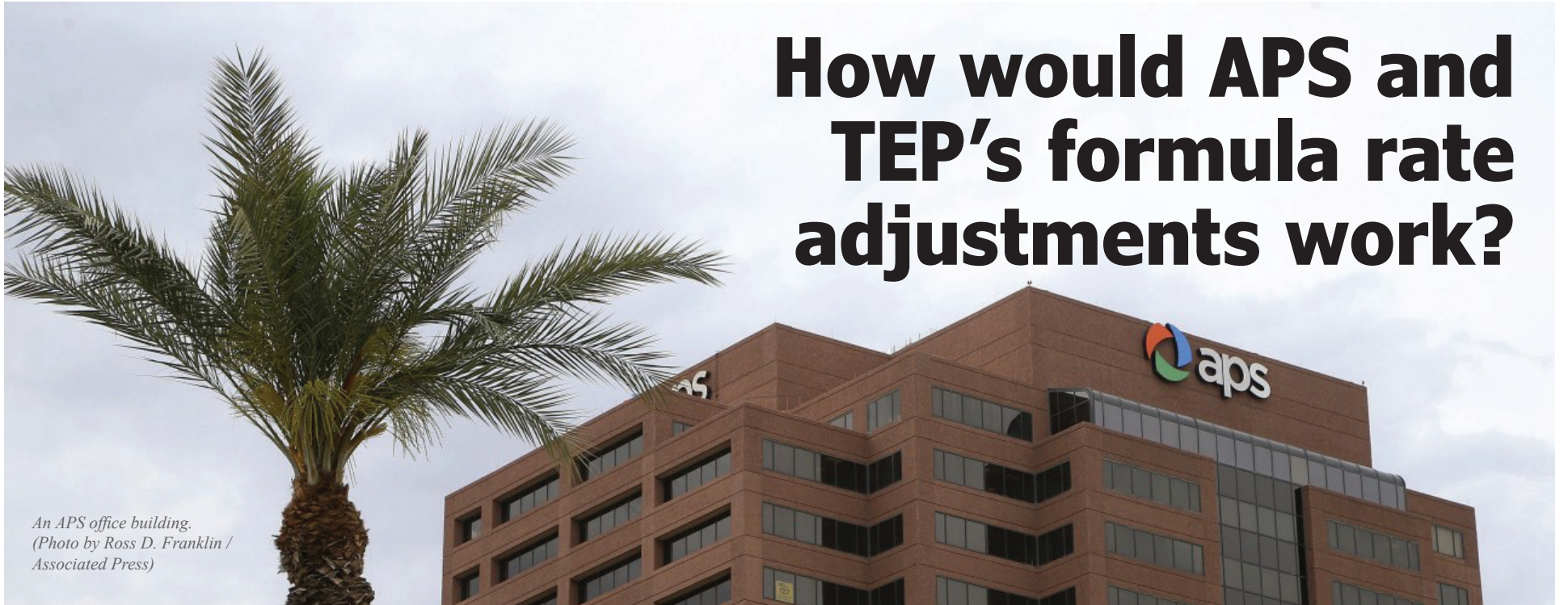
The commission will discuss, amend and vote on the recommended order in an open meeting likely to be held in December. Any rate increase approved by the commission will likely go into effect in early 2027.

It is unlikely that the commission will approve the exact rate increase APS is requesting. However, commissioners have repeatedly said that they cannot outright prohibit a rate increase, due to both legal constraints and financial considerations.

"Contrary to popular belief, we as commissioners do not have the option of simply saying 'no' to a rate case, as much as we want to," Myers said. "We just don't have that option. We are required to set just and reasonable rates, which is a balance between the utility's viability and keeping the rates as low as possible."

UTILITIES

How would APS and TEP's formula rate adjustments work?



An APS office building.
(Photo by Ross D. Franklin /
Associated Press)

BY REAGAN PRIEST
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Formula rates are a hot topic at the Arizona Corporation Commission as the state's two major electric utility companies seek double-digit rate increases.

The concept of formula rates has been broached at public comment sessions, rate case hearings and even the commission's most recent May 18 Republican primary debate. Incumbent Commissioners Nick Myers and Kevin Thompson, who are seeking another four-year term, voted to enact formula rates and defended the concept on the Clean Elections debate stage.

"As part of that formula rate process, we're requiring that they come in every single year to readjust that formula," Myers told moderator Steve Goldstein. "Which means that if natural gas prices fall off, inflation takes a dip, whatever the case is, you actually have a chance of a rate decrease, which is something we've never had before."

Myers spearheaded the adoption of formula rates, opening a docket at the commission in 2023 to explore new ways to address the regulatory lag that utility companies argued was contributing to double-digit rate increase requests. Arizona Public Service and Tucson Electric Power are both in the process of asking the commission for 14% rate increases.

The commission approved a policy statement in late 2024 allowing utility companies to request a formula rate mechanism. If granted, a utility would be allowed to annually adjust the rates it charges customers without the typically rigorous examination involved in a normal rate case.

That policy statement was challenged in court by the Residential Utility Consumer Office, with the Arizona Court of Appeals ultimately determining that the commission violated rulemaking statutes in adopting it. The commission appealed that ruling, but the Arizona Supreme Court sent it back to the Maricopa County Superior Court for further review.

Despite the ongoing litigation, the commission approved the state's first formula rate mechanism for UNS Gas in February. RUCO appealed that decision shortly thereafter, citing the pending legal questions and the lack of consumer protections included in the mechanism.

That didn't stop APS and TEP, the state's two largest

KEY POINTS

- **APS and TEP are seeking formula rates to allow annual adjustments instead of periodic large hikes**
- **Supporters say it reduces regulatory lag, critics warn of weak consumer protections and accountability**
- **The policy faces court challenges and strong public opposition**

electric utility providers, from filing for 14% rate increases and commission approval for formula rate mechanisms in June 2025.

Both companies argue that a formula rate mechanism would prevent the build up of large rate increases over time by instead spreading them out into smaller rate increases annually, essentially allowing the utility companies to more quickly recover the costs incurred to serve customers.

For example, APS' current rate application is based on what the company spent and borrowed in 2024. But by the time the commission approves the company's new rates, those costs could be three years out of date.

Under formula rates, the commission would instead be given one year to review and vote on a rate adjustment request, and utilities would be required to come in for a full rate case every five years.

APS President and CEO Ted Geisler testified in the company's rate case that its proposed formula rate mechanism would also allow it to annually update the cost to serve large load customers like data centers. He argued the mechanism is critical to prevent cost shifts to residential ratepayers as more data centers come online across the state.

"As we look to add substantial amounts of new large customers onto the grid, the costs driven by that customer class is going to change dramatically each year," Geisler testified. "It's going to be very, very different, and if we're not updating that on an annual basis, you will inherently

start to create a cost shift and an affordability issue for residential and small business customers."

Additionally, both APS and TEP have proposed "deadbands" along with their rate adjustment mechanisms to prevent unnecessary adjustments. The deadbands would prevent a rate adjustment if the utility's revenue falls within a certain range of its commission-approved rate of return.

APS is requesting a 10.7% rate of return and a 20 basis point deadband, meaning it could not seek a rate adjustment if its rate of return fell between 10.5% and 10.9%. TEP is proposing the same deadband for its requested 10.5% rate of return.

Not everyone is convinced that formula rate mechanisms will benefit Arizona's residential ratepayers. Several of the intervenors in the rate cases for APS and TEP presented evidence and testimony urging the commission to reject the formula rates.

Cynthia Zwick, director of RUCO, said her office would want to see far more consumer protections if the commission ultimately adopts the mechanisms. RUCO is advocating for caps on annual rate adjustments — which the utilities oppose — to ensure customers aren't overwhelmed with increases as the cost to provide utility services shows no sign of going down.

RUCO is also concerned with the sheer number of utility companies asking for formula rates. If a customer receives gas, water and electricity from commission-regulated utility companies, all three of those bills could increase because most of the state's utilities are asking for or plan to ask for a formula rate.

According to the commission, nine utility companies are currently asking for a formula rate in a rate case. That includes APS and TEP, as well as one gas utility and six water/wastewater utilities.

Additionally, one member of the all-Republican commission has consistently voted against formula rates. Commissioner Lea Márquez Peterson voted against adopting the policy statement in 2024 and voted against adopting UNS Gas' rate adjustment mechanism in February.

"A formula rate is a tool, not an entitlement," Márquez Peterson said at the meeting. "Its use must enhance, not erode the commission's constitutional duty to protect public interest."

HOUSING



Vibrant sunset clouds overlooking the desert landscape of Fountain Hills, Arizona. (Brett Trumet / Pexels)

Affordable housing advocates hold out for a Hail Mary

BY JAKOB THORINGTON
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Arizona's yearly legislative session is approaching its end and lawmakers still haven't settled on a state budget — a fact housing advocates are hoping to take advantage of.

Those advocates still hold that House Bill 2804, a measure that would create a rural low income housing tax credit program for projects located in counties with a population of less than 800,000, can make it into the yet-solidified proposal. The measure proposes spending \$120 million over 10 years on affordable housing projects in rural areas that mayors say will stimulate their economies, provide jobs and ensure more housing opportunities are available across the state.

On April 29, mayors from 31 rural cities wrote to lawmakers and Gov. Katie Hobbs urging for House Bill 2804 to be included with this year's state budget.

"These credits will help close the gap in housing availability and affordability, which is essential for sustaining rural communities," the mayors wrote in the letter.

And it's not just mayors who are holding out for HB 2804. Nicole Newhouse, executive director of the Arizona Housing Coalition, said the at-risk tax credits are the most useful tool they have for starting housing projects in rural areas across the state.

"It's really the difference maker, very particularly in rural Arizona, between a project getting the green light or not being able to pencil in at all," Newhouse said.

Arizona lawmakers allowed the state's \$4 million low income housing tax credit program to expire at the end of 2025 — a first for the nation since the program's 2021 inception.

More than 1,500 housing units were created generating \$745 million in economic impact from construction activity, according to an economic impact study by Elliott D. Pollack & Company.

While HB 2804 doesn't fully restore the state's housing tax credit program, supporters say it's vital to maintain housing construction in rural Arizona.

"It's a program that essentially pays for itself in economic development," said Arizona Multihousing Association

KEY POINTS

- **Rural housing tax credit would help local economies, backer says**
- **Several bills considered as possible budget measures**
- **Some advocates fear lawmakers need a break from housing issues**

President Courtney LeVinus.

While HB 2804, sponsored by Rep. Teresa Martinez, R-Casa Grande, passed the House with bipartisan support, it was not included in the vetoed Republican budget plan. It also did not get a hearing in the Senate after House Speaker Steve Montenegro, R-Goodyear, voted against the measure.

Still, increasing Arizona's housing supply remains a top issue for many voters, according to a recent poll conducted by Conservatives for America in Congressional District 6.

Among Republicans, Democrats and independent voters surveyed, cost of living was the primary issue. An analysis from the group determined that messaging related to increasing housing supply, which is tied to the cost of living, is the most effective means to persuade undecided voters.

Gov. Katie Hobbs called on lawmakers to renew the state's low income housing tax credit program, but it was left out of last year's budget deal. Sen. Wendy Rogers, R-Flagstaff, also supports HB 2804, and called on her colleagues to get the bill passed in a recent opinion column published in the Arizona Daily Sun, saying it's a "commonsense approach which tackles rural Arizona's housing crisis."

"(Lawmakers) have to do something to materially impact the people who have been Arizonans for a long time and make sure that we are incentivizing the builds for the people who live and work here," Newhouse said. "I know that's tough at a time of scarcity when they're dealing with the budget, but my greatest hope is that when they sit down at the table, it's more than political expediency."

Lawmakers have been less vocal on housing policy than in previous years, with advocates growing increasingly frustrated at the lack of progress. A bill that would reduce building regulations for housing projects, the "Arizona Starter Homes Act," has fallen short at the Capitol multiple years in a row before this session.

LeVinus said the Multihousing Association didn't sponsor a bill to reduce housing regulations this session because it felt lawmakers were burnt out on the issue, adding she expects the topic to be picked back up next session.

"We felt like legislators had gotten a little bit of housing fatigue, and we felt like it was a good year to just take a little break," LeVinus said.

Earlier this session, House Democrats unsuccessfully attempted to get a bill heard on the floor that would limit how many homes that corporations can own in Arizona, a policy supported by President Donald Trump and other Republicans. Rep. Nick Kupper, R-Buckeye, introduced a similar bill, House Bill 2325, but it wasn't given a committee hearing this session.

Newhouse said she thinks the idea of limiting corporate home ownership could have been helpful when housing units were broadly cheaper in the state, but she doesn't believe Arizona's housing market is attractive for large corporations anymore with an average home value in the state of more than \$420,000, according to Zillow.com.

"We just don't have enough units, period, for people to get what they can afford," Newhouse said.

Housing supply advocates are also hopeful for new budget appropriations for the Arizona Housing Trust Fund, which helps provide housing for low-income families. Republicans in their budget proposed cutting \$14 million from the trust fund, with Senate Majority Leader John Kavanagh, R-Fountain Hills, saying during the Senate floor debate that the fund has received more than \$200 million during Hobbs' administration without a meaningful decrease in rent prices.

The action by Hobbs halted new home construction in some parts of the Valley due to new assured water supply requirements from Hobbs' Department of Water Resources.

(Read the full story at <https://azcapitoltimes.com/>)



86% of Arizonans live
in areas with **unhealthy air**

83% of voters in the state
view it as a **serious problem.**



Learn how to support cleaner air in our state at [Lung.org/Healthy-Air-AZ](https://lung.org/Healthy-Air-AZ)

EDUCATION

Educator-legislator pipeline highlights shortfalls of state education

BY JORDAN GERARD
jgerard@stateaffairs.com

The majority of Arizona's lawmakers have ties to education, yet the state still struggles to find education solutions that work for everyone.

Collectively, 47 lawmakers have experience in the education field, the Arizona Capitol Times found.

Some are current or former K-12 teachers, others have served or currently serve on school district governing boards, and others still teach or have formerly taught at colleges. Even more have served on education foundations, hold education degrees, have an immediate family member who is an educator or have done education-related work at some point in their career.

The party representation among legislators who fit one or more of these categories is an almost-even split, with 26 Democrats and 23 Republicans having some tie to education.

Approximately 52% of total state lawmakers have some form of education experience they are bringing into the Legislature, yet despite that fact, Arizona still ranks 49th in the nation in per-pupil spending. The state currently sits at \$11,987 per student, according to a National Education Association report, with the national average being \$17,250. Arizona also has the highest student-to-teacher ratio of any state, the report found.

All of that means Arizona's classrooms are both underfunded and overcrowded when compared to the national average.

The educator-legislator pipeline

Sen. Catherine Miranda, D-Laveen, has taught kindergarten, first grade, second grade, third grade and a little bit of seventh and eighth grades over her 10 years in education. Her inspiration for wanting to teach came from her own experiences as a student, she said.

"In kindergarten, it is just amazing how slow you have to teach and repeat and repeat, so you have to be a really patient kindergarten teacher, right? If you taught kindergarten, that would be a qualification on a résumé for any job," Miranda said.

Running for office wasn't in her plans, but her late husband, Ben Miranda, who served in the House of Representatives, encouraged her to run.

"I thought it was the most ridiculous thing for him to ask me to run for the House, and I basically said, 'No, you're the politician. I'm the educator,'" she recalled. Long story short, she ran for school board and got elected, giving Miranda her first experience in politics she likened to a "little legislature."

Now a senator, her priorities have shifted from improving the lesson plan to advancing education more broadly — an issue she says boils down to who has majority control.

"At the end of the day in politics, in this Legislature, it depends on who the majority is, and whoever the majority

KEY POINTS

- **About 52% of Arizona lawmakers have one or more ties to education, according to their biographies**
- **Despite that, Arizona ranks below the national average for per-pupil spending**
- **Lawmakers, candidates and union leaders remain hopeful for improvement in spite of politics**

is. The results of where we're at in our state is a reflection of that," Miranda said. "The majority of us are educators, but it comes down to what we believe is right for education, and I can't imagine any of us not thinking that the child should come first, so we'd have to find more like-minds in that area."

Miranda isn't alone. Even teachers who are not yet elected officials want the opportunity to contribute to education policy. Democratic candidate Ben Koehler, for example, is running for a House seat in Legislative District 20 while currently teaching math at a public high school in Tucson.

"I've had a handful of students for two years now, and getting to develop those relationships and build upon what we did in their first year on algebra one, and keep growing their math skills. Just watching them grow as people and mature and develop has been incredibly rewarding," he said.

Koehler emphasized addressing the many road blocks and barriers that are put in the way of education — everything from broken air conditioners to well-intentioned but disruptive government mandates.

Koehler also pointed to elections, teacher pay and the voucher program as sore spots for Arizona's public education system.

"It's a real struggle for public schools to see that money being siphoned away and sent towards, frankly, wealthy families that don't need that money as much as other communities may," he said.

Those at the cross-section of education and politics don't always become politicians. Sometimes they become advocates. That was the case for Arizona Education Association President Marisol Garcia, who taught eighth grade social studies for 20 years, and now leads the association's advocacy efforts using her firsthand experience.

"It was a place where I understood the power of having experience and potentially offering a firsthand account of what's happening right now, and how we could come to a solution," she said. "I think it is quite common for people who are interested in public service and running for office that they see going to being a full school board member as

a stepping stone to understand policies to then move to the Legislature."

The experience differs slightly for teachers and school board members, Garcia said, but classroom experience, working with parents, understanding standards and testing and even setting up classrooms can all give valuable insight into political life.

School board members, she added, often have the advantage of having worked with the district office and have a deeper understanding of the budgets and statewide policies or directives that impact the day-to-day running of a school district.

Both are important to the Legislature, Garcia said.

So why are Arizona's rankings so low?

Garcia said she thinks the state's subpar education funding and test scores come down to dueling priorities, especially for those who have other jobs outside of the Legislature.

Another factor is how long those who represent Arizona have been in the classroom. Veteran educators have a unique experience and see year after year that high quality education needs better funding, she said. A classroom 12 years ago is very different from a classroom just five or six years ago, during the pandemic, and it's even different now, she added.

She also pointed to the ESA program and tax cuts for corporations as her two top picks for why state education is so poorly funded.

"(The Legislature's) focus on cutting taxes and giving tax credits to people has a direct impact on funding of public schools. The pie keeps getting smaller and smaller, so they can say we're giving a larger percentage, but it's a mini pie," she said.

Garcia pointed to elections as one force that could change the tide, but added that any real progress was going to take nonpartisan effort from the Legislature.

"I would love to see a nonpartisan solution come from not just business and parents, but also educators and children who are going to inherit these systems, to be able to say this is a priority for us. Let's find a creative solution," she said.

And despite the ongoing political chess matches, Garcia said those educator-legislators aren't giving up. They'll keep fighting for their districts and students well into their term.

"I need more educators. I don't care their party affiliation. I want more educators in the Legislature who can tell their colleagues what is really happening in our schools because they, at least, can speak to firsthand experiences that are recent and the impacts that the decisions that are made at the Legislature have on them," she said.

Reps. Matt Gress, R-Phoenix, and Rep. Alexander Kolodin, R-Scottsdale, who both worked as teachers according to their biographies, did not answer a request for comment.

ELECTIONS

State treasurer hopefuls face off over land trusts, education funding

BY HOWARD FISCHER
Capitol Media Services

State treasurer hopeful Elijah Norton is charging that his Republican primary foe is totally unqualified to manage the state's \$32 billion in investments.

During a televised debate May 19, Norton cited his experience as founder and CEO of what is now known as Veritas Global Protection, a company which sells extended warranties on vehicles. And that, he said, means he has to invest premiums in a way to ensure that the funds will be there when claims are made.



Elijah Norton



Katherine Haley

By contrast, Katherine Haley cites her experience as owner of Oak Rose Group, an investment advisory firm.

"We maintain balance sheets," she said.

"We have to make sure we balance our checkbook every day," Haley said. "We have to make sure we pay our bills."

Norton sniffed at that.

"I think my opponent's a lovely person," he said.

"But this is about experience," Norton said. "She's not qualified frankly — and I mean this with all due respect — to be the bookkeeper at a pizza parlor."

Haley responded that the job goes beyond deciding where to invest the dollars that come into the Treasurer's Office. She said it also requires leadership and planning, both skills she says she has.

Beyond that, Haley said much of what treasurers can do with the dollars under their control is not on whim of the person heading the office but constrained by statutory restrictions as well as oversight by the State Board of Investment.

"At the end of the day, you are following state statute and also what is defined in the Constitution," she said. And Haley chided Norton, saying he has said the state should manage its investments like Texas and Florida.

"They're very different states," she said.

What Haley said she does have is broader experience, including working as a policy adviser in Washington for Republicans John Boehner and Paul Ryan when they were speakers of the U.S. House. Norton dismissed both as "swamp rats," a derisive term that had been used against both by some hardline conservatives to criticize more

KEY POINTS

- **State treasurer manages Arizona's \$32B in investments**
- **Outgoing Treasurer Kimberly Yee endorses Katherine Haley**
- **Elijah Norton touts backing of Turning Point**

establishment politicians.

Haley's view of the role of the office is also much closer to that of Republican Kimberly Yee, the current treasurer, who after serving two four-year terms, is now running for state superintendent of public instruction. And Yee told Capitol Media Services after the debate that whoever is in that office should not be making individual decisions on investments.

"The treasurer should be the manager of the agency and hire the best individuals qualified," said Yee.

Haley made it a point during the debate to say she has been endorsed by Yee. Norton clapped back with his endorsements by the Free Enterprise Club, Turning Point and Senate President Warren Petersen.

Norton also dismissed the argument that it is the job of the treasurer to run the office and ensure it is staffed by the people who are the actual experts in their fields.

"We're not trying to hire a glorified HR manager to manage unelected bureaucrats," he said. "We're electing the chief banking and investment officer of our state."

Haley said all that is true, but that doesn't mean Arizona should have a treasurer who has overly broad ideas of how to earn more money with the cash that the state needs to pay its bills.

"We cannot make risky bets," she said. And Haley said what Norton wants is to "sell our portfolio to the highest bidder with the goal of, oh, perhaps, we'll get higher yields."

Norton makes no secret of his belief that the state could make more on the money it has invested.

He poked fun at Yee who, in press releases, said that the assets her office is managing nearly doubled from \$15.4 billion in 2019 when she was first elected.

He said during that time there was growth in state population and property value, state lands were sold off and the proceeds put into the trust, and cities, who can invest through the Treasurer's Office have gained the ability to tax internet sales.

"If you take our portfolio to somebody who actually understands investments, they're going to say we should have about \$3 billion to \$5 billion more than we actually do," Norton said.

"I'm not saying we should take risky bets," he said. "I want to go to the office every day, do my job, and apply my experience to getting better returns for the taxpayers."

One place where the treasurer has played a role — or at least has had some input — has been on the question of how much extra money can be withdrawn from the special education trust account.

Arizona received about 10 million acres of land from the federal government when it became a state in 1912, with the restriction that the land be held for the benefit of certain entities, primarily public schools. About 9.2 million acres remain, along with more than \$10 billion the trust invested from sales and leases of the land.

A former formula in place for years gave schools 2.5% of the value of the trust annually, a figure that was designed to ensure level distributions without endangering the principal.

In 2016, however, voters narrowly approved Proposition 123, a measure to boost that annual distribution to 6.9%, generating an extra \$300 million.

But that authorization has since expired. And lawmakers along with Gov. Katie Hobbs are now debating whether to ask voters to renew that rate — and at what level.

That's where the views of the treasurer can come in.

The governor at one point proposed boosting the distribution to 8.9%, with GOP lawmakers proposing to keep it at 6.9%.

Yee has already weighed in, rejecting both proposals as unwise and saying the prudent figure would be more in the neighborhood of between 4% and 5%.

"We do have to protect the principal," Haley said when asked her views on renewal. "It's an endowment," she said, having to last not just through today but well into the future.

"On average, an endowment distributes about 5%," Haley said, saying she would consider that a safe figure going forward.

Norton blasted the numbers originally proposed by Hobbs as "absolutely ridiculous," though the governor, in her proposed budget released in January, is not on the same page as the Republicans at 6.9%. But Norton refused to say, both during the TV appearance and when asked afterward, whether he agrees with that GOP figure — or what he believes would be the proper level of withdrawal going forward to both protect the trust and yet still provide more dollars for K-12 education.

What history has shown is the difficulty of making predictions of a return on investment on a long-term basis.

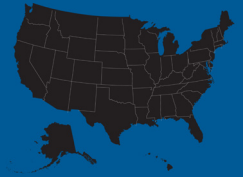
When Proposition 123 went to the ballot in 2016 it was opposed by Jeff DeWit, the state treasurer at the time. He predicted that the higher withdrawal would cut into the principal of the trust and ultimately leaves public schools with less money.

As it turned out, the economy — and the rate of return on investments — remained strong enough so that the principal actually increased even with the higher withdrawals.

Whoever wins the July 21 primary will face off against Democrat Nick Mansour.

FROM OTHER STATES

NEWS OF INTEREST FROM ACROSS THE NATION



California

BILL AIMS TO FILL OPIOID RESPONSE 'GAP' WITH NALOXONE TRAINING

More than 40% of opioid overdose deaths happen when bystanders are present — and in a majority of cases, there's at least one opportunity for intervention that could save a life. Those "missed opportunities highlight a critical gap," Assemblymember Matt Haney, D-San Francisco, said. An Assembly bill to train CPR-certified workers on administering the opioid reversal medication naloxone could help fill that gap. Most people have at least heard of naloxone (or its brand name Narcan). When properly administered, the rescue medication can stop an opioid overdose in its tracks by blocking the molecule from binding with receptors in the brain. Normal breathing is restored, buying time for emergency medical professionals to respond. Naloxone has become more widely available in California amid the opioid crisis. The harm reduction tool is sold over the counter at most drugstores and online, for example. The problem is, not everyone is trained to administer it. And for the untrained, fears about doing it wrong in a potentially life-or-death situation could delay action, with some opting to wait for emergency services to arrive rather than do it themselves. Haney's Assembly Bill 2150 could represent a solution. It would require employers who already mandate CPR certification for workers to provide training in naloxone administration.

Florida

OPPONENTS SEEK HALT TO NEW CONGRESSIONAL DISTRICT MAP

With time running short before candidates qualify to run in this year's elections, a Leon County circuit judge Friday weighed requests for a temporary injunction to block a new congressional redistricting plan that opponents say is unconstitutional. "Plaintiffs and Florida voters will face irreparable harm if the 2026 election goes forward under unlawful districts," Simone Leeper, an attorney for a group of voters challenging the plan, said during a two-hour hearing before Judge Joshua Hawkes. But lawyers for Gov. Ron DeSantis' administration and the Legislature said Hawkes should not issue a temporary injunction because of numerous disputed issues about the plan, which lawmakers passed on April 29. They said those issues need to be sorted out during a trial — a lengthy process that effectively would lead to the new plan being used in this year's elections. Voting rights groups and other plaintiffs filed three lawsuits that argue the plan violates the voter-approved 2010 Fair Districts Amendments, which set standards for redistricting. A key issue is whether the plan, which could help Republicans win four additional congressional seats, violates a ban on partisan gerrymandering. Hawkes asked relatively few questions during the hearing and did not say when he would issue a ruling.

Indiana

PHONE FREEZE: BELL-TO-BELL BAN HITS SCHOOLS SOON

Indiana schools are preparing to enforce a new statewide bell-to-bell cellphone restriction that could change how students, teachers and administrators manage personal devices during the school day. Senate Bill 78, which takes effect July 1, requires public and charter schools to prohibit students from using personal wireless communication devices during the school day. The law applies to cellphones, smartwatches, gaming devices and similar electronics, while allowing exceptions for emergencies, medical needs and students with accommodations, including Individualized Education Programs and 504 plans. Gov. Mike Braun ceremonially signed the measure Wednesday at the Clark-Pleasant Community School Corp. Administration Building in Whiteland. He officially signed the bill March 5 after it passed with bipartisan support in the General Assembly. The new law expands Indiana's existing school cellphone restrictions outlined in Senate Bill 185 in 2024, which required Indiana schools to adopt policies prohibiting wireless communication devices, such as cellphones, during class, with some exceptions and focuses largely on instructional time. The broader policy now requires districts to address device use throughout the school day, including lunch, passing periods and other non-classroom settings. Braun said the policy intends to improve classroom environments and reduce distractions.

Georgia

JUDGE RESCINDS ORDER ALLOWING OBSERVERS IN ELECTION NIGHT 'BUNKER'

The secure location where votes are officially counted in Georgia elections was the site of legal musical chairs Tuesday as ballots poured in by the hundreds of thousands in the 2026 primaries. Fast-moving developments centered on the secretary of state's command center in Atlanta commonly called the "bunker," where county election results are collected and reported. Long off-limits to the public, the facility was ordered Tuesday afternoon to open its doors to certain poll watchers and state election officials after a judge ruled in favor of a Republican-led lawsuit seeking access to primary-day vote counting. That order was scuttled hours later amid strong pushback from officials in Secretary of State Brad Raffensperger's office, who framed the lawsuit as an attempt to breach ballot security and stir up distrust in the primary results. The ruling from Fulton County Superior Court Judge Ural Glanville came after Sen. Greg Dolezal, R-Cumming, along with Cobb County Commissioner Keli Gambrill and Christopher Mora, who is running for the U.S. House in district 11, filed a motion Monday night asking for a temporary restraining order granting observers access to the center. The Secretary of State's Office reports votes at the location from



Georgia Secretary of State Brad Raffensperger speaks on primary Election Day, May 19, 2026. (Credit: Beau Evans)

county election centers, where the actual ballots are counted. The order mandated that "properly designated poll watchers" and State Election Board representatives have reasonable access to the center. Election security advocates have long pressed for more transparency on the inner workings of how the state tabulates ballots and certifies elections, particularly after the 2020 presidential election that sparked claims of fraud.

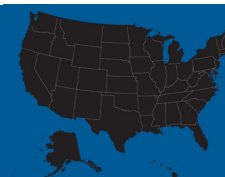
Kansas

KOBACH VOWS TO FIGHT INJUNCTION BLOCKING TRANSGENDER CARE BAN

Attorney General Kris Kobach has vowed to fight a recent state district court injunction against the enforcement of Senate Bill 63, otherwise known as the Help Not Harm Act. The 2025 legislation blocks access to transgender care for individuals under age 18. Last week, a state district judge temporarily blocked the enforcement of the law, which was filed last year by the American Civil Liberties Union and ACLU of Kansas in the District Court of Douglas County on behalf of two teens and their mothers, using the pseudonyms Ryan Roe, 16, and mother, Rebecca Roe; and Lily Loe, 13, and mother, Lisa Loe. "This is an enormous relief to our clients and families across the state of Kansas," said Harper Seldin, senior staff attorney for the ACLU's LGBT & HIV Rights Project in a release last week. "The medical care unjustly banned by this law serves as the foundation of young transgender people's entire lives and helps give them the future all young people deserve. Any decision about this medical care should be between families and their doctors, and today's order from the court restores that fundamental principle. We will continue to challenge this law until Kansas is a safe place to raise every family." Kobach, in a press release over the weekend, referred to the ruling as "judicial activism."

FROM OTHER STATES

NEWS OF INTEREST FROM ACROSS THE NATION



Louisiana

DISPUTE OVER AD HIGHLIGHTS SENATE RACE ATTACK LINES BETWEEN LETLOW, FLEMING

A recent ad supporting Treasurer John Fleming and attacking Congresswoman Julia Letlow was put on hold by a district court last week, though an attorney for Fleming's campaign still vouches for the basic truth behind the questioned missive. The dispute highlights some of the attack lines we can expect to see now that Letlow and Fleming, who had been leading U.S. Sen. Bill Cassidy in recent polls, officially are squaring off one-on-one for the Republican nomination for Senate. Last month, the Accountability Project, a political action committee supporting Letlow, released a video claiming Fleming "said no to Trump's border wall" and "joined [Nancy] Pelosi and voted against border security." In response, Fleming's campaign released a video countering that "John Fleming never voted against President Trump's border wall or against border security," describing the claims as "liberal Letlow lies." In a filing with St. Tammany's 22nd Judicial District Court, attorney Stephen Gelé says the "Letlow lies" ad violates Louisiana's election integrity law because it is "demonstrably false." That's partly because it was the PAC, not Letlow, making the claims. But he further argues that the original claim is true, meaning the "Letlow lies" ad is misleading.

Massachusetts

GOP STATEHOUSES MOVE TO CURB AGENCY POWER OVER AIR, WATER RULES

Republican-led states, concerned about the overregulation of businesses and manufacturers, want to make it harder for state agencies to implement air and water regulations stricter than federal standards. The legislation, promoted in states by the U.S. Chamber of Commerce, requires state agencies to use the "best available science" to impose stricter regulations, including demonstrating that exposure to a substance, mixture or chemical is causally linked to bodily harm in humans. To demonstrate the connection, agencies would have to meet criteria that includes citing scientifically defensible, quality-assured supporting studies. Proponents say it is needed to prevent rules that would stifle industry and to prevent unfounded lawsuits. Opponents, including the Southern Environmental Law Center, say it endangers public health by setting the bar too high to make rules to prevent human harm. Lawmakers in at least five states introduced so-called best available science, or sound science, legislation over the past two years. Bills were enacted in Alabama and Utah this year and Tennessee last year. Measures were also introduced this year in Kentucky and last year in West Virginia. Republicans control the legislatures and governorships in each of those states, except Kentucky where Gov. Andy Beshear is a Democrat.

North Carolina

LAWMAKERS PUSH RIGHT-TO-WORK, FARM RIGHTS CONSTITUTIONAL AMENDMENTS

A Senate committee advanced two constitutional amendment measures with rights to work and to farm, but Democratic lawmakers and labor rights groups say the proposals don't make any structural changes. Senate Bill 1081 would guarantee North Carolinians the constitutional right to "engage in farming and forestry." Senate Bill 1082 would guarantee a "right to work" that could not be affected by membership or lack of membership in a union. While strong statutory protections are in place in the farming sector, Barnes said, they can be changed. It's imperative to let the voters decide if that right should be protected permanently for future generations, she added, citing land use pressures and state-level mandates in other states that make it more expensive to farm. Fiscal research staff said the amendment would not affect nuisance lawsuits or local government ordinances related to farming. A future version of the amendment may add "aquaculture" as an essential part of the state's heritage to protect the farming of aquatic plants. Most of the debate on Monday focused on the "right-to-work" amendment. North Carolina has been a right-to-work state since 1947, with laws prohibiting labor union membership or dues as a condition to employment. Bill sponsor Sen. Ted Alexander, R-Cleveland, cited that legacy as a reason for the ballot measure.

Ohio

RAMASWAMY VOWS TO COMBAT MEDICAID FRAUD IN THREE-POINT PLAN

"No matter how many scam policies he rolls out, Ohioans know that Vivek Ramaswamy is an out-of-touch billionaire who thinks Ohioans are 'lazy' and 'mediocre,' calls affordability a 'buzzword' and says Medicaid and Medicare is a 'mistake.'" Ramaswamy's policy pitch at a downtown Columbus hotel followed weeks of questions surrounding fraud, which culminated a week earlier in Gov. Mike DeWine, under fire from legislative leaders, issuing new prevention measures. On May 18, DeWine issued an Executive Order 2026-01D to allow the Department of Medicaid to implement emergency rules requiring more frequent revalidation of providers identified as at a higher risk for committing fraud. Vivek Ramaswamy, appearing alongside top legislative GOP leaders on Tuesday, outlined his vision for policing Medicaid fraud, which he said starts with incentivizing the state to go after fraudsters. Doing so would require a waiver from the Centers for Medicare & Medicaid Services, a move Ramaswamy suggested could only be done under his governorship given his close ties to the Trump Administration. Democratic gubernatorial candidate Amy Acton's campaign, however, framed his proposal as "scam policies."

Pennsylvania

STATE HOUSE PRIMARIES DELIVER UPSETS AND SURPRISES

One of the newest members of the state House and its longest-serving lawmaker both lost in the Democratic primary — the hottest seats in a race that did not garner as much attention as primary challenges in the Senate. Rep. Ana Tiburcio, D-Lehigh, who just won a special election to serve in the 22nd District, was defeated by progressive community organizer Ce-Ce Gerlach. Tiburcio picked up 67% of the vote in the special election held in February to fill the vacancy created by former state Rep. Joshua Siegel's resignation. Siegel left his seat after he was elected Lehigh County executive in November. Gerlach, a county councilmember endorsed by Siegel, had 56.3% of the vote late Tuesday night. Meanwhile, Rep. Greg Vitali, D-Delaware, who has represented the 166th District since 1993, was trailing challenger Judy Trombetta, a township commissioner, who had 57.6% of the vote as of late Tuesday. Vitali is chairman of the House Environmental and Natural Resource Protection Committee. However, he has run afoul of local Democrats, and the Delaware County Democratic Committee endorsed Trombetta. The county party had backed a challenger to Vitali in 2022, but he prevailed.

Wisconsin

LEGAL WRANGLING IN ONE CHALLENGE TO CONGRESSIONAL MAP COULD BAR APPEAL

Those who challenged the state's congressional map as an unconstitutional partisan gerrymander have filed notice they plan to appeal the ruling to the Wisconsin Supreme Court. Meanwhile, the parties in a challenge of the congressional map as an anti-competitive gerrymander are wrangling over the proper way to appeal a three-judge panel's rejection of that lawsuit. It's the first time parties have used a 2011 GOP-authored law to challenge congressional districts. How the court decides that issue in the anti-competitive gerrymandering case could prevent the planned appeal over the partisan gerrymandering claims from moving forward. That 2011 law directed the state Supreme Court to appoint panels of three circuit court judges to hear a map challenge. Separate panels in the two lawsuits earlier this year rejected the challenges. In both cases, the panels ruled a 2022 state Supreme Court decision barred them from considering cases that challenge districts based on their partisan composition. The law states any appeal "may" be heard by the state Supreme Court and prohibits a court of appeals from reviewing a panel's ruling. An attorney for GOP members of the state's congressional delegation earlier this month argued there are several possible interpretations of that provision in the law. If the state Supreme Court must hear such an appeal, then a party would have 90 days to file a notice of appeal. But if the court has discretion on whether to take an appeal, the losing party would have 30 days to file a petition for review.

IT'S TIME TO DISCARD ARIZONA'S **COPPER COLLAR** BY STOPPING COPPER WORLD

**UNLIMITED GROUNDWATER
WITHDRAWAL
COPPER EXPORTED
OVERSEAS**

**ENVIRONMENTAL
CATASTROPHE FOR ARIZONA
PROFITS TO FOREIGN
COMPANIES**

Toronto-based Hudbay Minerals and Japan's Mitsubishi must export Copper World's unrefined copper overseas for smelting and refining. The U.S. only has two operating copper smelters and they are at capacity. Copper World would pump more than 3.2 billion gallons of groundwater a year from beneath Green Valley and Sahuarita, an area already plagued by subsidence.

**COLORADO RIVER RUNOFF IS AT RECORD LOWS.
CENTRAL ARIZONA PROJECT ALLOCATIONS ARE PLUMMETING.
ARIZONA'S WATER CRISIS IS HERE.**



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