



ARIZONA 2024  
GENERAL ELECTION  
PUBLICITY PAMPHLET  
NOVEMBER 5, 2024

# WHAT'S ON MY BALLOT?

REGISTER TO VOTE ON OR BEFORE OCTOBER 7 AT [ARIZONA.VOTE](https://arizona.vote)



# A MESSAGE TO ARIZONA VOTERS

Greetings Arizona Voter,

As your Secretary of State, I am proud to offer this essential resource to equip you with the information you need to make informed decisions at the polls. Please enjoy reading through the 2024 General Election publicity pamphlet.



Allow me to share a story to trace back Arizona's unique history of civic engagement. Long before Arizona became a state, it was home to visionaries and trailblazers. In the late 1800s, the Phoenix area saw the revival of ancient Hohokam irrigation canals, which transformed the arid landscape into a thriving agricultural community. This ingenuity laid the groundwork for the civic structure we benefit from today and symbolizes our capacity to adapt and thrive.

This year, my office upholds its commitment to providing clear, precise, and accessible voting information. Within these pages, you will discover:

- Key voting deadlines and detailed procedures to ensure your vote counts
- Public arguments for and against each proposition
- Evaluations of judges up for retention, reflecting our community standards for justice

Important dates for this election cycle include:

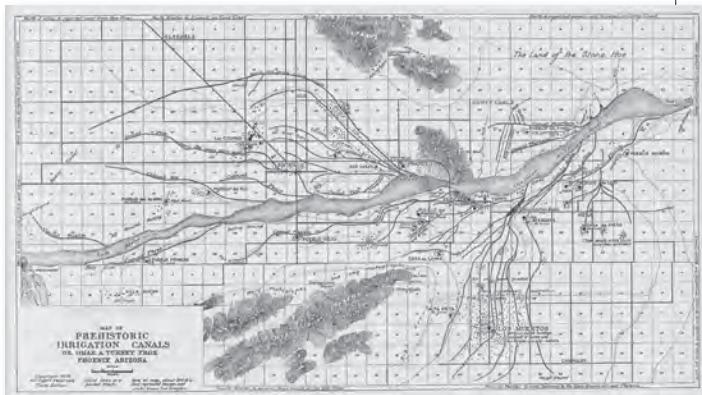
- Voter Registration Deadline
- Early Voting schedule
- Election Day details

As we continue to face challenges to civic participation, it's crucial to seek information from trusted sources. I urge you to visit our website at [Arizona.Vote](#) or your county's official election website to verify information and share accurate data with your community.

Thank you for your commitment to maintaining the integrity and strength of our democracy. Let's stay engaged, informed, and proactive in shaping the future of Arizona.

Sincerely,

Adrian P. Fontes  
Arizona Secretary of State



## 1924: Map of Prehistoric Irrigation Canals in Phoenix

Created by Omar A. Turney, this artifact housed in the State of Arizona Research Library [azlibrary.gov](#) illustrates the intricate Hohokam canal system that still can be recognized today in Phoenix's modern infrastructure. The origin of the system that formed the city was on the north bank of the Salt River at a place that now lies under the north runway of Phoenix Sky Harbor International Airport. The nearby S'edav Va'aki Museum [phoenix.gov/sedav-vaaki](#) (formerly Pueblo Grande Museum) allows visitors to trace the lives of these visionary Hohokam builders and walk beside one of their original canals.

# TABLE OF CONTENTS



## GENERAL VOTING INFORMATION

A Message to Arizona Voters from Secretary of State Adrian Fontes .....	<a href="#">2</a>
Important General Election Dates .....	<a href="#">3-4</a>
Voter Registration Information .....	<a href="#">6</a>
Online Voter Services .....	<a href="#">6</a>
Ballot-by-Mail .....	<a href="#">7</a>
In-Person Early Voting .....	<a href="#">7</a>
Ballot-by-Mail Reminders .....	<a href="#">8</a>
Track My Ballot .....	<a href="#">8</a>
Polling Place/Vote Center Information .....	<a href="#">9</a>
Become a Poll Worker .....	<a href="#">9</a>
Voter Identification – Bring It! .....	<a href="#">10-11</a>
Provisional Ballots .....	<a href="#">11</a>
Military and Overseas Voters .....	<a href="#">12</a>
Voter Accessibility and Language Assistance .....	<a href="#">12</a>
Alternative Pamphlet Formats .....	<a href="#">13</a>
Arizona Citizens Clean Elections Commission Candidate Pamphlet .....	<a href="#">13</a>
Statewide Town Hall Information .....	<a href="#">13</a>
County Recorders .....	<a href="#">14</a>
County Elections Directors .....	<a href="#">15</a>

## ARIZONA COMMISSION ON JUDICIAL PERFORMANCE REVIEW

2024 JPR Voter Guide Table of Contents .....	<a href="#">16</a>
Results of the Commission's Votes .....	<a href="#">18</a>
Voter Checklist .....	<a href="#">33</a>

## BALLOT PROPOSITIONS

A Guide to Arizona Ballot Measures .....	<a href="#">35</a>
Disclaimer .....	<a href="#">35</a>

## PROPOSITION 133 .....

Analysis by Legislative Council .....	<a href="#">36</a>
Arguments “For” Proposition 133 .....	<a href="#">37</a>
Arguments “Against” Proposition 133 .....	<a href="#">46</a>
Ballot Format for Proposition 133 .....	<a href="#">53</a>

## PROPOSITION 134 .....

Analysis by Legislative Council .....	<a href="#">54</a>
Arguments “For” Proposition 134 .....	<a href="#">57</a>
Arguments “Against” Proposition 134 .....	<a href="#">58</a>
Ballot Format for Proposition 134 .....	<a href="#">69</a>
	<a href="#">81</a>

## IMPORTANT 2024 GENERAL ELECTION DATES



Voter registration deadline at 11:59 p.m.



First day of in-person early voting.

First day for counties to mail ballots to voters on the Active Early Voting List (AEVL) and non-AEVL voters who have requested a ballot-by-mail.

To check if you are on the AEVL, request a ballot-by-mail, or get information on early voting locations, contact your County Recorder or visit [Arizona.Vote](#).



Last day to request a ballot-by-mail or join the AEVL for this election.

## IMPORTANT 2024 GENERAL ELECTION DATES



Recommended days to mail back a ballot (7–10 days before the election).

**Ballots must be received by 7:00 p.m. on Election Day to be counted.**

Voters who do not mail back their ballot by this recommended date should drop off their ballot at their County Recorder's Office or any ballot drop-box or voting location in their county.



Last day of in-person early voting.



Emergency voting available in certain counties. Contact your County Recorder's Office for more information.



### ELECTION DAY

Polls are open from 6:00 a.m. to 7:00 p.m.

## TABLE OF CONTENTS

<b>PROPOSITION 135</b>	<a href="#">82</a>
Analysis by Legislative Council .....	<a href="#">85</a>
Arguments “For” Proposition 135 .....	<a href="#">86</a>
Arguments “Against” Proposition 135 .....	<a href="#">95</a>
Ballot Format for Proposition 135 .....	<a href="#">98</a>
<b>PROPOSITION 136</b>	<a href="#">99</a>
Analysis by Legislative Council .....	<a href="#">102</a>
Arguments “For” Proposition 136 .....	<a href="#">103</a>
Arguments “Against” Proposition 136 .....	<a href="#">104</a>
Ballot Format for Proposition 136 .....	<a href="#">110</a>
<b>PROPOSITION 137</b>	<a href="#">111</a>
Analysis by Legislative Council .....	<a href="#">116</a>
Arguments “For” Proposition 137 .....	<a href="#">117</a>
Arguments “Against” Proposition 137 .....	<a href="#">119</a>
Ballot Format for Proposition 137 .....	<a href="#">134</a>
<b>PROPOSITION 138</b>	<a href="#">135</a>
Analysis by Legislative Council .....	<a href="#">135</a>
Arguments “For” Proposition 138 .....	<a href="#">136</a>
Arguments “Against” Proposition 138 .....	<a href="#">148</a>
Ballot Format for Proposition 138 .....	<a href="#">158</a>
<b>PROPOSITION 139</b>	<a href="#">159</a>
Analysis by Legislative Council .....	<a href="#">160</a>
Joint Legislative Budget Committee Fiscal Analysis .....	<a href="#">160</a>
Arguments “For” Proposition 139 .....	<a href="#">161</a>
Arguments “Against” Proposition 139 .....	<a href="#">194</a>
Ballot Format for Proposition 139 .....	<a href="#">223</a>
<b>PROPOSITION 140</b>	<a href="#">224</a>
Analysis by Legislative Council .....	<a href="#">227</a>
Joint Legislative Budget Committee Fiscal Analysis .....	<a href="#">228</a>
Arguments “For” Proposition 140 .....	<a href="#">229</a>
Arguments “Against” Proposition 140 .....	<a href="#">256</a>
Ballot Format for Proposition 140 .....	<a href="#">279</a>

# TABLE OF CONTENTS

i

GENERAL INFORMATION

<b>PROPOSITION 311 .....</b>	<a href="#">280</a>
Analysis by Legislative Council .....	<a href="#">287</a>
Proposition 105 Notice .....	<a href="#">287</a>
Arguments “For” Proposition 311 .....	<a href="#">288</a>
Arguments “Against” Proposition 311 .....	<a href="#">290</a>
Ballot Format for Proposition 311 .....	<a href="#">291</a>
<b>PROPOSITION 312 .....</b>	<a href="#">292</a>
Analysis by Legislative Council .....	<a href="#">295</a>
Proposition 105 Notice .....	<a href="#">295</a>
Arguments “For” Proposition 312 .....	<a href="#">296</a>
Arguments “Against” Proposition 312 .....	<a href="#">301</a>
Ballot Format for Proposition 312 .....	<a href="#">304</a>
<b>PROPOSITION 313 .....</b>	<a href="#">305</a>
Analysis by Legislative Council .....	<a href="#">305</a>
Proposition 105 Notice .....	<a href="#">305</a>
Arguments “For” Proposition 313 .....	<a href="#">306</a>
Arguments “Against” Proposition 313 .....	<a href="#">310</a>
Ballot Format for Proposition 313 .....	<a href="#">311</a>
<b>PROPOSITION 314 .....</b>	<a href="#">312</a>
Analysis by Legislative Council .....	<a href="#">317</a>
Proposition 105 Notice .....	<a href="#">317</a>
Arguments “For” Proposition 314 .....	<a href="#">318</a>
Arguments “Against” Proposition 314 .....	<a href="#">321</a>
Ballot Format for Proposition 314 .....	<a href="#">333</a>
<b>PROPOSITION 315 .....</b>	<a href="#">334</a>
Analysis by Legislative Council .....	<a href="#">335</a>
Proposition 105 Notice .....	<a href="#">335</a>
Arguments “For” Proposition 315 .....	<a href="#">336</a>
Arguments “Against” Proposition 315 .....	<a href="#">338</a>
Ballot Format for Proposition 315 .....	<a href="#">340</a>
<b>APPENDIX</b>	
Removable Ballot Proposition Voter’s Guide .....	<a href="#">351</a>
Sun Sounds of Arizona Audio Access .....	<a href="#">355</a>

## ARGUMENT DISCLAIMER:

State law requires the Office of the Secretary of State to publish EVERY qualified argument filed both for and against all propositions that will appear on the ballot at the November 5, 2024, General Election. The opinions are those of the filer alone, and the Secretary of State does not take a position in support of or opposition to any ballot measure.



Published by  
Secretary of State  
Adrian Fontes  
Election Services Division  
1700 West Washington  
Street, 7th Floor  
Phoenix, Arizona  
85007-2888

The Secretary of State  
is an equal opportunity  
employer.



# VOTER REGISTRATION INFORMATION

**DEADLINE:** You must register to vote by 11:59 p.m., **October 7, 2024**, to participate in the November 5, 2024 General Election.

**REGISTER ONLINE:** Register to vote online by scanning the QR code below or visiting [www.servicearizona.com](http://www.servicearizona.com). A valid Arizona driver's license or nonoperating identification license is necessary to use this website. *Online registration is available through 11:59 p.m. on October 7, 2024.*

**PAPER REGISTRATION:** Voter registration forms can be obtained:

- From the Secretary of State's website at <https://azsos.gov/elections/voters/registering-vote>;
- By contacting the Secretary of State's Office at 1-877-THE-VOTE (1-877-843-8683) or [elections@azsos.gov](mailto:elections@azsos.gov);
- By contacting your County Recorder's Office (listed on [page 14](#)); or
- At any Arizona Motor Vehicle Division Office or any designated voter registration assistance agencies throughout the state.

## REGISTRATION DEADLINE



## ONLINE VOTER SERVICES

Visit the Secretary of State's website at [www.Arizona.Vote](http://www.Arizona.Vote) for additional voter registration services. For example, these services allow Arizona voters to:

- Confirm voter registration status
- Request a ballot-by-mail
- Find voting locations
- Verify ballot-by-mail status
- Verify provisional ballot status

SCAN ME  
TO REGISTER  
TO VOTE!





## BALLOT-BY-MAIL

Arizona has a proud history of secure and reliable voting by mail.

Any registered voter in Arizona may receive a ballot-by-mail in one of two ways:



### 1. Joining the Active Early Voting List (AEVL)

If you are on the AEVL, a ballot-by-mail will automatically be sent to you for elections in which you are eligible to participate.

Check your voter registration status to see if you are on the AEVL by visiting [Arizona.Vote](#).

If you are on the AEVL and wish to receive your ballot at an address other than your regular mailing address, contact your County Recorder's Office. ***Election mail is non-forwardable.***

### 2. One-Time Ballot-by-Mail Request

If you are **NOT** on the Active Early Voting List and would like to make a one-time request for a ballot-by-mail, you can do so online at [Arizona.Vote](#). You may also request a ballot-by-mail by contacting your County Recorder by mail, telephone, email, or fax. Contact information for your County Recorder's Office may be found on [page 14](#).

When contacting your County Recorder to request a ballot-by-mail, make sure to include your:

- First and last name;
- Date of birth;
- Residential address and mailing address (if different from residence);
- The election for which the ballot is requested; and
- The state or country of birth, or another piece of information that, if compared to your voter record, would confirm your identity (e.g. Arizona Driver's License number, last four digits of your Social Security number, father's name, or mother's maiden name).

## IN-PERSON EARLY VOTING



In-person early voting begins October 9, 2024 and is available until 7:00 p.m. on November 1, 2024, the Friday before Election Day. Emergency early voting may be available in certain counties between 7:00 p.m. on the Friday, November 1 through Monday, November 4 at 5:00 p.m. Contact your County Recorder's Office for more information about in-person early voting locations and hours of operation and the availability of emergency early voting in your county.

Voter identification is required to receive a ballot at an early voting location. For more information on acceptable identification, see [pages 10-11](#).

## BALLOT-BY-MAIL REMINDERS

If you plan to vote using a ballot-by-mail, below are important reminders to ensure you receive your ballot, complete it correctly, and return it in time to be counted.

- Make sure your voter registration status is up-to-date and contains your current residential and mailing address. *Election mail cannot be forwarded.*
- If you are not on the Active Early Voting List, request your ballot-by-mail as soon as possible (and by the October 25, 2024 deadline) so you have sufficient time to receive, vote, and return your ballot by 7:00 p.m. on Election Day.
- Be sure you put your voted ballot in the correct return envelope and sign the ballot affidavit envelope before returning your ballot. You should also provide a phone number in the appropriate space on the envelope so the County Recorder can contact you to resolve any issues with your ballot or signature.



- Voted ballots must be received by county election officials by 7:00 p.m. on Election Day to be counted.**

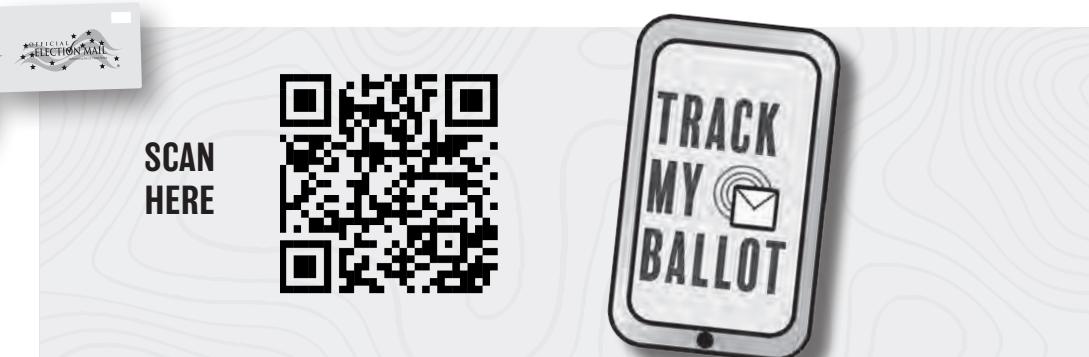
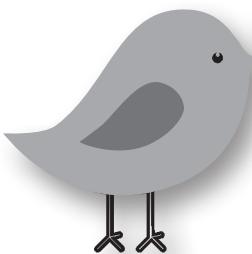
- Mail your ballot back 7 to 10 days before Election Day.
- If you do not mail your ballot back in time, simply drop it off at your County Recorder's Office or any ballot drop-off location or voting location in your county. Contact your County Recorder for information about ballot drop-off options.



- After voting and returning your ballot, you can check the status of your ballot at [Arizona.Vote](https://Arizona.Vote).

## WHAT'S THE STATUS OF MY BALLOT?

Visit [trackmyballot.azsos.gov](https://trackmyballot.azsos.gov), Arizona's official site to track, view and receive messages about the status of your early ballot.



# POLLING PLACE/ VOTE CENTER INFORMATION

1. Voting locations are open from 6:00 a.m. until 7:00 p.m. on Election Day.
2. Remember to bring appropriate identification to the polls to avoid having to cast a conditional provisional ballot.
3. Sample ballots may be brought to the polling place and may be taken into the voting booth at the time of the election.
4. A voter may be accompanied in the voting location by a person under the age of 18.
5. Ask for assistance if you are physically unable to mark your ballot or wish to use an accessible voting device at the polls. Two election officers from different political parties, or a person of your choice, may assist you in marking your ballot if you wish to vote a paper ballot. Neither of the election officers who assist you in voting are allowed to influence your vote.
6. Candidates whose names appear on the ballot (other than precinct committeeman) may not assist voters within the 75-foot limit around the voting location.
7. If you accidentally spoil your ballot, conceal your vote and present it to the election worker to be re-issued a new ballot.
8. Any qualified voter who is in line to vote at 7:00 p.m. on Election Day will be allowed to vote.
9. Early ballots may be dropped off at any voting location within your county on Election Day. You do not need to stand in line to drop off your early ballot.

If you believe that a violation of the Help America Vote Act of 2002 has occurred, you may contact:

Secretary of State's Division of Election Services  
 1700 W. Washington Street, 7th Floor  
 Phoenix, AZ 85007  
 1-877-THE-VOTE  
[www.azsos.gov](http://www.azsos.gov)



## BECOME A POLL WORKER

Poll workers are essential to our democracy and critical to a successful election. This important civic duty is open to all registered voters in Arizona and students who are at least 16 years of age at the time of the election. Poll workers receive training and compensation to help operate voting locations on Election Day.

The Secretary of State's Office and county election officials are taking extra precautions to protect the health and safety of poll workers and voters at in-person voting locations.

If you are interested in becoming a poll worker, please visit <https://azsos.gov/elections/about-elections/county-poll-worker-information> or contact your County Elections Department (see page 15).



# VOTER IDENTIFICATION - BRING IT!

Every voter is required to show identification when voting at an in-person early voting location or on Election Day. Below are acceptable forms of identification for voting.



## LIST 1 (Photo ID)

### PRESENT ONE FORM OF ID WITH YOUR PHOTO, NAME, AND ADDRESS, INCLUDING:

- A valid Arizona driver's license;
- A valid Arizona non-driver's identification;
- A tribal enrollment card or other form of tribal ID;\* or
- A valid U.S. federal, state, or local government-issued ID.

*An identification is "valid" unless it can be determined on its face that it has expired.*

### \*ACCEPTABLE FORMS OF TRIBAL ID INCLUDE (BUT ARE NOT LIMITED TO):

- A tribal identification or enrollment card issued under the authority of the Bureau of Indian Affairs or a federally recognized Native American tribe;
- A Certificate of Indian Blood issued under the authority of the Bureau of Indian Affairs or a federally recognized Native American tribe;
- A voter identification card for tribal elections issued under the authority of a federally recognized Native American tribe;
- A home site assignment lease, permit, or allotment issued under the authority of the Bureau of Indian Affairs or a federally recognized Native American tribe; or
- A grazing permit or allotment issued to a tribal member under the authority of the Bureau of Indian Affairs or a federally recognized Native American tribe.

*Please note: Members of federally recognized tribes may present tribal ID that does not contain an address or photo in order to cast a provisional ballot. Tribal members who present a tribal ID do not need to return and present other sufficient identification.*

## LIST 2 (Non-Photo ID)

### PRESENT TWO FORMS OF ID WITH YOUR NAME AND ADDRESS:

- A utility bill dated within 90 days of the election (e.g., an electric, gas, water, solid waste, sewer, telephone, cellular phone, or cable television bill);
- A bank or credit union statement dated within 90 days of the election;
- A valid Arizona vehicle registration;
- An Indian census card;
- A property tax statement of the elector's residence;
- A tribal enrollment card or other form of tribal identification;
- An Arizona vehicle insurance card;
- A Recorder's certificate;
- A valid U.S. federal, state, or local government issued identification, including a voter registration card issued by the County Recorder; or
- Any mailing to the voter marked "Official Election Material."

*Any document from List 2 may be presented electronically, including on a tablet or smartphone. An identification is "valid" unless it can be determined on its face that it has expired.*



**LIST 3 (Combination)****PRESENT TWO FORMS OF ID:  
ONE FROM LIST 1, AND ONE FROM LIST 2**

- Any valid photo ID from List 1 with an address that does not match the precinct register or e-pollbook, plus a non-photo ID from List 2 with an address that does match the precinct register or e-pollbook;
- A U.S. Passport or passport card without an address, plus one valid form of non-photo ID from List 2; or
- A U.S. Military ID without an address, plus one valid form of non-photo ID from List 2.

*An identification is “valid” unless it can be determined on its face that it has expired.*

**PROVISIONAL BALLOTS**

Every person who attempts to vote at any voting location has the right to cast a ballot. If you are not permitted to vote a regular ballot for any reason, you have a right to cast a provisional ballot and cannot be turned away.

A provisional ballot is a ballot that will only be counted if the County Recorder can determine the voter's eligibility. If you cast a provisional ballot, your ballot will be counted once it has been verified that you:

1. Provided the required identification documents;
2. Are registered to vote in the county in which you voted;
3. Voted at the correct polling place or voted the correct ballot for your assigned precinct; and
4. Did not vote an early ballot or at any other precinct for the same election.



After the election, you can use the provisional ballot number received at the polling place to track the status of your ballot by visiting [Arizona.Vote](http://Arizona.Vote).



## MILITARY AND OVERSEAS VOTERS

Military personnel and overseas citizens can conveniently participate in federal and state elections by completing a Federal Postcard Application (FPCA) to register to vote and request a ballot.

A military or overseas voter may request an FPCA from his or her voting assistance officer, by visiting the Secretary of State's website at <https://my.arizona.vote>, or by contacting their County Recorder's Office directly (see [page 14](#)).

Once the FPCA has been completed, it may be emailed or faxed to the appropriate County Recorder. (If sent to the Secretary of State's Office, a completed FPCA will be forwarded to the appropriate County Recorder's Office.)

A military or overseas voter may also submit a voted ballot securely using the Secretary of State's Uniformed and Overseas Citizen Portal.

Ballots must be received by 7:00 p.m. local ARIZONA time on Election Day, November 5, 2024.

## VOTER ACCESSIBILITY AND LANGUAGE ASSISTANCE

County election officials must comply with the current Americans with Disabilities Act (ADA) Standards for Accessible Design and accommodate the needs of voters who are physically unable to go to the polls or who need special access or assistance at the voting location. In particular, at least one accessible voting device must be available in every voting location. Voters who need additional assistance with voting should contact their county election department (see [page 15](#)).



The following counties are required by the Voting Rights Act to provide voting materials in the specified minority languages. Contact the County Recorder's Office and election department for more information regarding available language assistance.

SPANISH	NAVAJO	APACHE	PAIUTE	HOPI
Maricopa Pima Santa Cruz Yuma	Apache Coconino Navajo	Gila Graham Pinal*	Coconino* Mohave*	Coconino Navajo

\*The Department of Justice has exempted counties from some of the Section 203 requirements. Please contact your County for additional information.

# ALTERNATIVE PAMPHLET FORMATS

The 2024 General Election Publicity Pamphlet is available in alternative formats. Voters who need information about the 2024 General Election ballot propositions in another format should contact the Secretary of State's Division of Election Services at: (602) 542-8683; 1-877-THE-VOTE (1-877-843-8683); 1-800-458-5842; or TDD (602) 255-8683.

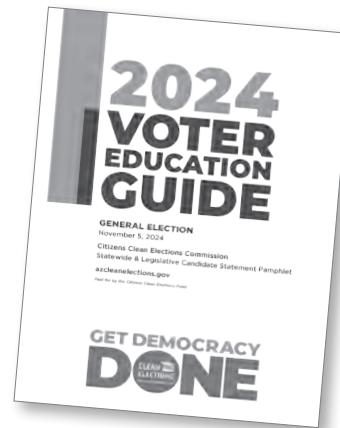
## AVAILABLE ALTERNATIVE FORMATS INCLUDE:



[See page 355](#)

# ARIZONA CITIZENS CLEAN ELECTIONS COMMISSION CANDIDATE PAMPHLET

The Citizens Clean Elections Commission mails a Voter Education Guide containing information on state and legislative candidates to every household in Arizona with a registered voter. If you would like more information about that guide, please contact the Citizens Clean Elections Commission at: (602) 364-3477; Toll-free at 1-877-631-8891; [www.azcleanelections.gov](http://www.azcleanelections.gov); or visit the Commission's Office at 1802 W. Jackson Street, #129, Phoenix, AZ 85007.



# STATEWIDE TOWN HALL INFORMATION

The Secretary of State's Office will host Town Hall meetings this election year. Per Arizona law, the Secretary of State's Office will conduct at least three (3) Town Hall meetings to educate the public about the General Election statewide ballot propositions. If you want to learn more about the statewide ballot measures, please consider attending a Town Hall.

For more information, please call (602) 542-8683 or toll free 1-877-843-8683, or visit the Secretary of State's Website, <https://azsos.gov/elections/ballot-measures>.



# ARIZONA COUNTY RECORDERS

**Larry Noble**
*[Apache County Recorder](#)*

Physical: 75 West Cleveland Street  
 Mailing: PO Box 425  
           St. Johns, Arizona 85936  
 Phone: 928-337-7515  
 Fax: 928-337-7676  
 TDD: 711  
 Email: [voterreg@apachecountyaz.gov](mailto:voterreg@apachecountyaz.gov)

**David Stevens**
*[Cochise County Recorder](#)*

1415 Melody Lane, Bldg. B  
 Bisbee, Arizona 85603  
 Phone: 520-432-8358 or 1-888-457-4513  
 Fax: 520-432-8368  
 TDD: 711  
 Email: [vreg@cochise.az.gov](mailto:vreg@cochise.az.gov)

**Patty Hansen**
*[Coconino County Recorder](#)*

110 East Cherry Avenue  
 Flagstaff, Arizona 86001  
 Phone: 928-679-7860 or 1-800-793-6181  
 Fax: 928-213-9241  
 TDD: 711  
 Email: [voterservices@coconino.az.gov](mailto:voterservices@coconino.az.gov)

**Sadie Jo Bingham**
*[Gila County Recorder](#)*

1400 East Ash Street  
 Globe, Arizona 85501  
 Phone: 928-402-8740  
 Fax: 928-425-9270  
 TDD: 711  
 Email: [sbingham@gilacountyaz.gov](mailto:sbingham@gilacountyaz.gov)

**Polly Merriman**
*[Graham County Recorder](#)*

Physical: 921 Thatcher Boulevard (zip: 85546)  
 Mailing: PO Box 747  
           Safford, Arizona 85548  
 Phone: 928-792-5031  
 Fax: 928-428-8828  
 TDD: 711  
 Email: [recordersoffice@graham.az.gov](mailto:recordersoffice@graham.az.gov)

**Sharie Milheiro**
*[Greenlee County Recorder](#)*

Physical: 253 5th Street  
 Mailing: PO Box 1625  
           Clifton, Arizona 85533  
 Phone: 928-865-2632  
 Fax: 928-865-4417  
 TDD: 711  
 Email: [greenleevotes@greenlee.az.gov](mailto:greenleevotes@greenlee.az.gov)

**Richard Garcia**
*[La Paz County Recorder](#)*

1112 Joshua Avenue, Suite 201  
 Parker, Arizona 85344  
 Phone: 928-669-6136 or 1-888-526-8685  
 Fax: 928-669-5638  
 TDD: 711  
 Email: [recorder@lapazcountyaz.org](mailto:recorder@lapazcountyaz.org)

**Stephen Richer**
*[Maricopa County Recorder](#)*

111 South 3rd Avenue, #103  
 Phoenix, Arizona 85003  
 Phone: 602-506-1511  
 Fax: 602-506-5112  
 TDD: 711  
 Email: [voterinfo@risc.maricopa.gov](mailto:voterinfo@risc.maricopa.gov)

**Lydia Durst**
*[Mohave County Recorder](#)*

Physical: 700 West Beale Street (zip: 86401)  
 Mailing: PO Box 7000  
           Kingman, Arizona 86402  
 Phone: 928-753-0767  
 Fax: 928-718-4917  
 TDD: 711  
 Email: [voterregistration@mohave.gov](mailto:voterregistration@mohave.gov)

**Michael Sample**
*[Navajo County Recorder](#)*

Physical: 100 East Code Talkers Drive/  
           South Hwy 77  
 Mailing: PO Box 668  
           Holbrook, Arizona 86025  
 Phone: 928-524-4194  
 Fax: 928-524-4308  
 TDD: 711  
 Email: [@navajocountyaz.gov](mailto:recorderwebmail@navajocountyaz.gov)

**Gabriella Cázares-Kelly**
*[Pima County Recorder](#)*

Physical: 240 N. Stone Avenue (zip: 85701)  
 Mailing: PO Box 3145  
           Tucson, Arizona 85702-3145  
 Phone: 520-724-4330  
 Fax: 520-623-1785  
 TDD: 711  
 Email: [Voter@recorder.pima.gov](mailto:Voter@recorder.pima.gov)

**Dana Lewis**
*[Pinal County Recorder](#)*

Physical: 31 North Pinal Street, Bldg. E  
 Mailing: P.O. Box 848  
           Florence, Arizona 85132  
 Phone: 520-866-6830  
 Fax: 520-866-6831  
 TDD: 711  
 Email: [recorder@pinal.gov](mailto:recorder@pinal.gov)

**Ana “Anita” Moreno**
*[Santa Cruz County Recorder](#)*

2150 North Congress Drive, Suite 101  
 Nogales, Arizona 85621  
 Phone: 520-375-7990  
 Fax: 520-375-7996  
 TDD: 711  
 Email: [voter@santacruzcountyaz.gov](mailto:voter@santacruzcountyaz.gov)

**Michelle M. Burchill**
*[Yavapai County Recorder](#)*

1015 Fair Street, Room #228  
 Prescott, Arizona 86305  
 Phone: 928-771-3248  
 Fax: 928-771-3446  
 TDD: 711  
 Email: [voter.registration@yavapaiaz.gov](mailto:voter.registration@yavapaiaz.gov)

**Richard A. Colwell**
*[Yuma County Recorder](#)*

197 S. Main Street  
 Yuma, Arizona 85364  
 Phone: 928-373-6034  
 Fax: 928-373-6024  
 TDD: 711  
 Email: [richard.colwell@yumacountyaz.gov](mailto:richard.colwell@yumacountyaz.gov)

# ARIZONA COUNTY ELECTIONS DIRECTORS

## Rita Vaughan

### Apache County Elections Director

Physical: 75 West Cleveland Street  
 Mailing: PO Box 428  
     St. Johns, Arizona 85936  
 Phone: 928-337-7537  
 Fax: 928-337-7538  
 TDD: 711  
 Email: [rvaughan@apachecountyaz.gov](mailto:rvaughan@apachecountyaz.gov)

## Marisol "Marty" Renteria

### Cochise County Interim Elections Director

1415 Melody Lane, Bldg. E  
 Bisbee, Arizona 85603  
 Phone: 520-432-8970  
 Fax: 520-432-8995  
 Email: [mrenteria@cochise.az.gov](mailto:mrenteria@cochise.az.gov)

## Eslir Musta

### Coconino County Elections Director

1300 W. University Ave, Suite 180  
 Flagstaff, Arizona 86001  
 Phone: 928-679-8603  
 Fax: 928-679-7851  
 TDD: 711  
 Email: [emusta@coconino.az.gov](mailto:emusta@coconino.az.gov)

## Eric A. Mariscal

### Gila County Elections Director

5515 South Apache Avenue, Suite 900  
 Globe, Arizona 85501  
 Phone: 928-402-8709  
 Fax: 928-402-4319  
 TDD: 711  
 Email: [emariscal@gilacountyaz.gov](mailto:emariscal@gilacountyaz.gov)

## Hannah Duderstadt

### Graham County Elections Director

921 W. Thatcher Boulevard  
 Safford, Arizona 85546  
 Phone: 928-792-5037  
 Fax: 928-428-5951  
 TDD: 711  
 Email: [hduderstadt@graham.az.gov](mailto:hduderstadt@graham.az.gov)

## Bianca Castañeda

### Greenlee County Elections Director

Physical: 253 5th Street  
 Mailing: PO Box 908  
     Clifton, Arizona 85533  
 Phone: 928-865-2072  
 Fax: 928-865-4417  
 TDD: 711  
 Email: [bcastaneda@greenlee.az.gov](mailto:bcastaneda@greenlee.az.gov)

## Bob Bartelsmeyer

### La Paz County Elections Director

1108 S. Joshua Avenue  
 Parker, Arizona 85344  
 Phone: 928-669-6149 ext. 1200  
 Fax: 928-669-9709  
 TDD: 928-669-8400  
 Email: [bbartelsmeyer@lapazcountyaz.org](mailto:bbartelsmeyer@lapazcountyaz.org)

## Rey Valenzuela, Mail-In Voting

### Maricopa County Elections Director

111 South 3rd Avenue, #102  
 Phoenix, Arizona 85003  
 Phone: 602-506-1511  
 Fax: 602-506-5112  
 TDD: 711  
 Email: [directors@risc.maricopa.gov](mailto:directors@risc.maricopa.gov)

## Scott Jarrett, Election Day & Emergency Voting

### Maricopa County Elections Director

111 South 3rd Avenue, #102  
 Phoenix, Arizona 85003  
 Phone: 602-506-1511  
 Fax: 602-506-5112  
 TDD: 711  
 Email: [directors@risc.maricopa.gov](mailto:directors@risc.maricopa.gov)

## Allen P. Tempert

### Mohave County Elections Director

Physical: 700 West Beale Street (zip: 86401)  
 Mailing: PO Box 7000  
     Kingman, Arizona 86402  
 Phone: 928-753-0733  
 Fax: 928-718-4956  
 Email: [tempea@mohave.gov](mailto:tempea@mohave.gov)

## Rayleen D. Richards

### Navajo County Elections Director

Physical: 100 East Code Talkers Drive/  
     South Hwy 77  
 Mailing: PO Box 668  
     Holbrook, Arizona 86025  
 Phone: 928-524-4062  
 Fax: 928-524-4048  
 Email: [rayleen.richards@navajocountyaz.gov](mailto:rayleen.richards@navajocountyaz.gov)

## Constance Hargrove

### Pima County Elections Director

6550 South Country Club Road  
 Tucson, Arizona 85756  
 Phone: 520-724-6830  
 Fax: 520-724-6870  
 TDD: 711  
 Email: [constance.hargrove@pima.gov](mailto:constance.hargrove@pima.gov)

## Matt Roberts

### Pinal County Deputy Elections Director

Physical: 320 W Adamsville Rd  
 Mailing: PO Box 1592  
     Florence, Arizona 85132  
 Phone: 520-866-7553  
 Fax: 520-866-7551  
 TDD: 711  
 Email: [PCElections\\_DL@pinal.gov](mailto:PCElections_DL@pinal.gov)

## Alma Schultz

### Santa Cruz County Elections Director

2150 North Congress Drive, Suite 119  
 Nogales, Arizona 85621  
 Phone: 520-375-7808  
 Fax: 520-761-7843  
 TDD: 711  
 Email: [aschultz@santacruzcountyaz.gov](mailto:aschultz@santacruzcountyaz.gov)

## Laurin Custis

### Yavapai County Elections Director

1015 Fair Street, Room 228  
 Prescott, Arizona 86305  
 Phone: 928-771-3248 x8  
 Fax: 928-771-3446  
 TDD: 711  
 Email: [elections@yavapaiaz.gov](mailto:elections@yavapaiaz.gov)

## Kika Guzman

### Yuma County Elections Director

102 South Main Street  
 Yuma, Arizona 85364  
 Phone: 928-373-1019  
 Fax: 928-373-6024  
 Email: [kika.guzman@yumacountyaz.gov](mailto:kika.guzman@yumacountyaz.gov)

# 2024 JPR Voter Guide



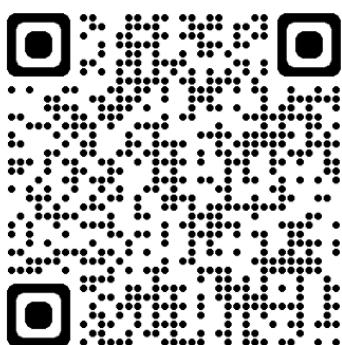
**JPR**  
ARIZONA COMMISSION ON  
JUDICIAL PERFORMANCE REVIEW  
**Finish the ballot.**



## TABLE OF CONTENTS

Who Judges the Judges .....	<a href="#">PAGE 17</a>
Appellate Court Judges .....	<a href="#">PAGE 18</a>
Coconino County Superior Court Judges .....	<a href="#">PAGE 20</a>
Pinal County Superior Court Judges .....	<a href="#">PAGE 22</a>
Pima County Superior Court Judges .....	<a href="#">PAGE 24</a>
Maricopa County Superior Court Judges .....	<a href="#">PAGE 27</a>
Voter Checklist .....	<a href="#">PAGE 33</a>

Scan for JPR Commission's website.



<https://azjudges.info>

# WHO JUDGES? THE JUDGES?

**YOU DO! WE CAN HELP.**



## Voters! Finish the Ballot!

Use the following summary and report by the Commission on Judicial Performance Review (JPR) to Finish the Ballot! The JPR Commission was created by a voter-approved Constitutional amendment to evaluate judges' performance. The 34-member JPR Commission is comprised of mostly public members, as well as attorneys and judges who represent participating counties and courts. While judges initially are appointed, retention of the judges is determined by election and this report can help you decide whether these judges "meet" or "do not meet" the Judicial Performance Standards. The judges appearing on your ballot depend on your county and the court on which the judge serves. By using this report to finish your ballot, you will help ensure Arizona's strong and impartial judiciary!

## Some Arizona judges are appointed through Merit Selection and rated by the JPR Commission.

### Merit Selection and Retention

In 1974, Arizona voters decided that for Arizona's Supreme Court, Courts of Appeal, and Superior Courts in counties with populations over 250,000, or by vote determined by qualified electors of counties with a population of less than 250,000, judges would be appointed by the Governor from a list of qualified candidates. The Arizona Constitution directs commissions to nominate candidates based primarily on their merit, with consideration given to the diversity of Arizona's population. Arizona voters then periodically vote whether to retain these judges as their terms expire. This system is known as Merit Selection and Retention. Currently, judges in Coconino, Pima, Pinal, and Maricopa Counties are part of the Merit Selection and Retention system.



### Judicial Performance Standards

The JPR Commission evaluates judicial performance according to the following standards:

- Command of relevant substantive law and procedural rules;
- Impartiality;
- Clarity of oral and written communications;
- Judicial temperament and professionalism upholding public confidence in the legal system and demonstrating appropriate respect for everyone; and
- Possession of the administrative and management skills and work ethic necessary to be productive and efficient.

### Public Input Throughout the Process

This year, as every election year, the JPR Commission sought public input from citizens who have had direct experience with judges. Surveys are created to evaluate judges and are distributed to attorneys, jurors, litigants, witnesses, and staff to provide feedback to the Commission. The JPR Commission held public hearings open to anyone wishing to speak about the judges up for retention this year and accepts signed, written comments about merit-appointed judges at any time. The JPR Commission considers all the above information when making its recommendation to the voters.

### Judicial Performance Review Voter Checklist

For your convenience, a JPR Voter Checklist has been provided at the end of this section to assist you when voting on the judges and justices standing for retention. After reviewing a judge's information, you can indicate how you would like to vote for each judge by marking "Yes" or "No" next to the judge's name, tearing off the checklist from this pamphlet, and referring to the checklist to **Finish Your Ballot!**

For more detailed information, visit: <https://azjudges.info> or email [jpr@courts.az.gov](mailto:jpr@courts.az.gov).

**JUDGES • SUMMARY • APPELLATE COURTS**

For more detailed information, visit: <https://azjudges.info>

**About This Data**

The Judicial Performance Review Commission considers and votes on whether a judge “MEETS” or “DOES NOT MEET” Judicial Performance Standards based on survey information as well as all other information submitted by the public or the judge. The results of the Commission votes are recorded below.

**Judicial Performance Standards**

The judge shall demonstrate command of relevant substantive law and procedural rules, impartiality, clarity of oral and written communications, judicial temperament, and professionalism, upholding public confidence in the legal system and demonstrating appropriate respect for everyone. Furthermore, the judge shall have possession of the administrative and management skills and work ethic necessary to be productive and efficient.

**APPELLATE COURT JUSTICES AND JUDGES**

The following judges **DO NOT MEET** Judicial Performance Standards

**NONE**

The following judges **MEET** Judicial Performance Standards

**ARIZONA SUPREME COURT:**

Clint Bolick  
Kathryn Hackett King

**COURT OF APPEALS, DIVISION I:**

Brian Y. Furuya  
Angela K. Paton

**COURT OF APPEALS, DIVISION II:**

Peter J. Eckerstrom  
Christopher Staring

## • APPELLATE COURT JUDGES •

**About This Data**

The Judicial Performance Review Commission considers and votes on whether a judge “MEETS” or “DOES NOT MEET” Judicial Performance Standards based on survey information as well as all other information submitted by the public or the judge. The results of the Commission votes are recorded below.

**For specific information about these judges' performance, visit: <https://azjudges.info>**

<b>BOLICK, CLINT</b> Arizona Supreme Court Justice since: 2016	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>KING, KATHRYN HACKETT</b> Arizona Supreme Court Justice since: 2021	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>FURUYA, BRIAN Y.</b> Court of Appeals, Division I Judge since: 2021	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>PATON, ANGELA K.</b> Court of Appeals, Division I Judge since: 2021	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>ECKERSTROM, PETER J.</b> Court of Appeals, Division II Judge since: 2003	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>STARING, CHRISTOPHER</b> Court of Appeals, Division II Judge since: 2015	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>





For more detailed information, visit: <https://azjudges.info>

### About This Data

The Judicial Performance Review Commission considers and votes on whether a judge “MEETS” or “DOES NOT MEET” Judicial Performance Standards based on survey information as well as all other information submitted by the public or the judge. The results of the Commission votes are recorded below.

### Judicial Performance Standards

The judge shall demonstrate command of relevant substantive law and procedural rules, impartiality, clarity of oral and written communications, judicial temperament, and professionalism, upholding public confidence in the legal system and demonstrating appropriate respect for everyone. Furthermore, the judge shall have possession of the administrative and management skills and work ethic necessary to be productive and efficient.

### COCONINO COUNTY SUPERIOR COURT JUDGES

The following judges **DO NOT MEET** Judicial Performance Standards

**NONE**

The following judge **MEETS** Judicial Performance Standards

Stacy L. Krueger

## • COCONINO COUNTY SUPERIOR COURT JUDGES •

**About This Data**

The Judicial Performance Review Commission considers and votes on whether a judge “MEETS” or “DOES NOT MEET” Judicial Performance Standards based on survey information as well as all other information submitted by the public or the judge. The results of the Commission votes are recorded below.

**For specific information about this judge's performance, visit: <https://azjudges.info>**

<b>KRUEGER, STACY L.</b> Coconino County Superior Court Judge since: 2021	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
---	--



JUDICIAL PERFORMANCE REVIEW



For more detailed information, visit: <https://azjudges.info>

### About This Data

The Judicial Performance Review Commission considers and votes on whether a judge “MEETS” or “DOES NOT MEET” Judicial Performance Standards based on survey information as well as all other information submitted by the public or the judge. The results of the Commission votes are recorded below.

### Judicial Performance Standards

The judge shall demonstrate command of relevant substantive law and procedural rules, impartiality, clarity of oral and written communications, judicial temperament, and professionalism, upholding public confidence in the legal system and demonstrating appropriate respect for everyone. Furthermore, the judge shall have possession of the administrative and management skills and work ethic necessary to be productive and efficient.

### PINAL COUNTY SUPERIOR COURT JUDGES

The following judges **DO NOT MEET** Judicial Performance Standards

**NONE**

The following judges **MEET** Judicial Performance Standards

Patrick K. Gard  
Joseph R. Georgini  
Jason Holmberg  
Robert Carter Olson

## • PINAL COUNTY SUPERIOR COURT JUDGES •

**About This Data**

The Judicial Performance Review Commission considers and votes on whether a judge “MEETS” or “DOES NOT MEET” Judicial Performance Standards based on survey information as well as all other information submitted by the public or the judge. The results of the Commission votes are recorded below.

For specific information about these judges’ performance, visit: <https://azjudges.info>

<b>GARD, PATRICK K.</b> Pinal County Superior Court Judge since: 2018	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>GEORGINI, JOSEPH R.</b> Pinal County Superior Court Judge since: 2006	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>HOLMBERG, JASON</b> Pinal County Superior Court Judge since: 2013	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>OLSON, ROBERT CARTER</b> Pinal County Superior Court Judge since: 2018	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>





For more detailed information, visit: <https://azjudges.info>

### About This Data

The Judicial Performance Review Commission considers and votes on whether a judge “MEETS” or “DOES NOT MEET” Judicial Performance Standards based on survey information as well as all other information submitted by the public or the judge. The results of the Commission votes are recorded below.

### Judicial Performance Standards

The judge shall demonstrate command of relevant substantive law and procedural rules, impartiality, clarity of oral and written communications, judicial temperament, and professionalism, upholding public confidence in the legal system and demonstrating appropriate respect for everyone. Furthermore, the judge shall have possession of the administrative and management skills and work ethic necessary to be productive and efficient.

### PIMA COUNTY SUPERIOR COURT JUDGES

The following judges **DO NOT MEET** Judicial Performance Standards

**NONE**

The following judges **MEET** Judicial Performance Standards

Lisa I. Abrams  
Kyle A. Bryson  
Michael J. Butler  
Gary J. Cohen  
Danielle J. K. Constant  
Richard Gordon  
Brenden J. Griffin  
Kellie L. Johnson  
Kenneth Lee  
Scott D. McDonald  
Casey McGinley  
D. Douglas Metcalf  
Kimberly A. Harris Ortiz  
D. Greg Sakall  
Joan Wagener  
Wayne E. Yehling

## • PIMA COUNTY SUPERIOR COURT JUDGES •

**About This Data**

The Judicial Performance Review Commission considers and votes on whether a judge “MEETS” or “DOES NOT MEET” Judicial Performance Standards based on survey information as well as all other information submitted by the public or the judge. The results of the Commission votes are recorded below.

**For specific information about these judges' performance, visit: <https://azjudges.info>**

<b><u>ABRAMS, LISA I.</u></b> Pima County Superior Court Judge since: 2021	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b><u>BRYSON, KYLE A.</u></b> Pima County Superior Court Judge since: 2010	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b><u>BUTLER, MICHAEL J.</u></b> Pima County Superior Court Judge since: 2013	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b><u>COHEN, GARY J.</u></b> Pima County Superior Court Judge since: 2021	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b><u>CONSTANT, DANIELLE J. K.</u></b> Pima County Superior Court Judge since: 2022	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b><u>GORDON, RICHARD</u></b> Pima County Superior Court Judge since: 2009	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b><u>GRIFFIN, BRENDEN J.</u></b> Pima County Superior Court Judge since: 2013	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b><u>JOHNSON, KELLIE L.</u></b> Pima County Superior Court Judge since: 2017	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b><u>LEE, KENNETH</u></b> Pima County Superior Court Judge since: 1997	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>





## • PIMA COUNTY SUPERIOR COURT JUDGES •

**About This Data**

The Judicial Performance Review Commission considers and votes on whether a judge “MEETS” or “DOES NOT MEET” Judicial Performance Standards based on survey information as well as all other information submitted by the public or the judge. The results of the Commission votes are recorded below.

**For specific information about these judges' performance, visit: <https://azjudges.info>**

<b>MCDONALD, SCOTT D.</b> Pima County Superior Court Judge since: 2018	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>MCGINLEY, CASEY</b> Pima County Superior Court Judge since: 2018	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>METCALF, D. DOUGLAS</b> Pima County Superior Court Judge since: 2013	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>ORTIZ, KIMBERLY A. HARRIS</b> Pima County Superior Court Judge since: 2021	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>SAKALL, D. GREG</b> Pima County Superior Court Judge since: 2017	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>WAGENER, JOAN</b> Pima County Superior Court Judge since: 2014	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>YEHLING, WAYNE E.</b> Pima County Superior Court Judge since: 2017	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>

**JUDGES • SUMMARY • MARICOPA COUNTY SUPERIOR COURT**

For more detailed information, visit: <https://azjudges.info>

**About This Data**

The Judicial Performance Review Commission considers and votes on whether a judge “MEETS” or “DOES NOT MEET” Judicial Performance Standards based on survey information as well as all other information submitted by the public or the judge. The results of the Commission votes are recorded below.

**Judicial Performance Standards**

The judge shall demonstrate command of relevant substantive law and procedural rules, impartiality, clarity of oral and written communications, judicial temperament, and professionalism, upholding public confidence in the legal system and demonstrating appropriate respect for everyone. Furthermore, the judge shall have possession of the administrative and management skills and work ethic necessary to be productive and efficient.

**MARICOPA COUNTY SUPERIOR COURT JUDGES**

The following judges **DO NOT MEET** Judicial Performance Standards

**NONE**

The following judges **MEET** Judicial Performance Standards

Jay R. Adleman	Margaret B. LaBianca
Sara Agne	Todd Lang
Glenn A. Allen	Michael S. Mandell
Stasy D. Avelar	Suzanne S. Marwil
Justin Beresky	M. Scott McCoy
Scott A. Blaney	David E. McDowell
Lori H. Bustamante	Joseph P. Mikitish
Rodrick J. Coffey	Keith J. Miller
Suzanne E. Cohen	Scott Minder
Christopher A. Coury	David J. Palmer
Quintin Cushner	Amanda Moncayo Parker
Jim Drake	Adele Ponce
Adam D. Driggs	Andrew J. Russell
Ronda R. Fisk	Timothy J. Ryan
David W. Garbarino	Patricia A. Starr
Pamela Gates	Peter A. Thompson
Michael D. Gordon	Michael F. Valenzuela
Ashley V. Halvorson	Lisa A. VandenBerg
John R. Hannah Jr.	Lisa S. Wahlin
Michael W. Kemp	Kevin Wein
James Knapp	Christopher T. Whitten





## • MARICOPA COUNTY SUPERIOR COURT JUDGES •

**About This Data**

The Judicial Performance Review Commission considers and votes on whether a judge “MEETS” or “DOES NOT MEET” Judicial Performance Standards based on survey information as well as all other information submitted by the public or the judge. The results of the Commission votes are recorded below.

**For specific information about these judges' performance, visit: <https://azjudges.info>**

<b><u>ADLEMAN, JAY R.</u></b> Maricopa County Superior Court Judge since: 2013	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b><u>AGNE, SARA</u></b> Maricopa County Superior Court Judge since: 2018	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b><u>ALLEN, GLENN A.</u></b> Maricopa County Superior Court Judge since: 2021	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b><u>AVELAR, STASY D.</u></b> Maricopa County Superior Court Judge since: 2021	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b><u>BERESKY, JUSTIN</u></b> Maricopa County Superior Court Judge since: 2018	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b><u>BLANEY, SCOTT A.</u></b> Maricopa County Superior Court Judge since: 2018	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b><u>BUSTAMANTE, LORI H.</u></b> Maricopa County Superior Court Judge since: 2014	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b><u>COFFEY, RODRICK J.</u></b> Maricopa County Superior Court Judge since: 2013	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b><u>COHEN, SUZANNE E.</u></b> Maricopa County Superior Court Judge since: 2013	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>

## • MARICOPA COUNTY SUPERIOR COURT JUDGES •

**About This Data**

The Judicial Performance Review Commission considers and votes on whether a judge “MEETS” or “DOES NOT MEET” Judicial Performance Standards based on survey information as well as all other information submitted by the public or the judge. The results of the Commission votes are recorded below.

**For specific information about these judges' performance, visit: <https://azjudges.info>**

<b>COURY, CHRISTOPHER A.</b> Maricopa County Superior Court Judge since: 2010	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>CUSHNER, QUINTIN</b> Maricopa County Superior Court Judge since: 2022	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>DRAKE, JIM</b> Maricopa County Superior Court Judge since: 2021	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>DRIGGS, ADAM D.</b> Maricopa County Superior Court Judge since: 2017	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>FISK, RONDA R.</b> Maricopa County Superior Court Judge since: 2017	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>GARBARINO, DAVID W.</b> Maricopa County Superior Court Judge since: 2021	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>GATES, PAMELA</b> Maricopa County Superior Court Judge since: 2009	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>GORDON, MICHAEL D.</b> Maricopa County Superior Court Judge since: 2005	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>HALVORSON, ASHLEY V.</b> Maricopa County Superior Court Judge since: 2021	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>





## • MARICOPA COUNTY SUPERIOR COURT JUDGES •

**About This Data**

The Judicial Performance Review Commission considers and votes on whether a judge “MEETS” or “DOES NOT MEET” Judicial Performance Standards based on survey information as well as all other information submitted by the public or the judge. The results of the Commission votes are recorded below.

**For specific information about these judges' performance, visit: <https://azjudges.info>**

<b>HANNAH JR., JOHN R.</b> Maricopa County Superior Court Judge since: 2005	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>KEMP, MICHAEL W.</b> Maricopa County Superior Court Judge since: 2005	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>KNAPP, JAMES</b> Maricopa County Superior Court Judge since: 2022	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>LABIANCA, MARGARET B.</b> Maricopa County Superior Court Judge since: 2018	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>LANG, TODD</b> Maricopa County Superior Court Judge since: 2016	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>MANDELL, MICHAEL S.</b> Maricopa County Superior Court Judge since: 2017	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>MARWIL, SUZANNE S.</b> Maricopa County Superior Court Judge since: 2018	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>MCCOY, M. SCOTT</b> Maricopa County Superior Court Judge since: 2009	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>MCDOWELL, DAVID E.</b> Maricopa County Superior Court Judge since: 2021	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>

## • MARICOPA COUNTY SUPERIOR COURT JUDGES •

**About This Data**

The Judicial Performance Review Commission considers and votes on whether a judge “MEETS” or “DOES NOT MEET” Judicial Performance Standards based on survey information as well as all other information submitted by the public or the judge. The results of the Commission votes are recorded below.

**For specific information about these judges' performance, visit: <https://azjudges.info>**

<b>MIKITISH, JOSEPH P.</b> Maricopa County Superior Court Judge since: 2013	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>MILLER, KEITH J.</b> Maricopa County Superior Court Judge since: 2021	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>MINDER, SCOTT</b> Maricopa County Superior Court Judge since: 2017	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>PALMER, DAVID J.</b> Maricopa County Superior Court Judge since: 2009	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>PARKER, AMANDA MONCAYO</b> Maricopa County Superior Court Judge since: 2022	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>PONCE, ADELE</b> Maricopa County Superior Court Judge since: 2018	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>RUSSELL, ANDREW J.</b> Maricopa County Superior Court Judge since: 2021	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>RYAN, TIMOTHY J.</b> Maricopa County Superior Court Judge since: 2005	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>STARR, PATRICIA A.</b> Maricopa County Superior Court Judge since: 2014	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>



## • MARICOPA COUNTY SUPERIOR COURT JUDGES •

**About This Data**

The Judicial Performance Review Commission considers and votes on whether a judge “MEETS” or “DOES NOT MEET” Judicial Performance Standards based on survey information as well as all other information submitted by the public or the judge. The results of the Commission votes are recorded below.

For specific information about these judges’ performance, visit: <https://azjudges.info>

<b>THOMPSON, PETER A.</b> Maricopa County Superior Court Judge since: 2010	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>VALENZUELA, MICHAEL F.</b> Maricopa County Superior Court Judge since: 2022	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>VANDENBERG, LISA A.</b> Maricopa County Superior Court Judge since: 2018	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>WAHLIN, LISA S.</b> Maricopa County Superior Court Judge since: 2021	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>WEIN, KEVIN</b> Maricopa County Superior Court Judge since: 2018	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>
<b>WHITTEN, CHRISTOPHER T.</b> Maricopa County Superior Court Judge since: 2006	JUDICIAL PERFORMANCE COMMISSION VOTE: <b>MEETS JUDICIAL STANDARDS</b>

**JUDICIAL PERFORMANCE REVIEW VOTER CHECKLIST**For more detailed information, visit: <https://azjudges.info>

Finish the ballot.

These pages are provided to assist you when voting on the judges and justices standing for retention.  
Remove the checklists from your pamphlet, mark your vote, and take the checklists with you when voting.

<b>ARIZONA SUPREME COURT</b> <b>(All Voters)</b>	
Clint Bolick	Yes _____ No _____
Kathryn Hackett King	Yes _____ No _____

<b>COURT OF APPEALS, DIVISION I</b> <b>(Maricopa County Voters)</b>	
Angela K. Paton	Yes _____ No _____
<b>COURT OF APPEALS, DIVISION I</b> <b>(Apache, Coconino, La Paz, Mohave, Navajo, Yavapai &amp; Yuma County Voters)</b>	
Brian Y. Furuya	Yes _____ No _____

<b>COURT OF APPEALS, DIVISION II</b> <b>(Pima County Voters)</b>	
Peter J. Eckerstrom	Yes _____ No _____
Christopher Staring	Yes _____ No _____

<b>COCONINO COUNTY SUPERIOR COURT</b> <b>(Coconino County Voters)</b>	
Stacy L. Krueger	Yes _____ No _____

<b>PINAL COUNTY SUPERIOR COURT</b> <b>(Pinal County Voters)</b>	
Patrick K. Gard	Yes _____ No _____
Joseph R. Georgini	Yes _____ No _____
Jason Holmberg	Yes _____ No _____
Robert Carter Olson	Yes _____ No _____

<b>PIMA COUNTY SUPERIOR COURT</b> <b>(Pima County Voters)</b>	
Lisa I. Abrams	Yes _____ No _____
Kyle A. Bryson	Yes _____ No _____
Michael J. Butler	Yes _____ No _____
Gary J. Cohen	Yes _____ No _____
Danielle J. K. Constant	Yes _____ No _____
Richard Gordon	Yes _____ No _____
Brenden J. Griffin	Yes _____ No _____
Kellie L. Johnson	Yes _____ No _____
Kenneth Lee	Yes _____ No _____
Scott D. McDonald	Yes _____ No _____
Casey McGinley	Yes _____ No _____
D. Douglas Metcalf	Yes _____ No _____
Kimberly A. Harris Ortiz	Yes _____ No _____
D. Greg Sakall	Yes _____ No _____
Joan Wagener	Yes _____ No _____
Wayne E. Yehling	Yes _____ No _____



VOTER CHECKLIST





## JUDICIAL PERFORMANCE REVIEW VOTER CHECKLIST

For more detailed information, visit: <https://azjudges.info>

These pages are provided to assist you when voting on the judges and justices standing for retention.  
Remove the checklists from your pamphlet, mark your vote, and take the checklists with you when voting.

MARICOPA COUNTY SUPERIOR COURT (Maricopa County Voters)					
Jay R. Adleman	Yes _____	No _____	Margaret B. LaBianca	Yes _____	No _____
Sara Agne	Yes _____	No _____	Todd Lang	Yes _____	No _____
Glenn A. Allen	Yes _____	No _____	Michael S. Mandell	Yes _____	No _____
Stasy D. Avelar	Yes _____	No _____	Suzanne S. Marwil	Yes _____	No _____
Justin Beresky	Yes _____	No _____	M. Scott McCoy	Yes _____	No _____
Scott A. Blaney	Yes _____	No _____	David E. McDowell	Yes _____	No _____
Lori H. Bustamante	Yes _____	No _____	Joseph P. Mikitish	Yes _____	No _____
Rodrick J. Coffey	Yes _____	No _____	Keith J. Miller	Yes _____	No _____
Suzanne E. Cohen	Yes _____	No _____	Scott Minder	Yes _____	No _____
Christopher A. Coury	Yes _____	No _____	David J. Palmer	Yes _____	No _____
Quintin Cushner	Yes _____	No _____	Amanda Moncayo Parker	Yes _____	No _____
Jim Drake	Yes _____	No _____	Adele Ponce	Yes _____	No _____
Adam D. Driggs	Yes _____	No _____	Andrew J. Russell	Yes _____	No _____
Ronda R. Fisk	Yes _____	No _____	Timothy J. Ryan	Yes _____	No _____
David W. Garbarino	Yes _____	No _____	Patricia A. Starr	Yes _____	No _____
Pamela Gates	Yes _____	No _____	Peter A. Thompson	Yes _____	No _____
Michael D. Gordon	Yes _____	No _____	Michael F. Valenzuela	Yes _____	No _____
Ashley V. Halvorson	Yes _____	No _____	Lisa A. Vandenberg	Yes _____	No _____
John R. Hannah Jr.	Yes _____	No _____	Lisa S. Wahlin	Yes _____	No _____
Michael W. Kemp	Yes _____	No _____	Kevin Wein	Yes _____	No _____
James Knapp	Yes _____	No _____	Christopher T. Whitten	Yes _____	No _____



# A GUIDE TO ARIZONA BALLOT MEASURES

## Initiative and Referendum Measures

Arizona's Constitution puts legislative power not only in the House of Representatives and Senate, but in the people themselves.

### INITIATIVE

An initiative is the method by which voters may propose new laws or amend existing laws by gathering signatures from registered voters to place the issue on the ballot. If the person or organization submits enough valid signatures, the proposed statute or constitutional amendment will be placed on the next General Election ballot: a "yes" vote enacts the new law or amendment, whereas a "no" vote retains existing law.

### REFERENDUM

In contrast, a referendum is the method by which voters may veto a law (or part of a law) by gathering signatures from registered voters to place the issue on the ballot. If the person or organization submits enough valid signatures, the bill will be placed on the next General Election ballot: a "yes" vote allows the law to go into effect, whereas a "no" vote essentially constitutes a citizen veto and prevents the bill from going into effect. The Arizona Legislature may also propose or amend laws or the Arizona Constitution by directly referring a measure to the General Election ballot for voters' consideration.

## DISCLAIMER

Due to ongoing legal challenges to one or more propositions published in this pamphlet, there may be changes in what appears on the General Election ballot. Please review your ballot carefully before voting.

For more information, visit the Secretary of State's Website, [www.azsos.gov](http://www.azsos.gov); or call 1-877-THE VOTE (1-877-843-8683) closer to Election Day.

## NUMBERING OF BALLOT MEASURES

State law requires that ballot measures be numbered according to four criteria:

### 100 SERIES

Constitutional amendments, whether initiated by the people or referred by the Legislature, are numbered in the 100s.

### 200 SERIES

Citizen initiatives to create new laws or amend current laws (statutes) are numbered in the 200s.

### 300 SERIES

Legislative referrals to create new laws or amend current laws (statutes) are numbered in the 300s.

### 400 SERIES

Local ballot measures are numbered in the 400s.



# 133 PROPOSITION



## HOUSE CONCURRENT RESOLUTION 2033

### A CONCURRENT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA; AMENDING ARTICLE VII, SECTION 10, CONSTITUTION OF ARIZONA; RELATING TO PRIMARY ELECTIONS.

Be it resolved by the House of Representatives of the State of Arizona, the Senate concurring:

1. Article VII, section 10, Constitution of Arizona, is proposed to be amended as follows if approved by the voters and on proclamation of the Governor:

**10. Direct primary election law**

Section 10. A. The Legislature shall enact a direct primary election law, which shall provide for the nomination of candidates for all elective State, county, and city offices, including candidates for United States Senator and for Representative in Congress, AND WHICH SUPERSEDES ANY CONTRARY OR INCONSISTENT PROVISION OF ANY CHARTER, LAW, ORDINANCE, RULE, RESOLUTION OR POLICY OF ANY CITY.

B. THE DIRECT PRIMARY ELECTION FOR PARTISAN OFFICES SHALL BE CONDUCTED IN A MANNER SO THAT EACH POLITICAL PARTY THAT HAS QUALIFIED FOR REPRESENTATION ON THE BALLOT SHALL BE PERMITTED TO NOMINATE FOR EACH OFFICE A NUMBER OF CANDIDATES EQUAL TO THE NUMBER OF POSITIONS TO BE FILLED FOR THAT OFFICE IN THE ENSUING GENERAL ELECTION, AND ALL OTHERWISE ELIGIBLE CANDIDATES WHO ARE SO NOMINATED SHALL BE PLACED ON THE BALLOT IN THE NEXT ENSUING GENERAL ELECTION.

C. Any person who is registered as no party preference or independent as the party preference or who is registered with a political party that is not qualified for representation on the ballot may vote in the primary election of any one of the political parties that is qualified for the ballot.

2. The Secretary of State shall submit this proposition to the voters at the next general election as provided by article XXI, Constitution of Arizona.

### ANALYSIS BY LEGISLATIVE COUNCIL

The Arizona Constitution currently requires the Legislature to enact a direct primary election law for the nomination of candidates for all elective state, county and city offices, including federal congressional offices. The Arizona Constitution also allows a city or town that has adopted a charter form of government to enact and implement laws for the selection of its governing officers that may conflict with the state election laws.

Proposition 133 would amend the Arizona Constitution to:

1. Require that the direct primary election for any partisan office allow each political party that has qualified for representation on the ballot to nominate the same number of candidates for the office as the number of positions to be filled for that office in the next general election.
2. Require that each eligible candidate who is nominated by a political party that has qualified for representation on the ballot in a direct primary election be placed on the official ballot in the next general election.
3. Provide that the state direct primary election law supersedes any city charter, law, ordinance, rule, resolution or policy that is inconsistent with or contrary to the state direct primary election law.

133

PROPOSITION 133



## ARGUMENTS “FOR” PROPOSITION 133

Prop 133 preserves our existing democratic institution for selecting candidates for the General Election that has existed in Arizona for over a century.

Currently voters have a right to associate with a political party and select their nominee in a primary, and independents currently enjoy a constitutional guarantee to participate in whichever party primary election they choose. Everyone gets an opportunity to vote and choose a candidate they support.

This is how the process should work. Candidates compete in a primary election, trying to convince voters that he or she best represents their party and platform. Then the general election allows for the best representatives of those ideas to compete against one another, and the voters get to choose which candidate best represents their district.

Unfortunately, there are efforts by wealthy special interests to scrap our century-old democratic process and replace it with a new system imported from California that results in candidates from only one political party appearing on the general election ballot. These schemes are confusing, unfair and undemocratic.

Prop 133 ensures more choice by ensuring that every qualified party has a right to place candidates on the general election ballot, so that every voter, in every district, has a voice and may vote for a candidate that best aligns with their beliefs.

**Vote YES on Prop 133!**

**Scot Mussi, President, Arizona Free Enterprise Club, Gilbert**  
*Sponsored by Arizona Free Enterprise Club*

Vote yes on Proposition 133 to require partisan primaries. The proposed constitutional amendment affirms our right to join together based on shared beliefs that certain policies provide the best solutions for various economic and civil issues. Most of us believe that political parties are the best means to persuade local, state, and federal elected officials as well as fellow citizens of the benefits of a particular course of action. That truth is reflected in the fact that over 65% of us are members of a political party in Arizona. Jungle primaries will only dilute the voice of the electorate and result in an indistinct background noise that entrenched politicians will safely ignore. Also, this ballot measure will prohibit county, city, and other political entities from imposing jungle primaries locally. Jungle primaries act to suppress informed voting because localized non-majority party voices can be eliminated prior to the general election when most people are paying attention and might be open to persuasion. Finally, the ballot measure will prevent candidates from running under a partisan party banner they didn't earn by first winning in a partisan primary. Jungle primaries will free candidates from the responsibility to first gain support from party members and like-minded independents before they face off in the general election. Please support Proposition 133 by voting yes.

**Brook Doty, Chairman, LD17 Republicans, Tucson**

Protect Voter Choice. Vote Yes on Proposition 133

Please vote yes on this proposition to protect our present Arizona Primary System. This doesn't limit voter choice; it protects voter choice.

If you prefer a candidate from a different registered party, i.e. the green party, they will be on the primary ballot.

The purpose of a primary is to allow the voters of their party to choose and ensure their candidate/s will be represented on the ballot in the general election. Without this protection not all registered parties, smaller parties, or independent candidates have to be included in the general election.

Presently the Independents don't have their own slate of candidates nor have they formed an official political party. However, in Arizona primaries they are allowed to vote if they choose a party ballot that is an official party. This helps protect against long complex ballots, fraud, and duplicate voting.

Only the winners of an OPEN(non-partisan) primary will be on the general ballot and they might represent just one party. Even independent candidates who don't get enough votes in the primary will NOT be on the general election ballot. This goes against our democracy.

So vote yes on this proposition that allows Independents to vote and protects democracy in our voting system. So candidates from your party, independents, and all parties will be represented in the general election.

Respectfully,  
Gail Derscheid  
Scottsdale, Az

**Dr. Gail Bass Derscheid, self, Scottsdale**

---

Vote YES on the Proposition 133 to Protect Arizona's Partisan Primary Elections. Most Americans just want elections where it is easy to vote, hard to cheat, and easy to trust the election results. This Arizona Legislature referral updates the Arizona Constitution, Article 10, to protect Arizona's semi-open Partisan Primary Elections. However, a few liberal multi-millionaires are funding special interest groups are using alternative ballot initiative to radically change Arizona's current Partisan Primary Elections with radical California-style Jungle Primary elections. In a California-style Jungle Primary, all candidates compete in the same primary election. Candidates are not required to declare party affiliation. Only the top 2 to 5 candidates, with the most votes, will advance to the general election. However, In politically biased California Jungle Primary elections, in approximately 17% of the elections, only candidates from the same political party advance to the general election. This disenfranchises candidates and voters from minority and 3rd party political parties. Arizona voters need to vote YES to protect Arizona Elections from radical Californication. Therefore, I recommend you vote YES on Proposition 133. Joel Strabala, Concerned Arizona Citizen.

**Joel Strabala, Concerned Arizona Citizen, Tucson**

---

A YES vote will protect Arizona's primary elections for all political parties, at both state and local levels, by giving the practice constitutional protection. In a primary election, winners are their party's nominees in the general election. In the general election, the candidate with the most votes for each office wins. The procedure of selecting party nominees by primary elections is simple, and voters are used to it and understand it. The push for California-style Jungle Primaries will lead to candidates from only one party appearing on the general election ballot, depriving many voters of any choice at all. Prop 133 ensures all voters have a choice in the general election, protecting Arizona from one of California's bad ideas. Vote YES!

**Brenda Warneka, Voter, Scottsdale**

---

This proposition protects our current election system in Arizona. The voters select nominees from their parties to run against each other in the general election, thereby guaranteeing a choice for all voters. Even Independent voters can choose a primary in which to vote. Our current system ensures all parties are able to have candidates represented in the general election.  
VOTE YES ON PROP 133

**Nikki Colletti, Glendale**

---

"Please vote "YES" on Prop 133. This proposition would strengthen our current constitutional requirement to hold direct, partisan primaries, and thereby protect the people against the menace of California style jungle primaries.

2/3 of Arizonans identify with a political party and Prop 133 will preserve the majority's preference to have a candidate from their party represented in the general election. Prop 133 maintains choices for Arizona voters and the People's power. Please vote "YES" on Prop 133. Thank you.

Gisela Aaron, Tucson, AZ, LD17, Pct 176"

**Gisela Aaron, Tucson**  
*Sponsored by Arizona Free Enterprise Club*

"Vote YES on Proposition 133!"

Prop 133 preserves our existing election system that has been used and worked since statehood. More than two thirds of voters choose to associate with a political party, and the remaining Independents currently enjoy a constitutional guarantee to participate in whichever party primary election they choose.

Prop 133 encourages voter participation as it maximizes the choices and variety on the general election ballot. Prop 133 ensures that every qualified party has a right to place candidates on the general election ballot, so that every voter, in every district, has a voice and may vote for a candidate that best aligns with their beliefs.

Proposition 133 affords voters the following benefits:

- Continues to allow Independents to vote in the party primary of their choice
- Prevents election schemes that result in candidates from only one political party appearing on the general election ballot
- Ensures all political parties have candidates represented on the general election ballot for every election.

Vote YES on Prop 133!"

**Ken Berger, Mesa**

*Sponsored by Arizona Free Enterprise Club*

Vote YES on Prop 133

Prop 133 is essential for preserving the election system that has served our state since its inception. This measure maintains our current process, where candidates from all parties compete in primary elections, allowing voters to nominate the candidate that best represents their views. The winners then move on to the general election, where they compete against candidates from other parties, ensuring voters can choose the nominee that best represents their district.

Why Vote YES on Prop 133?

- Preserves the Current Primary System: Prop 133 upholds the existing system where candidates compete in primary elections.
- Protects Voter Choice: More than two-thirds of voters associate with a political party, and independents currently enjoy the constitutional right to participate in any party's primary. Prop 133 continues to allow this.
- Prevents One-Party Dominance: Prop 133 ensures that every qualified party can place candidates on the general election ballot, preventing only one party on the ballot.
- Ensures Representation: This measure guarantees that voters in every district can vote for a candidate that aligns with their beliefs.

Our current system allows for a robust and competitive process where the best ideas and candidates can emerge. Other election schemes could lead to general elections with candidates from only one political party, reducing voter choice and representation. Prop 133 prevents this by ensuring all qualified parties have the right to be represented.

Vote YES on Prop 133 to protect our election system

Bullet Points:

- Preserves the current primary system.
- Continues to allow independents to vote in the party primary.
- Prohibits election schemes resulting in candidates from only one political party on the ballot.
- Ensures all political parties can have candidates represented on the general ballot for every election.

**Suzanne Murray, Chandler**

Vote yes to protect our primary election system. Each party has a choice of whom they wish to vote for to represent their beliefs. Independents are given the option of selecting either a Republican or a Democrat ballot. It also ensures that all political parties have eligible candidates on the ballot. Our system of primary elections has worked since statehood. There's no need to change it now. Vote Yes on Prop 133.

**Michal Ann Joyner, Scottsdale**

First, voting 'YES' on Prop 133 would proactively protect Arizona from the horrors of Ranked Choice Voting (RCV), which are known to confuse and ultimately disenfranchise voters. Proponents of RCV want to manipulate election outcomes to gain political power and do not care about what is best for Arizonans. A 'YES' on Prop 133 ensures Arizona doesn't import bad election systems from California and New York!

Secondly, Prop 133 preserves what works in Arizona's elections. Our political parties have distinct values which define and differentiate them. Registered voters choose to identify with these parties and their values and should continue to be afforded the opportunity to elect like-minded candidates to represent them. That is why Arizona's primary system has worked for so long. Domestic tranquility is only fostered with the consent of the governed.

Vote 'YES' on Prop 133 and protect against California-style elections while preserving Arizona's elections!

**Linda Busam, Peoria**

Support Prop 133! We must preserve our existing election system that has been used and worked successfully since statehood. More than two thirds of voters choose to associate with a political party, and Independents currently enjoy a constitutional guarantee to participate in whichever party primary election they choose.

Prop 133 ensures that all qualified political parties have a right to place candidates on the general election ballot, so that every voter, in every district, has a voice and may vote for a candidate that best aligns with their beliefs.

As a transplant from a state that has changed its elections laws to virtually eliminate individual political parties, I have seen the disastrous results. Dissenting voices have been all but silenced and a one-party system dominates.

This must not be allowed in Arizona. Our state was founded on freedom of choice for all citizens. Our laws were established to protect all of us.

Who would choose to change that unless they wanted to control elections?

Vote Yes on Prop 133!

Patricia Moore

**Patricia Moore, Goodyear**  
*Sponsored by Arizona Free Enterprise Club*

---

**VOTE YES ON PROP 133****133**

Prop 133 preserves our existing election system that has been used and worked since statehood in 1912. More than two thirds of voters choose to associate with a political party, and the remaining Independents currently enjoy a constitutional guarantee to participate in whichever party primary election they choose. Independents are not blocked from participating in primary elections in any way.

This is how it works and how it should continue. Candidates compete in a primary election, trying to convince voters that he or she best represents their party and platform. Voters then select the best candidate to continue onto the general election representing their party. All recognized parties have the opportunity to conduct a primary election. In the general election the candidates from different parties compete against one another, and the voters get to choose which candidate best represents their views. All parties have a chance to be on the general election ballot. As it should be!

Other election systems result in general elections with candidates from only one political party on the general election ballot. This is not a fair representation of the voters in Arizona. Prop 133 ensures that every qualified party has a right to place candidates on the general election ballot, so that every voter, in every district, has a voice and may vote for a candidate that best aligns with their beliefs.

**Kristin Baumgartner, Prescott**

Your YES vote on Proposition 133 will sustain the current primary election system that has worked for Arizonans since statehood more than 114 years ago.

The majority of Arizona voters associate themselves with a political party. Our current primary election structure allows voters to nominate the candidate that best represents them and those winners advance to the general election to compete against other candidates. Prop 133 ensures all political parties, even the smaller ones like ‘No Labels’ and ‘Green’, have the ability to place candidates on the general election ballot, so that every voter has a choice and a voice.

The current process GUARANTEES INDEPENDENTS (who make up a 1/3 minority of the state) a vote in the political party primary election by allowing them to request a ballot for their party of choice, and Prop 133 will continue to protect that.

**Vote YES on Prop 133**

**Patricia Phillips, Coconino County, Precinct 79, Committeeman, Parks**

"Vote 'Yes' on Prop 133 to preserve Arizona's Constitutional amendment that protects our existing primary system. Prop 133 ensures that registered voters will continue to be able to vote for candidates of their registered political party. Under this measure, voters who do not identify with a party (independent voters,) are still able to select their preferred party ballot for the primary election. It will, however, ensure that the party affiliation of candidates will be clearly listed on the primary ballot as is currently the case - that's more information for voters - which is always good."

Prop 133 is also necessary to protect against measures being pushed by out-of-state special interests that want to hijack Arizona's primary system for their own political gain. Other states that have adopted these election schemes are stuck with a broken one-party system that deprives voters of choice and transparency.

Please vote YES for Prop 133 to protect Arizona's existing primary system."

**Conrad Tolson, Eloy**  
*Sponsored by Charles Mackey*

Arizona's primary election system plays a crucial role in ensuring democracy works effectively in our state. Currently, it gives voters like you the power to choose candidates who best represent your beliefs and the values of their political party. This means your voice is protected from being drowned out by big money or special interests.

I believe sticking with our current system of partisan primaries helps keep our elections fair and transparent. It prevents outside groups from manipulating the process and ensures that voters can trust the results.

Also, partisan primaries make sure that political parties are strong and united. Candidates must stay true to their party's values and work together to solve our state's problems. If we change to a different system, like Jungle Primaries, it could make things more chaotic. It might lead to confusion and weaken our ability to govern effectively. Our current system respects our rights as voters under the Constitution. It guarantees that every voice counts and that our democracy stays strong and fair.

Arizona's way of holding primary elections is fundamental to our democracy. It protects your right to choose candidates who share your values, keeps elections honest, supports strong political parties, and ensures our government works for all of us. It's about keeping our democracy strong and true to what makes our country great. Please vote YES on HCR2033.

**Andrew Adams, Gilbert Citizen, Gilbert**  
*Sponsored by LD14GOP*

"Voting YES on Prop 133 preserves a fair and inclusive election process, where candidates from all parties compete openly in primaries. This measure upholds voter choice and ensures that independent voters can participate in any party's primary, allowing them to support candidates who best reflect their beliefs."

Prop 133 is designed to prevent the dominance of any single party in our elections. By guaranteeing that every qualified party can field candidates in general elections, it promotes a balanced and competitive political landscape. This is essential for fair representation and robust electoral competition in every district.

Supporting Prop 133 means maintaining the integrity of our current electoral system, which is crucial for a healthy democracy. This proposition safeguards against political monopolies, ensuring that no party can monopolize the ballot. It promotes diversity in political representation, reflecting the varied interests and values of our electorate.

Voting YES on Prop 133 is a proactive step to protect the foundational principles of our election process. It ensures that all voices are heard, and all parties have a fair chance to participate in general elections.

**Key Points:**

- Preserves What Works: Ensures open competition among candidates from all parties in primary elections.
- Includes Independent Voters: Allows independents to vote in any party's primary, broadening voter participation.
- Prevents One-Party Dominance: Prevents any election schemes that could lead to only one party's candidates on the ballot.
- Ensures Representation for All Parties: Guarantees that every qualified party can field candidates in general elections.

"Vote YES on Prop 133 to protect voter choice, prevent political monopolies, and uphold a fair and balanced electoral process. Your support is vital for maintaining the democratic principles that ensure fair representation for all."

**Cynthia McKnight, Mesa**

*Sponsored by Arizona Free Enterprise Club*

---

"Prop 133 safeguards our longstanding election process where candidates from all parties compete in primaries, ensuring voters can nominate those who best reflect their beliefs. This measure defends voter choice by allowing independents to participate in any party's primary. It prevents one-party dominance, ensuring every qualified party can field candidates in general elections. By preserving our current system, Prop 133 guarantees fair representation and robust electoral competition in every district. Support Prop 133 to uphold voter choice, prevent political monopoly, and maintain a fair electoral process for all parties."

Vote YES on Prop 133!"

**Carol Stines, Phoenix**

*Sponsored by Arizona Free Enterprise Club*

---

If you care about equal access to the ballot for all candidates, but especially grassroots candidates, then vote YES on Prop 133.

Arizona has already seen the detrimental effects of the California-style jungle primaries in our big cities like Phoenix. Phoenix already suffers from one-party rule and that's led to massive tax and water increases, a collapse of public safety, uncontrollable homelessness, and crumbling roads and infrastructure.

Jungle primary schemes like what exists in the City of Phoenix causes elections to cost candidates millions of dollars just to be viable. It boxes out grassroots candidates locally supported and encourages corruption with pay-to-play schemes to get elected.

Instead, Prop 133 solves this problem by guaranteeing every party is represented on the ballot with their grassroots-elected candidate.

Independent voters are guaranteed access to vote in the Primary with Prop 133.

- Vote YES on Prop 133 to ban California-style ballot schemes that prevent all Parties from having a candidate on the ballot.
- Vote YES on Prop 133 to ensure Independent voters can vote in the Primary.
- Vote YES on Prop 133 to ensure running for office doesn't cost millions of dollars, corruption is rooted out with pay-for-play schemes not needed to win, and grassroots candidates have a fair shot at winning an election.

Don't just take our word for it. Read the legislative summary yourself: <https://www.azleg.gov/legtext/56leg/1R/summary/S.HCR2033ELEC.DOCX.htm>

**Merissa Hamilton, The ROAR PAC, Phoenix**  
*Sponsored by The ROAR PAC*

---

**Vote Yes on Prop 133**

We need to vote 'yes' on Prop 133 to preserve and protect our election system and preserve and protect our right to nominate and vote for candidates that best represent our values and views. Our existing election system has been tested and has worked since Arizona became a state.

The current long-standing election system allows both voters who associate with a political party and independents to participate in whatever primary election they choose. In the primary, candidates within a party compete against one another and the voters get to choose the candidate that best represents their district. Then in the general election, a candidate from every qualified political party competes against one another so that the voters may choose among the candidates who best represent their values and views.

This system has historically proven itself and ensures that all qualified political parties are represented on the ballot in the general election. Other experimental election schemes can and often result in general elections in which only one political party is on the ballot. As a result, these experimental election systems disenfranchise a large segment of the voting public.

Protecting and preserving the partisan primary election system guarantees that every qualifying political party and voter has a voice and there are options for voters. The more choices we have as voters and the more views represented on the ballot from which to choose is better for all of us. A vote for Prop 133 will guarantee a continuation of more choices and diverse views on the ballot.

Preserve and protect our right to choose and vote Yes for Prop 133 and save our partisan primary election system.

**James Roth, Arizona citizen, Rio Verde**

---

If it's not broken, don't fix it!

Election primaries are established for the members of political parties to select their respective candidates to represent their party in the general election.

Prop 133 will retain the current political competition between parties and avoids confusion which is being proposed by other kinds of voting.

This ensures all voters have diverse candidates choices from different political parties represented on the general election ballot. Other systems lead to candidates from only one political party on the general election ballot (one-party rule). Prop 133 would protect us from those schemes.

Prop 133 is also inclusive because it retains the right of voters who are independent or don't identify with a party to participate in the primary.

133

Vote YES on Prop 133!

Written by:

Bob Pamplin

Wendy Wayne

Ashley Stewart

Clint Stewart

Don Meyer

Carol Winstanley

Peter Anello

Cherie Anello

Delia Athey

David Winstanley

Concerned Citizens of Southeast Mesa and Queen Creek

**Delia Athey, Concerned Citizens of Southeast Mesa and Queen Creek, Queen Creek; Cherie Anello, Concerned Citizens of Southeast Mesa and Queen Creek, Mesa; Peter Anello, Concerned Citizens of Southeast Mesa and Queen Creek, Mesa; Carol Winstanley, Concerned Citizens of Southeast Mesa and Queen Creek, Mesa; David Winstanley, Concerned Citizens of Southeast Mesa and Queen Creek, Mesa; Don Meyer, Concerned Citizens of Southeast Mesa and Queen Creek, Queen Creek; Clint Stewart, Concerned Citizens of Southeast Mesa and Queen Creek, Mesa; Ashley Stewart, Concerned Citizens of Southeast Mesa and Queen Creek, Mesa; Bob Pamplin, Concerned Citizens of Southeast Mesa and Queen Creek, Mesa; and Wendy Wayne, Concerned Citizens of Southeast Mesa and Queen Creek, Mesa**

---

When Arizona became a state, we carefully established a voting system that allows representation for all its citizens. It has proven effective in allowing the power to remain with its citizens. The current system allows people with similar viewpoints to compete in a primary election so voters can select the candidate that best represents their platform.

Independent voters are currently able to request a partisan ballot to vote in primaries. Independent candidates are also able to get on the general ballot by collecting enough signatures. Thus, all parties are represented in the general election with the best representatives of differing ideas for the people to choose between.

As Arizonans, we want our freedom of choice. Primary elections are partisan for a reason. Let's keep it that way.

Vote YES on Prop 133!

**John Hassett, Phoenix**

---

We encourage you to vote YES on Proposition 133. The proposition amends the Constitution of Arizona to enshrine the format of our primary elections for partisan races. It stipulates that voters legally registered with a party preference will only be eligible to vote a ballot for the candidate(s) of that same party in the primary election. As is the law today, legally registered voters who have not declared a party preference will be eligible to choose only one partisan primary ballot to vote for the candidate(s) of their choice. As is the case under current law, each party will be able to nominate for the general election their candidates who prevail in the primary election up to the number of vacancies for each office. Because this law will be a provision of the Constitution of Arizona, future changes to the format of partisan primary elections will not be permitted unless a subsequent amendment to the Constitution is first passed into law. Arizona's active registered voters are comprised roughly of equal numbers of Democrats, Republicans, and Undeclared as to party preference. Registered voters declaring a preference for Green, Libertarian, or No Labels together comprise about 2%. Typically, voters declare a party preference consistent with their values for how they choose to be represented/advocated in their government. As such, primary elections based on party preference serve as a useful guide for voters in choosing their representatives from among all the candidates. Since this new provision of the Constitution of Arizona will enshrine partisan primary elections, it will make it inconvenient for members of one party to make mischief for the other party by voting for "weak horses". It will also

guard against such election schemes as “Jungle Primaries” and “Ranked Choice Voting” where voters registered with a party preference often find themselves disenfranchised.

### **Gregory Sober, Scottsdale and Colleen Sober, Scottsdale**

---

With Arizona boasting five political parties with ballot access, a YES vote on Prop 133 means voters and candidates of all affiliations have equal access to participate in free and fair elections in both the Primary and General Elections.

The opponents of Prop 133 want you to believe that California-stye jungle primaries and ranked voting schemes will provide a better direction for Arizona, but we only have to look to our biggest city, Phoenix, to see not only is that a myth, but it's a bald-faced lie. These voting schemes have led to one-party rule where voters quickly become burdened with crumbling infrastructure, unbearably high taxes, uncontrollable inflation, and priorities completely out of touch with the needs of the residents, like clean parks, safe neighborhoods, and less traffic.

Just look at what's become of Alaska. At great expense, their voters are working overtime to bring partisan primaries back to the ballot to fight the big-money corruption that's overtaken their elections.

Your YES vote on Prop 133 is not just a mark on a ballot; it's a powerful decision. You influence elections directly, meaning candidates with bold ideas who actually believe in and fight for their ideology can win both a Primary and General Election without spending millions in local races.

- Your YES vote on Prop 133 means Independent voters have equal access to the Primary, in which voters belonging to a Party can choose who will best represent them in the General Election.
- With a YES vote on Prop 133, your values will be respected and won't be canceled out on the ballot with convoluted counting schemes. This vote ensures that your voice is heard and your values are protected.

Read the summary for yourself, and you decide: <https://www.azleg.gov/legtext/56leg/1R/summary/S.HCR2033ELEC.DOCX.htm>

**Merissa Hamilton, Chairwoman, EZAZ.org, Phoenix and Thia Hassett, Director, EZAZ.org, Phoenix**  
*Sponsored by EZAZ.org*

---

**133**

# ARGUMENTS “AGAINST” PROPOSITION 133



## Ballot Prop Az Require Partisan Primaries – NO

Another proposition, “Make Elections Fair Arizona,” is on this same ballot. That one proposes a reasonable and necessary amendment to broaden voter options in primary and general elections. That “Make Elections Fair” proposition came from the voters of Arizona as a citizen-proposed ballot initiative. However, this proposition to “Require Partisan Primaries” was inserted by the AZ legislature as, I suspect, an attempt to confuse and obscure a grassroots effort to improve Arizona elections.

You can read much more about the “Make Elections Fair” measure elsewhere in this pamphlet.

For now, what you should know about this “Require Partisan Primaries” prop is that, if it is passed, this constitutional amendment will supersede any conflicting local laws.

- >> This would prevent the use of open primaries for partisan offices (Statewide, County, Legislative, Federal)
- >> It could force cities to change their election practices
- >> It could conflict with charter city election sovereignty
- >> Even schoolboard elections may be forced to be partisan elections

Vote NO to tamp down the extreme partisanship that we're being subjected to daily.

Vote NO to tell the Arizona Legislature to keep smoke screen propositions like this one off future ballots.

Vote NO

## Clive “Bob” Sommer, Co-Owner, Changing Hands Bookstore, Tempe

### Protect Voter Choice: Vote NO on Prop 133

Arizonans, it's important to vote 'No' on Proposition 133. This proposal might sound like it's about simplifying elections, but it will actually make things harder for a lot of voters.

If you pass Proposition 133, primary elections would be strictly partisan, meaning that you'd only be able to vote for candidates in your own party during primary elections.

That means if you don't strongly identify with a party or if you like a candidate from a different party, you're out of luck.

It's not fair to limit our choices like that.

Beyond limiting voter choice, this constitutional amendment will stifle diversity of thought and innovation in our political system. By forcing candidates to stick to party lines, we miss out on hearing a range of perspectives and fresh ideas.

Our democracy thrives when we have a mix of voices at the table, not when we shut out those who don't fit neatly into one party or another. Plus, this amendment could make it even harder for independent candidates and smaller parties to get a fair shot. That's not what democracy is about. We should be making it easier for everyone to take part in elections, not shutting doors.

Since it's a constitutional amendment it would likely lock in a restrictive system that stifles innovation & choice forever.

Vote ‘No’ on Proposition 133 to stand up for fairness, openness, and inclusivity in our electoral process.

Every Arizonan deserves a voice, regardless of party affiliation. Let's keep our elections accessible to all by voting NO on Prop 133.

## Will Humble, Executive Director, Arizona Public Health Association, Phoenix

The partisan primary elections initiative is unfair to independents and gives the state government too much power. Taxpayer money should be spent on initiatives that benefit everyone, not just political parties. This initiative uses taxpayer money to support specific political parties, which isn't fair. Independent voters deserve an equal chance to participate in elections. People who choose not to belong to a political party should not have less of a voice. The government should not have excessive control over who can vote and how our money is spent on elections. Vote NO on Prop 133.

**Blake Sacha, President, Voter Choice Arizona, Gilbert**

Prop. 133 is about protecting the most extreme, partisan members of the legislature. They and their supporters don't want to face real competition in primary elections, so they're asking voters to insulate extreme legislators through this ballot measure. How? Through closed primaries in which only registered party members vote. They know those primaries attract the most extreme partisan voters rather than voters concerned about everyday government operations or problem-solving. And considering that one-third of Arizona voters are independent, the closed primary system impedes a large percentage of Arizonans from voting in primaries. Close your eyes and think of the most extreme voices you hear coming from our Capitol. You know those voices clamoring about conspiracies, targeting others, and perpetually fundraising instead of governing. Prop. 133 is designed to protect them. Please vote against it.

**James Smith, Concerned Citizen, Self, Phoenix**

I will vote NO on Proposition 133 and I encourage other Arizonans to do the same. This Amendment would lock in a system that is already systematically failing Arizonans. Partisan primaries incentivize candidates to appeal to the extreme ends of their party, mobilizing individuals who do not represent the majority of rank-and-file party members. They also systematically disenfranchise independent voters, who are now the single largest voting bloc in Arizona. Over half of Arizona elections are already de facto decided in the primaries; why would we seek to further reinforce that disparity? Vote NO on this naked power grab by the parties, and instead support the Make Elections Fair ballot initiative.

**Raymond Kimball, Volunteer, Veterans for All Voters, Gilbert**

Proposition 133 is intended to nullify key provisions of the proposed “Make Elections Fair Arizona” Initiative. Proposition 133 limits choice. It is a cynical attempt by the major parties to maintain the status quo which benefits the parties at the expense of voters. Republicans and Democrats want their control of our primary elections to continue. The current process discriminates against Independents that make up about one-third of all registered voters. All voters, including Independents pay to hold our elections, but Independent candidates don’t even appear on a primary ballot.

This Republican sponsored Proposition reflects a profound disrespect and lack of trust in Arizona voters. The extreme partisanship on display at the Arizona legislature may play well on social media, but it does nothing to address the real problems facing Arizonans. If you want more choice, and the opportunity to elect leaders who care more about addressing the problems facing Arizonans than appeasing their party bosses, vote NO on Proposition 133.

Arizona Independent Voter's Network

**Perri Benemelis, Editor, Arizona Independent Voter's Network, Mesa**

As a citizen of Arizona, a voter just like you, I urge you to vote NO on Proposition 133. Prop 133 is a legislative referral that seeks to cement the status quo regarding elections into our state constitution. Voting NO on this proposition will have no impact on the current electoral system. A NO vote simply allows us to keep our options open to address problems and improve the system in the future. Many of us are not happy with the way elections are being run in the state of Arizona. But this initiative will make it very hard for us to change or reform the way we hold elections. Unsurprisingly, our state legislators do not want voting reform, given they've figured out how to win within the system. But we're not winning. We need the chance for reform. Let's not shoot ourselves in the foot by voting to eliminate even the possibility of improving our election procedures.

**Sally Lee, Private Citizen, Tucson**

Spelling, grammar and punctuation were reproduced as submitted in the “for” and “against” arguments.

RepresentUS is a nonpartisan nonprofit advocating on behalf of voters. We have a very simple litmus test for issues that we support or oppose. "Does this measure make it easier or harder for regular people to have a say in their government?" Prop 133 clearly makes it HARDER for regular voters to have a say in their government. It does this in several ways.

- First, this measure would lock into our Constitution a requirement that taxpayers fund partisan elections. If taxpayers pay for it, all voters should be able to participate.
- Second, the measure gives tremendous power to political parties when most of Arizona's voters are Independent.
- The measure would even ban millions of voters from participating in primary elections of their choice. When most seats are solidly Republican or Democrat, the primary is where the real competition is and all voters should be able to participate.

Prop 133 makes it harder for regular voters to have a say in their government. Please vote NO.

**Bo Harmon, RepresentUS, Leesburg**

Arizona has more registered Independent voters than most states. We are independent thinkers. Yet people always ask why Independents are almost completely excluded from choosing our leaders. I'll tell you why. Because of corrupt ideas like this legislatively-referred ballot measure. Be very clear, if you are looking for reforms that would allow more participation in our elections, Prop 133 would shut that down completely. Registered Independents, Libertarians, or members of some new party we've not yet imagined will be shut out, probably for decades to come. This is a constitutional amendment and therefore incredibly difficult to repeal. It will prohibit reforms, such as open primaries (where people of any party can vote in the primaries) or ranked choice voting (a system where you rank the candidates in the order you like them, which has proven to increase voter choice across America). Would the Republican Party have ever replaced the Whig Party prior to the Civil War, had there been this level of two-party system rigging in the 1850s? Probably not. So, what's behind this? Power, money and control. Simply put. The United States and America needs fundamental reforms if we are to survive our current malaise. I can't say which reforms will win out. But if we pass Prop 133 be assured that our Arizona tradition of independent thinking will wither away.

**Ken Clark, Voter, Representing Myself, Phoenix**

Veterans for All Voters urges Arizonans to vote NO on Proposition 133. Over 50% of military Veterans do not identify with either major political party. In other words, most Veterans prefer to be Independent Voters - free from the toxic, partisan fray. Arizona currently has over 1.37 Million voters registered as "Other." By banning nonpartisan primary elections Prop 133 will prevent over 1.37 Million Arizonans from having any choice in their own taxpayer-funded primary elections; including over half of Arizona's approximately 450,000 military Veterans. This is unconscionable. In an era of poisonous partisanship, the very last thing our country needs is more partisanship. Prop. 133 is nothing more than a cynical power play by partisan politicians who wish to maintain the status quo. Prop. 133 will be costly, and it's completely unnecessary. Prop. 133 prevents Arizonans from reforming or improving the public primary election system for which their taxes pay. Prop. 133 takes power away from all of Arizona's voters, and most especially, Prop. 133 takes power away from Arizona's independent voters - the fastest growing voting block in most states in our country. Veterans for All Voters supports nonpartisan (all candidate) primary elections in all 50 states. In any given state, whichever party is in control always opposes nonpartisan primary elections. Why? Because it means they will have more competition when they run for re-election. Competition is good for voters. More choices. More voices. When both major political parties are fighting to maintain the status quo, it's time for "We the People," and "We the Veterans" to rise up and oppose them. On behalf of Independent Voters everywhere, and especially, the millions of Independent Veterans, please vote NO on Proposition 133.

**Eric Bronner, COO | Founder, Veterans for All Voters, Saint Louis**

The Arizona Forward Party is urging you to vote NO on Proposition 133.

One thing that most Americans can agree on is that our two-party system of government is broken--fostering political polarization and leading to legislative deadlock. Our elected officials care more about preserving the control of their party and finger-pointing than they do about solving problems that are important to Arizonans.

The Arizona Forward Party believes in a vibrant democracy and that all qualified candidates should have equal access to the ballot. This measure will impede moderate or independents candidates from fairly competing for your vote. In order to reduce polarization and increase representation, it's crucial to ensure that voters have a multitude of options.

Our current primary system puts the decision of who appears on the general election ballot in the hands of 10% of each party who tend toward the political extremes. The best way to solve this is to reform how we conduct our primary and general elections to give voters more choice.

This constitutional amendment will forever enshrine our current primary system, and prevent any future possible reforms. If this passes, voters who want to see change in our political system will continue to have restricted influence at the ballot box.

Please vote NO on Proposition 133 to protect your right to make changes to improve our election system.

**Chris Hendrickson, Board of Directors, Arizona Forward Party, Scottsdale**

Sierra Club Grand Canyon Chapter opposes Proposition 133.

Prop. 133 would preemptively block democratic options that have improved voter participation, which is against our values of supporting a strong, inclusive democracy. A ban on non-partisan primaries and the inclusion of independent candidates on primary ballots would further disenfranchise the over 1.3 million Arizona voters who are not members of a political party and deserve to have their voices heard the same way partisan-registered voters do – in both the primary election and the general elections.

Currently, independent voters are eligible to request one partisan primary ballot. However, because this requires an extra notice to their county recorder, participation rates in primaries for independent voters are extremely low. This ballot initiative would make it much more difficult to include independents and other voters who are not Republicans or Democrats in the full democratic process, not just the general election. This is particularly important when many of our general election contests are not competitive – even according to the Independent Redistricting Commission, at most 7 of our 30 legislative districts are expected to be competitive.

Additionally, this law would preempt the right of local governments to hold their elections in long-standing ways that voters are accustomed to. Ballot initiatives approved by voters can only be amended or repealed by another initiative approved by voters – Arizona voters cannot afford to wait until 2026 to fix something that may depress participation in already low-turnout local elections.

Sierra Club Grand Canyon Chapter believes a healthy democracy is a prerequisite to clean air and water, protected natural resources and wildlife, and a thriving planet. Vote no on Prop. 133 to protect the opportunity to build a stronger, more inclusive democracy for all Arizonans.

**Cyndi Tuell, chair, Sierra Club - Grand Canyon Chapter, Tucson and Jim Vaaler, vice chair, Sierra Club - Grand Canyon Chapter, Phoenix**

**PROPOSITION 133 / HCR 2033**

Long & complicated ballot got you down?

I have the solution: Just “swipe left” by VOTING NO ON EVERY MEASURE REFERRED BY THE LEGISLATURE.

That is EVERY one of the 11 items that passed with an HCR or SCR.

That includes 133, 134, 135, 311, 312, 313, 314 and others not numbered at the time of this writing.

The Republican majority in each chamber has become living proof that running for the legislature is now the last resort of the unemployable.

They are simply incapable of acting in the public interest.

They had NO TIME to seriously address Water, Education, Transportation, Housing, Technology, Consumer Protection,

Health Care, Environmental and all the other REAL issues much less pass a serious Budget.

They were TOO BUSY “in recess” while collecting per diem, posing, manipulating, and filing useless lawsuits for which YOU are paying.

It’s not that they have the institutional memory of Minute Rice, it’s just that they don’t care.

These are not wise people so rest assured that if they can find another way to embarrass Arizona next year they will most surely do so.

Thank them for the obnoxiously long ballot by SWIPIING LEFT on everything referred by the Arizona Kookocracy.

Further, as you read your ballot statements, know that IT IS IN YOUR BEST INTEREST to vote opposite of any argument "sponsored" or paid for by the Center for Prosperity, Free Enterprise Institute or Goldwater Institute. They have been hard at work gutting the tax code and eroding your rights for decades.

Eric Gorsegner  
Phoenix

**Eric Gorsegner, Phoenix**

---

Prop 133 presents significant concerns regarding its impact on taxpayers and the integrity of our electoral process. This measure would mandate taxpayer funding for primaries of major parties, while neglecting the representation of independents who make up a substantial portion of our electorate. Moreover, it prohibits the implementation of nonpartisan primaries in state and federal races and threatens to eliminate nonpartisan elections at the local level, potentially conflicting with charter city sovereignty.

Enacting Prop 133 would strip local governments and municipalities of their autonomy to tailor election rules that best suit their unique needs and circumstances. This top-down approach undermines local charters, laws, ordinances, and policies, eroding the authority of local entities in election-related matters.

Furthermore, this measure fails may impose additional costs on taxpayers. Implementing a state-mandated primary election law could introduce bureaucratic layers that complicate the election process. It risks creating administrative inefficiencies as local election officials navigate conflicting mandates between state and local policies, leading to confusion and operational challenges.

As someone who values efficiency and local governance, I oppose Prop 133 due to its potential to diminish local authority, disenfranchise independents, and burden taxpayers with unnecessary costs. A balanced approach is essential to preserve the integrity of our electoral system while respecting the diversity and autonomy of local communities.

**133**  
Vote NO on this measure.

Bob Sommer, Business for Democracy-AZ

**Bob Sommer, Tempe**

---

The League of Women Voters of Arizona strongly opposes Proposition 134

The Arizona Constitution enshrines Arizona citizens’ right to initiate legislation through the petition process. The petition process requires collecting a specific number of valid signatures from registered voters, regardless of where in Arizona they live. Proposition 134 radically changes the signature requirements by requiring a minimum number of signatures from each of the 30 legislative districts.

Even if a majority of Arizona voters are in favor of a proposition, if even one of the 30 districts does not meet the necessary minimum number of petition signatures, the proposition will not be on the ballot, thus depriving all voters of the opportunity to make their voices heard. In contrast, state legislators can move an initiative to the ballot for voter approval by a simple majority, and without collecting signatures.

If passed, this proposition will make it overwhelmingly difficult, if not impossible, for citizens' initiatives to qualify for the ballot. As a result, Arizona voters' constitutional right to make laws will be irrevocably curtailed. Therefore, we urge you to help maintain the rights given to us by Arizona's founders.

THE LEAGUE OF WOMEN VOTERS OF ARIZONA URGES YOU TO VOTE NO

**Pinny Sheoran, President, League of Women Voters of Arizona, Scottsdale**  
*Sponsored by League Of Women Voters of Arizona*

---

**Tanzida Zaman, Phoenix**

I'm a veteran teacher who is passionate about making sure my students understand our government. (I've taken students to DC for "We the People" and to the AZ Capitol for "Youth and Government" with the YMCA.)

I am VERY concerned about FIVE propositions that our Legislators have put on the ballot! Every one of these is a sneaky way of LIMITING or RESTRICTING voter input!

This is NOT a fictional story.

Once upon a time, our Legislature decided to restrict voter input...

"Not possible," cried the citizens.

"Mwhaha..." chortled the Lawmakers. "We'll write our OWN 'ballot initiatives.'" We need only 16 AZ Senators and 31 Representatives to put something on a ballot." (Normal citizens must collect over 384,000 legit signatures to get a constitutional change on a ballot!)

"We've put FIVE of these on this year's ballot to limit voter input! They'll never realize what they're 'voting' for, so it won't be our fault!"

PROP 133-

ALL taxpayers pay for 'party primaries,' but most voters aren't eligible to vote because of rules restricting the 34% of Independent voters in our state. This bill PREVENTS non-partisan primaries! They do not WANT competition!

Did you know that 65% of Arizonans are not voting in primary elections? (aztownhall.org) According to Chuck Coughlin (HighGround, Inc), "80% of Arizona election candidates are elected in the primary elections."

If this Proposition passes, voters CANNOT REFORM this and it WILL be the voters' fault that we will never be able to hold primaries any other way.

PLEASE VOTE NO ON PROP 133 and let's keep our options open!

**Bonnie Hickman, Concerned Arizona Educator, MESA**  
*Sponsored by Better Ballot Arizona*

---

Arizonans should get to decide what types of elections work best for them. Prop 133 is a result of legislative overreach and would allow state lawmakers to tell small towns how they should and shouldn't manage their elections. Though no county currently practices Ranked Choice Voting, the state legislature should not get to revoke the right of local towns to implement the method of voting that their constituents find works best for them.

Voting NO on Prop 133 does not mean that any city or town will be required to implement Ranked Choice Voting. Voting NO simply means that cities and towns get to pick the best method of voting that works for them. The choice will belong to small cities and towns, without say from lawmakers who do not live in those districts. Small towns deserve the independence to do what works best for them if it does not impact the rest of the state. Vote NO on Prop 133 to protect against government overreach.

**Jennifer Guzman, Program Director, Common Cause Arizona, Phoenix**

**133**

# BALLOT FORMAT

## PROPOSITION 133

### PROPOSED AMENDMENT TO THE ARIZONA CONSTITUTION BY THE LEGISLATURE RELATING TO PRIMARY ELECTIONS

#### OFFICIAL TITLE

AMENDING ARTICLE VII, SECTION 10, CONSTITUTION OF ARIZONA; RELATING TO PRIMARY ELECTIONS.

#### DESCRIPTIVE TITLE

REQUIRES DIRECT PRIMARY ELECTIONS FOR PARTISAN OFFICES TO ALLOW EACH RECOGNIZED POLITICAL PARTY TO NOMINATE AND PLACE ON THE NEXT GENERAL ELECTION BALLOT AS MANY CANDIDATES FOR EACH OFFICE AS THERE ARE OPEN POSITIONS. PROVIDES THAT DIRECT PRIMARY ELECTION LAWS ENACTED BY THE LEGISLATURE SUPERSEDE INCONSISTENT CITY LAWS.

A “yes” vote shall have the effect of amending the Arizona Constitution to require that when the Legislature enacts laws regulating direct primary elections for partisan offices, those laws shall supersede any city law, regulation, or policy to the contrary. The primaries would be conducted in a manner so that each political party represented on the ballot may nominate for each office a number of candidates equal to the number of positions to be filled for that office in the ensuing general election and requires eligible candidates who are nominated at a primary election to be placed on the next general election ballot.

**YES**

A “no” vote shall have the effect of keeping the current laws related to partisan primary elections.

**NO**



Even though they can fly, Greater Roadrunners (*Geococcyx californianus*) spend most of their time racing along the ground, leaving X-shaped footprints along the way. Incredibly well adapted to our Southwest climate, roadrunners don't even need to drink water!

133

# 134 PROPOSITION

Ringtail



## SENATE CONCURRENT RESOLUTION 1015

## A CONCURRENT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA; AMENDING ARTICLE IV, PART 1, SECTION 1, CONSTITUTION OF ARIZONA; RELATING TO INITIATIVES AND REFERENDA.

Be it resolved by the Senate of the State of Arizona, the House of Representatives concurring:

1. Article IV, part 1, section 1, Constitution of Arizona, is proposed to be amended as follows if approved by the voters and on proclamation of the Governor:

1. Legislative authority; initiative and referendum

Section 1. (1) Senate; house of representatives; reservation of power to people. The legislative authority of the state shall be vested in the legislature, consisting of a senate and a house of representatives, but the people reserve the power to propose laws and amendments to the constitution and to enact or reject such laws and amendments at the polls, independently of the legislature; and they also reserve, for use at their own option, the power to approve or reject at the polls any act, or item, section, or part of any act, of the legislature.

(2) Initiative power. The first of these reserved powers is the initiative. FOR STATEWIDE MEASURES, under this power ten percent of the qualified electors FROM EACH LEGISLATIVE DISTRICT shall have the right to propose any STATEWIDE measure, and fifteen percent OF THE QUALIFIED ELECTORS FROM EACH LEGISLATIVE DISTRICT shall have the right to propose any amendment to the constitution.

(3) Referendum power; emergency measures; effective date of acts. The second of these reserved powers is the referendum. Under this power the legislature, or, FOR STATEWIDE MEASURES, five percent of the qualified electors FROM EACH LEGISLATIVE DISTRICT, may order the submission to the people at the polls of any measure, or item, section or part of any measure, enacted by the legislature, except laws immediately necessary for the preservation of the public peace, health or safety, or for the support and maintenance of the departments of the state government and state institutions; but to allow opportunity for referendum petitions, no act passed by the legislature shall be operative for ninety days after the close of the session of the legislature enacting such measure, except such as require earlier operation to preserve the public peace, health or safety, or to provide appropriations for the support and maintenance of the departments of the state and of state institutions; provided, that no such emergency measure shall be considered passed by the legislature unless it shall state in a separate section why it is necessary that it shall become immediately operative, and shall be approved by the affirmative votes of two-thirds of the members elected to each house of the legislature, taken by roll call of ayes and nays, and also approved by the governor; and should such measure be vetoed by the governor, it shall not become a law unless it shall be approved by the votes of three-fourths of the members elected to each house of the legislature, taken by roll call of ayes and nays.

(4) Initiative and referendum petitions; filing. All petitions submitted under the power of the initiative shall be known as initiative petitions, and shall be filed with the secretary of state not less than four months preceding the date of the election at which the measures so proposed are to be voted upon. All petitions submitted under the power of the referendum shall be known as referendum petitions, and shall be filed with the secretary of state not more than ninety days after the final adjournment of the session of the legislature which shall have passed the measure to which the referendum is applied. The filing of a referendum petition against any item, section or part of any measure shall not prevent the remainder of such measure from becoming operative.

(5) Effective date of initiative and referendum measures. Any measure or amendment to the constitution proposed under the initiative, and any measure to which the referendum is applied, shall be referred to a vote of the qualified electors, and for an initiative or referendum to approve a tax, shall become law when approved by sixty percent of the votes cast thereon and ~~upon~~ ON proclamation of the governor, and not otherwise and for all other initiatives and referendums, shall become law when approved by a majority of the votes cast thereon and ~~upon~~ ON proclamation of the governor, and not otherwise.

(6) (A) Veto of initiative or referendum. The veto power of the governor shall not extend to an initiative measure to approve a tax that is approved by sixty percent of the votes cast thereon or to a referendum measure to approve a tax that is decided by sixty percent of the votes cast thereon and for all other initiatives and

134

PROPOSITION 134



referendums, the veto power of the governor shall not extend to initiatives and referendums approved by a majority of the votes cast thereon.

(6) (B) Legislature's power to repeal initiative or referendum. The legislature shall not have the power to repeal an initiative measure to approve a tax that is approved by sixty percent of the votes cast thereon or to repeal a referendum measure to approve a tax that is decided by sixty percent of the votes cast thereon and for all other initiatives and referendums, the legislature shall not have the power to repeal an initiative measure approved by a majority of the votes cast thereon and shall not have the power to repeal a referendum measure decided by a majority of the votes cast thereon.

(6) (C) Legislature's power to amend initiative or referendum. The legislature shall not have the power to amend an initiative measure to approve a tax that is approved by sixty percent of the votes cast thereon, or to amend a referendum measure to approve a tax that is decided by sixty percent of the votes cast thereon, unless the amending legislation furthers the purposes of such measure and at least three-fourths of the members of each house of the legislature, by a roll call of ayes and nays, vote to amend such measure. For all other initiatives and referendums, the legislature shall not have the power to amend an initiative measure approved by a majority of the votes cast thereon and shall not have the power to amend a referendum measure decided by a majority of the votes cast thereon, unless the amending legislation furthers the purposes of such measure and at least three-fourths of the members of each house of the legislature, by a roll call of ayes and nays, vote to amend such measure.

(6) (D) Legislature's power to appropriate or divert funds created by initiative or referendum. The legislature shall not have the power to appropriate or divert funds created or allocated to a specific purpose by an initiative measure that also approves a tax that is approved by sixty percent of the votes cast thereon, or by a referendum measure that also approves a tax that is decided by sixty percent of the votes cast thereon, unless the appropriation or diversion of funds furthers the purposes of such measure and at least three-fourths of the members of each house of the legislature, by a roll call of ayes and nays, vote to appropriate or divert such funds. For all other initiatives and referendums, the legislature shall not have the power to appropriate or divert funds created or allocated to a specific purpose by an initiative measure approved by a majority of the votes cast thereon and shall not have the power to appropriate or divert funds created or allocated to a specific purpose by a referendum measure decided by a majority of the votes cast thereon, unless the appropriation or diversion of funds furthers the purposes of such measure and at least three-fourths of the members of each house of the legislature, by a roll call of ayes and nays, vote to appropriate or divert such funds.

(7) Number of qualified electors. The whole number of votes cast for all candidates for governor at the general election last preceding the filing of any initiative or referendum petition on a state or county measure shall be the basis on which the number of qualified electors required to sign such petition shall be computed.

(8) Local, city, town or county matters. The powers of the initiative and the referendum are hereby further reserved to the qualified electors of every incorporated city, town and county as to all local, city, town or county matters on which such incorporated cities, towns and counties are or shall be empowered by general laws to legislate. Such incorporated cities, towns and counties may prescribe the manner of exercising said powers within the restrictions of general laws. Under the power of the initiative fifteen percent of the qualified electors may propose measures on such local, city, town or county matters, and ten percent of the electors may propose the referendum on legislation enacted within and by such city, town or county. Until provided by general law, said cities and towns may prescribe the basis on which said percentages shall be computed.

(9) Form and contents of initiative and of referendum petitions; verification. Every initiative or referendum petition shall be addressed to the secretary of state in the case of petitions for or on state measures, and to the clerk of the board of supervisors, city clerk or corresponding officer in the case of petitions for or on county, city or town measures; and shall contain the declaration of each petitioner, for himself, that he is a qualified elector of the state (and in the case of petitions for or on city, town or county measures, of the city, town or county affected), his post office address, the street and number, if any, of his residence, and the date on which he signed such petition. Every initiative measure shall embrace but one subject and matters properly connected therewith, which subject shall be expressed in the title; but if any subject shall be embraced in an initiative measure which shall not be expressed in the title, such initiative measure shall be void only as to so much thereof as shall not be embraced in the title. Each sheet containing petitioners' signatures shall be attached to a full and correct copy of the title and text of the measure so proposed to be initiated or referred to the people, and every sheet of every such petition containing signatures shall be verified by the affidavit of the person who circulated said sheet or petition, setting forth that each of the names on said sheet was signed in the presence of the affiant and that in the belief of the affiant each signer was FOR STATEWIDE MEASURES a qualified elector of the APPROPRIATE LEGISLATIVE DISTRICT AND THIS state, or in the case of a city, town or county measure, of the city, town or county affected by the measure so proposed to

134

PROPOSITION 134



be initiated or referred to the people.

(10) Official ballot. When any initiative or referendum petition or any measure referred to the people by the legislature is filed, in accordance with this section, with the secretary of state, the secretary of state shall cause to be printed on the official ballot at the next regular general election the title and number of said measure, together with the words "yes" and "no" in such manner that the electors may express at the polls their approval or disapproval of the measure.

(11) Publication of measures. The text of all measures to be submitted shall be published as proposed amendments to the constitution are published, and in submitting such measures and proposed amendments the secretary of state and all other officers shall be guided by the general law until legislation shall be especially provided therefor.

(12) Conflicting measures or constitutional amendments. If two or more conflicting measures or amendments to the constitution shall be approved by the people at the same election, the measure or amendment receiving the greatest number of affirmative votes shall prevail in all particulars as to which there is conflict.

(13) Canvass of votes; proclamation. It shall be the duty of the secretary of state, in the presence of the governor and the chief justice of the supreme court, to canvass the votes for and against each such measure or proposed amendment to the constitution within thirty days after the election, and upon the completion of the canvass the governor shall forthwith issue a proclamation, giving the whole number of votes cast for and against each measure or proposed amendment, and declaring such measures or amendments to approve a tax as are approved by sixty percent of those voting thereon to be law and for all other measures or amendments, declaring such measures as are approved by a majority of those voting thereon to be law.

(14) Reservation of legislative power. This section shall not be construed to deprive the legislature of the right to enact any measure except that the legislature shall not have the power to adopt any measure that supersedes, in whole or in part, any initiative measure to approve a tax that is approved by sixty percent of the votes cast thereon or any referendum measure to approve a tax that is decided by sixty percent of the votes cast thereon unless the superseding measure furthers the purposes of the initiative or referendum measure and at least three-fourths of the members of each house of the legislature, by a roll call of ayes and nays, vote to supersede such initiative or referendum measure. For all other initiatives and referendums, the legislature shall not have the power to adopt any measure that supersedes, in whole or in part, any initiative measure approved by a majority of the votes cast thereon and shall not have the power to adopt any measure that supersedes, in whole or in part, any referendum measure decided by a majority of the votes cast thereon, unless the superseding measure furthers the purposes of the initiative or referendum measure and at least three-fourths of the members of each house of the legislature, by a roll call of ayes and nays, vote to supersede such initiative or referendum measure.

(15) Legislature's right to refer measure to the people. Nothing in this section shall be construed to deprive or limit the legislature of the right to order the submission to the people at the polls of any measure, item, section or part of any measure.

(16) Self-executing. This section of the constitution shall be, in all respects, self-executing.

2. The Secretary of State shall submit this proposition to the voters at the next general election as provided by article XXI, Constitution of Arizona.

134

PROPOSITION 134



**ANALYSIS BY LEGISLATIVE COUNCIL**

The Arizona Constitution allows qualified electors in this state to place an initiative or referendum measure on the ballot by filing a petition containing the required number of signatures of qualified electors of this state with the Secretary of State. Under current law, the proponents may gather the required signatures from any geographical area or areas within the state.

Currently, the proponents of a statewide initiative must gather signatures from at least 15 percent of the qualified electors statewide for a constitutional amendment and from at least 10 percent of the qualified electors statewide for a statewide statutory measure. For a statewide referendum, the proponents must gather signatures from at least five percent of the qualified electors statewide. The number of "qualified electors" is calculated from the total number of votes cast for all candidates for governor in the most recent election for governor.

Proposition 134 retains the current total signature requirements for initiative and referendum measures, but would amend the Arizona Constitution to:

1. Require proponents of initiatives for constitutional amendments to gather signatures from at least 15 percent of the qualified electors in each of the 30 legislative districts in this state.
2. Require proponents of initiatives for statutory amendments to gather signatures from at least 10 percent of the qualified electors in each of the 30 legislative districts in this state.
3. Require proponents of referendums to gather signatures from at least five percent of the qualified electors in each of the 30 legislative districts in this state.

134

PROPOSITION 134



# ARGUMENTS “FOR” PROPOSITION 134



A vote for Proposition 134 is a vote for equal representation in the ballot initiative process.

Current Arizona law allows a proposed initiative to qualify for the ballot without having to receive a single signature from outside Maricopa County. Our state’s current system empowers just one county to have a complete and total monopoly over what measures do and do not make it to the ballot and will be voted on by the people.

It is EXTREMELY important that people from Maricopa County are involved in the ballot initiative process. However, it is also important to recognize that voters from just one county may not always be aware of key issues that are taking place around the rest of the State. Because of this, it is crucial that Arizona’s ballot initiative process has safeguards to ensure that all perspectives are heard and valued. Residents of Maricopa County should not be tasked with making executive decisions for communities across the state. Continuing to allow just one county to make statewide decisions will ultimately harm Arizona.

The current rules for the ballot measure process in Arizona are not only irresponsible, but they are also undemocratic. Part of what makes Arizona so special is the fact that our state is home to many unique perspectives and values. A zip code should not be the deciding factor in which of these values matter when it comes to placing measures on the ballot.

Please vote yes on Proposition 134

**Stefanie Smallhouse, President, Arizona Farm Bureau, Gilbert**

Geographic Distribution is a good governance measure that ensures all perspectives are given the same weight in the initiative process. A citizen’s zip code should NOT be the deciding factor in which measures get to appear on the ballot. Currently, a ballot measure can make it onto Arizona’s ballot without having to receive a SINGLE SIGNATURE from FOURTEEN of Arizona’s FIFTEEN counties.

Proposition 134 would require all ballot measures to receive a minimum number of signatures from EACH legislative district in the state to appear on the ballot. This measure would help to ensure that residents across the state of Arizona have an equal say in what measures get to make the ballot.

If passed, Proposition 134 would make it so that proposed ballot measures must receive a minimum number of signatures from EACH of Arizona’s 30 legislative districts to appear on the ballot. This would make it so that ALL COMMUNITIES in Arizona have a say in what gets to make it on the ballot. This proposed measure helps to ensure that voices from across our diverse state are valued the same.

Vote Yes on Proposition 134!

134

**Tim Peterson, Camp Verde**

Every election cycle, out of state special interest groups spend millions of dollars in Arizona on initiatives to buy their way onto our ballot. It often takes just a couple million dollars—pocket change to California Billionaires—to pay a few hundred circulators to collect signatures. And they usually flood the streets with circulators in Phoenix and Tucson, stripping all other Arizonans from having a voice in the process.

It is time to improve our citizens’ initiative process by ensuring it truly reflects the will of citizens across our state. Prop 134 would require that any group proposing a statewide initiative must gather signatures in all 15 diverse counties in the state. Requiring signatures from around the state will ensure better vetting of their ideas and would give a voice to residents outside of Phoenix and Tucson.

Prop 134 is a fair and balanced approach. Most other states that allow citizens initiatives already require a geographic distribution of signatures. We encourage a YES vote on Prop 134.

**Scot Mussi, President, Arizona Free Enterprise Club, Gilbert**  
*Sponsored by Arizona Free Enterprise Club*

Vote yes on Proposition 134 and support the Signature Distribution Requirement ballot measure. Voter initiatives are mostly run by well-funded single-issue political action committees (PAC) paying low-information signature collectors to pester us in parking lots. Can you really make a thoughtful decision about some complex policy proposal while you're loading groceries and thinking about all your other errands while someone badgers you for a signature? And more importantly, should high density voter populations in Pima and Maricopa counties have a monopoly on generating ballot measures for the rest of the state? The answer to the first question for most of us is probably no, but the answer to the second question is definitely no. Proposition 134 tackles the monopoly issue by ensuring a minimal level of state-wide support before voters are presented with ballot measures. Legislation is typically proposed by a single elected representative in Phoenix, but it doesn't get to a vote until it's been reviewed, debated, and often modified with inputs from many representatives. Changes to the state constitution, enacting new laws, or repealing existing laws are serious activities and voter initiatives deserve the same level of scrutiny. Voter initiatives should first demonstrate support from a significant cross-section of state voters before a vote occurs. Arizona voters should not let moneyed interests, either in-state or out-of-state, buy self-serving legislation by focusing on a few population-dense areas of the state. Send the message that ballot box legislation must first secure statewide support, and preferably not from harassed voters in parking lots, by voting yes on Proposition 134.

### **Brook Doty, Chairman, LD17 Republicans, Tucson**

Your YES vote on Proposition 134 will be a vote for FAIRNESS in our Arizona ballot initiative. This initiative, when passed, will ensure ALL Arizonans in every county across our great state have an opportunity to participate in putting any future initiatives on our ballot. Please vote YES ON PROP 134!

### **John Boelts, Yuma**

#### **Vote YES on Proposition 134**

When Arizona was founded as a state, it would have been hard to foresee the outsize impact the cities of Phoenix and Tucson would have on the political environment. This concentration of voters within these two areas often ignores the needs and desires of residents in less populated areas of the state. Dark money groups from out of state can get enough signatures from just Phoenix and Tucson to put an initiative on the ballot.

In fact, getting a statutory measure on the ballot currently requires only 10% of people that voted in the last Gubernatorial (Governor) election and just 15% for an Arizona Constitutional Amendment. This shockingly low hurdle virtually guarantees voters outside of these two major metropolitan centers will not have a chance to have their voices heard.

Proposition 134 will remedy this imbalance by requiring that special interest groups get buy-in from all 15 Arizona counties. If passed, getting a statutory measure on the ballot would require signatures from 10% of the votes cast for Governor in each Legislative District and would require 15% of the votes cast in each Legislative District for Governor for a Constitutional Amendment to be added to the Ballot.

Proposition 134 would end the outsize influence that the Phoenix and Tucson metro areas have on Arizona Politics. Give ALL Arizonans a voice! Vote YES on Proposition 134!

### **Dennis Liles, Retired, Mesa**

#### **Please vote YES for Prop 134.**

Per Article 4 of our state constitution, citizens of Arizona may initiate legislation as either a state statute or constitutional amendment. During recent election cycles in Arizona, some of these citizen initiatives have been funded by out-of-state special interest groups. These groups – intending to influence our state laws - spend millions of dollars to pay people to collect required signatures, primarily in only a few districts in Phoenix and Tucson. This out-of-state influence is not what was intended with the citizen initiative clause in our state constitution! When passed, Prop 134 will increase voter involvement, since signatures will be required across all districts in the state. This will give our rural communities a voice and make sure our citizen initiatives are fair and balanced for all citizens in Arizona.

Please join me and vote YES for Prop 134.

### **Kathryn Clark, Phoenix**

In recent years Arizona has seen a massive influx of out-of-state dollars designed to inflict extremely damaging policies upon our citizenry. In fact, tens of millions of dollars have been poured into our state from places like California and Washington, DC on initiatives designed to thwart taxpayer protections, double the income taxes on small businesses, double the utility bills of residents, and inhibit free speech and donor privacy. These efforts are heavily funded by entities that will never have to live with the disastrous consequences of their actions.

Prop 134 fixes this problem by requiring that initiatives must collect signatures from across Arizona in order to qualify for the ballot. Right now, measures funded by outside special interests simply gather signatures from places like Phoenix and Tucson, meaning that most of the state has no say on what policy issues end up on the November ballot. Requiring these special interests to consider the concerns of the entire state when collecting signatures will make it much more difficult for extreme measures -- tailored by people hostile to Arizona -- to appear on our ballots.

Please vote “YES” on Prop 134.

**Victor Riches, President & CEO, Goldwater Institute, Phoenix**

Center for Arizona Policy supports Proposition 134. As a Phoenix-based nonprofit organization, one of our top priorities is ensuring the freedom of all Arizonans regardless of what part of the state they live in. However, under current law, groups (especially radical out-of-state special interests) can gather signatures to put controversial and damaging policy changes on the Arizona ballot without seeking input from the entire state. Oftentimes, measures can qualify for and pass at the ballot with only the signatures and votes from our state’s largest county. This disenfranchises rural voters, especially when controversial measures that are not supported by many of Arizona’s diverse communities are put on our ballot.

Fortunately, Proposition 134 helps ensure that ALL parts of our state have a say on what ends up on our ballot. Prop 134 doesn’t increase the total number of signatures needed to qualify something for the ballot. Rather, it says that signatures must be collected from all parts of the state. This is a common-sense and fair solution.

We urge you to vote yes for a fair Arizona ballot. Vote YES on Proposition 134.

**Cathi Herrod, Esq., President, Center for Arizona Policy, Phoenix and Greg Scott, Vice President of Policy, Center for Arizona Policy, Phoenix**

Vote YES on Prop 134. We should want the citizens’ initiative process to reflect the voice of all Arizona residents. Citizen initiatives that represent signatures from residents the 30 Arizona legislative districts will increase voter involvement throughout the state.

Currently, in-state and out-of-state special interest groups target high density legislative districts like Phoenix and Tucson for signatures. These groups, which spend millions of dollars circulating petitions, should not have the only influence in our state. They spend millions of dollars on a process that excludes rural Arizona residents.

Prop 134 is a common sense solution that breaks up legislative district monopolies preventing them from making decisions for all Arizona citizens.

Rural, less densely populated, legislative districts in the state have just as much right to a voice on citizen initiatives as high density areas. This proposition will encompass voices from all legislative districts.

This process is already vetted in more than half the states. Citizen initiatives can only qualify in those states with geographically diverse signatures. Let’s do the same for Arizonans.

As a state and precinct committeeman in a rural district of Coconino County this is a fair proposition. YES on Prop 134

**Patricia Phillips, Coconino County, Parks North Precinct 79, Committeeman, Parks**

Geographic distribution is an outstanding solution to the ballot measure process that will help make sure Arizona's agriculture community is heard!

Agriculture is a cornerstone of Arizona's economic prosperity and way of life. Nearly 40% of Arizona's land is used for agricultural development, which provides resources that are absolutely critical for maintaining Arizona's way of life.

However, residents who live in these areas have had their voices go unheard by our state's ballot measure process for far too long. Right now, individuals who wish to have a proposed ballot measure appear on the ballot must collect a minimum number of signatures across registered voters from the state's entire population. This current process has a massive oversight, as it values some areas more than others in the ballot measure process.

Signature collectors for ballot measures almost exclusively spend their time in densely populated urban areas to meet the minimum signature requirement to appear on the ballot. This leads to the voices of rural Arizonans often going unheard, as signature collectors will not even bother to go to counties that are not as densely populated. This results in residents from Maricopa County having all the say in what does and does not make the ballot.

Current laws surrounding signature collection are inherently undemocratic. We should not continue to allow our ballot measure process to be dominated by large cities. Geographic Distribution is a necessary fix to a flawed system.

Votes YES on Proposition 134!

#### **Myrle Marlatt, Wellton**

#### **Mr Gerald Travers, Oro Valley**

A citizens' initiative should represent citizens all across the state, not just major metropolitan areas. Prop 134 would ensure engagement from voters across the state, in large counties and small counties, rural and metropolitan areas. It will stop paid petitioners from going to heavily populated areas to all required signatures for petitions, which most out of state special interest groups do.

VOTE YES ON PROP 134

#### **Nikki Colletti, Glendale**

Vote YES on Proposition 134! It presents a critical opportunity to restore balance and fairness to Arizona's citizen initiative process. Currently, out-of-state special-interest groups wield disproportionate influence by flooding our state with millions of dollars to push their agendas onto the ballot. This undermines the democratic process and disenfranchises many Arizonans, particularly those outside of Phoenix and Tucson.

By requiring signatures from all legislative districts, Proposition 134 ensures that initiatives truly reflect the diverse perspectives and needs of our entire state. This geographic inclusivity guarantees that rural communities, often overlooked in the current system, have a meaningful voice in shaping our laws and policies. It prevents a scenario where the concerns and values of urban areas outweigh those of rural residents, and thus promotes equity and representation for all Arizonans.

Furthermore, Proposition 134 encourages greater scrutiny and deliberation over proposed initiatives. Requiring special-interest groups to garner support from communities across the state fosters broader engagement and discussion, leading to better-informed decisions by voters. It strengthens the integrity of the initiative process and reduces the likelihood of hastily approved measures with unintended consequences.

This approach is not unprecedented; it's already successfully implemented in the majority of states with citizen initiative processes. By aligning Arizona's system with this widely accepted standard, Proposition 134 ensures that our state remains in step with best practices in democratic governance.

In conclusion, Proposition 134 offers a fair and balanced solution to the problems plaguing Arizona's citizen initiative process. By demanding geographic diversity in signature collection, it promotes inclusivity, enhances deliberation, and safeguards the voices of all Arizonans. I urge voters to support Proposition 134 for a more equitable and representative democracy. Vote yes!

**Kristan Culbertson, Parks**

---

--- Vote Yes on Prop 134!

Currently, citizen initiatives require the signatures of registered voters: 10% of the voters who voted in the last gubernatorial election for statutory measures and 15% for constitutional amendments. The signatures can be collected anywhere or only in one place. Proposition 134 would require the collectors to obtain signatures in all of Arizona's voter districts.

At present, the initiative process is skewed, with out-of-state special interest groups funding circulators to collect the necessary signatures in only one or two heavily populated cities. This leaves the rest of Arizona, particularly rural areas, underrepresented in the decision-making process.

The signatures collected in targeted areas will produce their desired outcomes, leaving out those who may be impacted the most, including rural Arizonans. Your vote on Proposition 134 is crucial to correct this unfair practice.

A 'Yes' vote on Proposition 134 will ensure that every voter in every district in Arizona will have their voice heard, making our republic more inclusive and representative.

A 'Yes' vote will ensure measures on the ballot represent the will of all Arizonans.

A 'Yes' vote on Proposition 134 will not only ensure a fair and balanced approach to our elections, but also instill confidence in the geographically diverse signature base that will qualify. This will lead to a more representative and inclusive democratic process, where every voice, regardless of location, is heard and valued.

Vote Yes! ---

**Jeffrey Luft, San Tan Valley**

---

Voting YES on Prop 134 ensures the preservation of a fair and inclusive election process, where candidates from all parties compete openly in primaries. This measure upholds voter choice and ensures that independent voters can participate in any party's primary, allowing them to support candidates who best reflect their beliefs.

Prop 134 is designed to prevent the dominance of any single party in our elections. By guaranteeing that every qualified party can field candidates in general elections, it promotes a balanced and competitive political landscape. This is essential for fair representation and robust electoral competition in every district.

Supporting Prop 134 means maintaining the integrity of our current electoral system, which is crucial for a healthy democracy. This proposition safeguards against political monopolies, ensuring that no party can monopolize the ballot. It promotes diversity in political representation, reflecting the varied interests and values of our electorate.

Voting YES on Prop 134 is a proactive step to protect the foundational principles of our election process. It ensures that all voices are heard, and all parties have a fair chance to participate in general elections.

Key Points:

- Preserves the Current Primary System: Ensures open competition among candidates from all parties in primary elections.
- Includes Independent Voters: Allows independents to vote in any party's primary, broadening voter participation.
- Prevents One-Party Dominance: Blocks any election schemes that could lead to only one party's candidates on the ballot.
- Ensures Representation for All Parties: Guarantees that every qualified party can field candidates in general elections.

Vote YES on Prop 134 to protect voter choice, prevent political monopolies, and uphold a fair and balanced electoral process. Your support is vital for maintaining the democratic principles that ensure fair representation for all.

**Suzanne Murray, Chandler**

"Imagine having ballot propositions only decided by Phoenix and Tucson. Imagine you live in another legislative district and have no say in whether a proposition impacts you. Prop 134 allows participation by citizens in all legislative districts, and the 10% signature requirements are dictated by the number of votes cast in the last governor election. Prop 134 will ensure that citizens across the state have a voice in what appears on our ballots. It will also increase voter participation.

Over half the States with a citizen initiative process have adopted this geographic distribution standard, and this will help eliminate out of state special-interest groups from bringing bad ideas to Arizona.

### **Michal Ann Joyner, Scottsdale and Keith Joyner, Scottsdale**

Out-of-State big-money organizations hire staff from other states to collect signatures for "citizen" initiated ballot measures to flood certain AZ cities (Phoenix and Tucson) to influence and change our laws and our Constitution, leaving rural Arizona without any voice in the process. Getting the required percentage equally from each legislative district increases participation, allows for a more balanced representation of Arizona voices, and ensures measures that qualify are broadly supported by Arizonans in every area of our state. Vote YES on Prop 134!

### **Linda Busam, Peoria**

*Sponsored by Arizona Free Enterprise Club*

We as a country value fairness and individual rights. Why then are we allowing out-of-state special interest groups, with their money, to impact and influence the initiatives that appear on our ballots? These groups concentrate on collecting signatures in the urban areas of Phoenix and Tucson. There are 15 counties in Arizona with an estimated 7.46 million population. Phoenix and Tucson may be the largest cities in Arizona; however, all Arizonans deserve a voice and the right to be included in which initiatives are to be included on the ballot. Vote yes on Prop 134 to ensure that all Arizonans can participate in deciding which initiatives move forward.

### **Mary Lunn, Glendale**

*Sponsored by Arizona Free Enterprise Club*

I'm not an enthusiast for the initiative and referendum process since we should not diminish the power of elected legislators. However, since it's a fact of political life, I want to see it represent the will of all Arizonans. Nearly a quarter of Arizona's population lives outside of Maricopa and Pima Counties, whose interests may differ from those in small towns and rural Arizona.

Furthermore, ballot initiatives may not necessarily represent the interests of all Arizonans, since many of these issues come from out of state to drive a larger, national agenda. Sometimes the issue is not even the issue, but rather a way of pushing a hot button topic that will drive a certain demographic to the polls, with the hope that a specific demographic will show up to vote for candidates of the desired party.

If the proponents are going to pour millions of dollars into our state, they can afford to seek geographical diversity. The primary goal of democracy is not to be efficient in itself but to represent the will of the people without onerous requirements. This is not an onerous requirement. The activists behind these initiatives, whether an Arizona resident or not, may even find out something about the people in this state.

Vote Yes on Prop 134!

Steve Hetsler,  
Gold Canyon

### **Stephen Hetsler, Gold Canyon**

#### **"VOTE "YES" ON PROPOSITION 134: IMPROVE OUR INITIATIVE PROCESS**

Our current ballot initiative process allows for out-of-state special interests to wield disproportionate influence over our laws

Spelling, grammar and punctuation were reproduced as submitted in the "for" and "against" arguments.

and regulations. It's time to level the playing field and make Arizona's ballot initiative process fair and balanced for all its residents.

By requiring signatures in support of initiatives to come from all parts of the state, not just one city, we can ensure that the voices and perspectives of all Arizonans are taken into account. This will lead to a more representative and diverse set of propositions on the ballot, reflecting the true values and priorities of our entire state.

One of the key benefits of making the initiative process fair and balanced is the increase in voter involvement. When individuals from every region of Arizona have a say in what initiatives make it onto the ballot, it fosters a sense of community engagement and empowerment. It encourages people from rural communities, not just urban centers, to participate in the democratic process and have a voice in shaping our state's future.

Furthermore, implementing a signature distribution requirement will help to curb the influence of out-of-state special interests who seek to push extreme measures onto our ballot. By ensuring that a certain percentage of signatures come from each legislative district, we can prevent wealthy outsiders from manipulating Arizona's initiative process for their own interests.

It's time to clean up Arizona's ballot box mess and restore integrity to our democratic system. Let's enact a reform that promotes fairness, inclusivity, and transparency in the initiative process. By making Arizona's ballot initiative process fair and balanced, we can create a more just and representative democracy for all Arizonans.

**VOTE "YES" ON PROPOSITION 134:  
GEOGRAPHIC DISTRIBUTION of BALLOT INITIATIVES  
"**

**Jean Rice, Phoenix**  
*Sponsored by Kaaren Sherrell*

---

I support Prop 134 which allows all counties in Arizona to share in the process of putting initiatives on the ballot for a vote - not simply the most populous counties.

Ballots include more than the candidates running for office. They also include measures that change laws or amend the constitution that are referred by the legislature. Alternatively, like some other states, the Arizona constitution reserves power for citizens themselves to propose laws and offer constitutional amendments in the form of an initiative. To qualify, they have to collect a certain number of signatures from voters. But all of those can be collected in just one or two cities, like Phoenix and Tucson, ignoring everyone else.

Prop 134 will ensure that petitions which affect all voters are presented throughout the state for consideration and input, not simply in densely populated urban areas. I urge voters to vote Yes on Prop 134.

**Gayle Peters, San Tan Valley**

---

This initiative is incredibly important to me for preserving Arizona's democracy. Mandating signature collection in every legislative district ensures that every corner of our state has a voice. It levels the playing field, moving influence away from densely populated areas to rural communities, ensuring inclusivity and representation for all Arizonans.

This initiative safeguards our democratic principles by preventing powerful special interests from manipulating Arizona's ballot. Requiring signatures from every district creates a fairer system where initiatives must earn support from a wide range of people across our diverse state.

It's about bridging the gap between urban and rural priorities. Recognizing the unique needs of each region fosters unity and collaboration statewide. It encourages dialogue and compromise, enhancing our democratic process by empowering local movements and organizations to engage with communities across Arizona.

By closing loopholes that out-of-state interests exploit, this initiative ensures that decisions affecting Arizona's future are

made by us, the residents, not by distant entities with their own agendas.

This initiative is crucial for Arizona because it ensures decisions truly reflect our collective will. It strengthens our democracy by promoting inclusivity, fairness, and grassroots participation, making sure every voice counts in shaping our state's future. Please vote YES on SCR1015.

**Andrew Adams, Gilbert Citizen, Gilbert**

*Sponsored by LD14GOP*

Ensure all Arizonans have a voice in the citizens' initiative process, vote yes on Proposition 134.

Currently there are no requirements for initiative backers to gather signatures from across the state, so petition circulators can concentrate their efforts in densely populated urban areas like Phoenix and Tucson with no need to pitch their ideas to voters in more rural and exurban areas. Prop. 134 will make Arizona's initiative process fairer and more equitable by ensuring that signatures be gathered proportionally across each legislative district.

Prop. 134 represents a much-needed reform to Arizona's initiative process. Due to our state's Voter Protection Law, initiatives are extremely difficult to repeal or fix once enacted by voters – meaning that if there are unintended consequences, lawmakers will be left nearly powerless to address them. This measure will require initiative proponents to engage with communities across the state to secure widespread support for a measure before it goes to voters. This will lead to more thoughtful and broadly-backed policies making it to the statewide ballot – the way it should be.

By spreading the signature requirement across all legislative districts, Prop. 134 also prevents outside special interest groups from disproportionately influencing the initiative process, ensuring that proposed measures have genuine grassroots support rather than being driven by narrow, localized agendas.

About half the states that have a citizen initiative process have a geographic distribution requirement. That's because it's a good idea, and a commonsense one. If significant changes are going to be made to our state's statutes or constitution, they should be backed by a broad and representative cross-section of the electorate.

Prop. 134 is a necessary step toward protecting and improving the fairness and integrity of Arizona's initiative process by giving all Arizonans a voice. We urge you to join us in voting YES.

**Danny Seiden, President & CEO, Arizona Chamber of Commerce and Industry, Phoenix**

"Vote yes to Prop 134 which requires citizen initiative measures to collect signatures from every legislative district in the state. Our Founding Fathers recognized the importance of geographical representation by having two Senators to represent each state. This ensured legislation could not pass that only benefits one region. Requiring signatures from each legislative district provides the same protection to Arizona's citizens. Without requiring geographical distribution, an initiative can be on the ballot with only the signatures from one populous area of the state disenfranchising rural communities."

Prop 134 will require greater voter involvement. Citizens from all areas of the state would need to sign any ballot initiative providing fair and balanced representation of the entire state.

Vote yes to Prop 134 - Geographic Distribution - to ensure equal representation of all geographical areas of Arizona."

**Jo Ann Gasper, Hereford**

*Sponsored by Arizona Free Enterprise Club*

Vote Yes on Prop 134: Ensures Fairness and Equality vs. Tyranny of the Majority

We must avoid the "tyranny of the majority." When the founding fathers gathered to create what became our Constitution, the tyranny of the majority was a front-of-mind issue. Why? Because they knew from history that such a tyranny is far more dangerous in a free and democratic society than a tyrannical king or dictator who might emerge. What is tyranny of the

majority? It has been defined this way:

"The tyranny of the majority" (or tyranny of the masses) is an inherent weakness to majority rule in which the majority of an electorate pursues exclusively its own objectives at the expense of those of the minority factions."

Because the US Constitution provides safeguards to protect the interests of states with lesser populations, we have little to fear from this threat because those guardrails eventually prevail over the tyrannical elements in the majority.

However, what we DO need to watch out for here in Arizona are public referendums that can create a tyranny of the majority within the issues they address. As valuable as many referendums are, they too need constitutional guardrails to protect minority interests. Therefore, I urge you to vote "YES" on Proposition 134, because it establishes a vital and constitutional guardrail. Simply put, it will help prevent areas of the state with larger populations from seeking goals that might damage regions with smaller populations without getting their input at all.

For issues that affect us differently by region like water, power, land use, transportation, pollution, carbon regulations, etc., this is an obvious safeguard. All Arizonans should have a say in what goes on the ballot. Vote Yes on 134.

**Priscilla Moore, Scottsdale**

---

"Vote Yes on Prop 134

The citizen initiative process, in theory, was created to allow citizens to have a direct voice in proposing ballot measures that if passed become law. Under the current system, however, the necessary signatures may be collected from anywhere which means the signatures usually are collected from just the cities of Phoenix and Tucson for a ballot measure that effects every corner of the state.

Under the current system, special interest groups pay petition circulators in two cities, Phoenix and Tucson, to get the required signatures to put a measure on the ballot. Thus, a simple majority of voters in the cities of Phoenix and Tucson can impose laws on the whole state which override the interests and concerns of rural, small town and suburban voters.

A vote in support of Prop 134 ensures that proponents of ballot measures must have support from all legislative districts in Arizona which include the rural, small town and suburban areas.

Improving the citizens' initiative process by requiring that signatures must be collected from geographical diverse areas ensure that these ballot measures truly reflect the will of all citizens from every county in the state including the most rural to the most urban.

Prop 134 is a fair and balanced approach to the citizen initiative process that protects Arizona citizens from excess control by big cities and out-of-state special interests.

If you support the idea that ballot measures should be fair and balanced, should give a voice to all Arizona citizens, should increase voter involvement, should give rural communities a voice, and should stop out-of-state influence, then vote yes for Prop 134.

"

**Deborah Kirkland, Mesa**

*Sponsored by Arizona Free Enterprise Club*

---

Please vote YES on Prop 134.

Currently, all signatures to qualify an initiative for the ballot can be collected in population centers such as Tucson and Phoenix. This is imbalanced and ignores the will and interests of the majority of Arizona's counties. Further, out of state special interests focus on just those populous areas, completely ignoring everyone else in the process. Prop 134 would ensure

that groups looking to place something on our ballot have the buy-in of voters from all across Arizona.

Giving rural voters equal say in what we do as a state is just the right thing to do, preventing large populous regions from dominating less populous regions with their desires.

Vote YES on Prop 134.

Written by:

Bob Pamplin  
Wendy Wayne  
Ashley Stewart  
Clint Stewart  
Don Meyer  
Carol Winstanley  
Peter Anello  
Cherie Anello  
Delia Athey  
David Winstanley

Concerned Citizens of Southeast Mesa and Queen Creek

**Wendy Wayne, Concerned Citizens of Southeast Mesa and Queen Creek, Mesa; Bob Pamplin, Concerned Citizens of Southeast Mesa and Queen Creek, Mesa; Delia Athey, Concerned Citizens of Southeast Mesa and Queen Creek, Queen Creek; Ashley Stewart, Concerned Citizens of Southeast Mesa and Queen Creek, Mesa; Clint Stewart, Concerned Citizens of Southeast Mesa and Queen Creek, Mesa; Don Meyer, Concerned Citizens of Southeast Mesa and Queen Creek, Queen Creek; Cherie Anello, Concerned Citizens of Southeast Mesa and Queen Creek, Mesa; Peter Anello, Concerned Citizens of Southeast Mesa and Queen Creek, Mesa; Carol Winstanley, Concerned Citizens of Southeast Mesa and Queen Creek, Mesa; David Winstanley, Mesa**

Currently, with a citizen initiative, petitioners focus on voters in highly populated areas like Phoenix and Tucson to collect those signatures. Once the initiative makes it to the ballot, Phoenix and Tucson can have majority vote, and rural Arizonans are not represented.

Prop 134 improves voter involvement across the entire state. Signatures would need to be collected in all thirty legislative districts. Resulting in all of the counties and rural areas being represented in support or against the initiative. Over half of the states currently use this fair and balanced approach to the citizen initiative process. Arizonans can learn from these other states and adopt this process.

Vote YES on Pro 134.

#### **John Hassett, Phoenix**

Maricopa County shouldn't be the only voice heard in Arizona. Voting YES on Prop 134 ensures that the voices of all regions of our incredible state are listened to, protecting us from BIG MONEY out-of-state crony interests.

No one should be boxed out of determining which ideas make it to the ballot. Top issues differ by region and solutions to those problems also come with various opinions across our state.

Currently, BIG MONEY out-of-state special interests consistently hijack our ballot access, putting lunatic language on the ballot designed to confuse voters and pull the wool over our eyes.

The best way to prevent Arizona from turning into a commie California is to vote YES on Prop 134, ensuring that all Arizona regions are represented in access to our ballot.

- Your YES vote on Prop 134 increases voter involvement across our beautiful state.
- Your YES vote on Prop 134 results in a more fair and balanced initiative access process.
- Your YES vote on Prop 134 gives rural communities, including our Native American nations, a voice in the law-making process.
- Your YES vote on Prop 134 ensures Arizona's voices are prioritized and stops out-of-state crony BIG MONEY influence from hijacking our ballot.

Read the summary for yourself, and you decide: <https://www.azleg.gov/legtext/56leg/1R/summary/S.SCR1015GOV.DOCX.htm>

**Merissa Hamilton, Chairwoman, EZAZ.org, Phoenix and Thia Hassett, Director, EZAZ.org, Phoenix**

---

Vote Yes on Prop 134! To provide equity and inclusion to Arizonans' outside of Tucson and Phoenix. Currently it only takes 10 % of the number of voters who voted in the prior gubernatorial election to have a statutory measure and 15% for constitutional amendments. Historically only Phoenix and Tucson residents have been sought after which leaves rural and suburban voices out. This bill increases voter involvement and includes all of Arizona's communities making measures/ constitutional changes equal and balanced. I used to live in Casa Grande, and I currently live in Mesa. Both communities are just as important as Phoenix and Tucson.

**Naomi Ruppel, Mesa**

---



# ARGUMENTS “AGAINST” PROPOSITION 134

Why would Arizona voters give up our right to propose laws through citizen-driven ballot initiatives that have been so beneficial to Arizona residents?

the Arizona Constitution (Article IV, Pt1, Sec1) states that the people have “the power to propose laws and amendments to the constitution and enact or reject such laws and amendments at the polls, independently of the legislature.”

If voters hadn’t had this power to make laws by majority vote:

- >> Those of us with medical debt would now be paying higher interest on that debt
- >> We wouldn’t have the Citizens Clean Elections Commission
- >> We wouldn’t have the Humane Treatment of Animals Act
- >> Smoking in public places would still be permitted

This proposition asks Arizona voters to give up our fundamental right to citizen-driven initiatives. Why would our legislature, who put this on the ballot, ask us to do such a thing?

All eyes are on Arizona following the recent grand jury indictment of 18 people, 11 of whom are in-state legislators, for trying to steal democracy from our citizens. Most of us, regardless of party affiliation or no affiliation, are repulsed by anti-democracy plots to deprive "Arizona voters of their right to vote and have their votes counted," as alleged in the indictment. This proposition is another such attempt to steal our rights. If passed, it would change the rules to make it nearly impossible to have citizen-driven ballot initiatives.

This “handcuff-the-public” amendment was put on the ballot by a majority of our state legislators.

Should we voluntarily give up our constitutional right to make laws?

NO. We should stand up to those who want us to sit down and keep quiet.

We should Vote NO

**Clive "Bob" Sommer, Co-Owner, Changing Hands Bookstore, Tempe**

Keep Your Voice: Arizona’s Voter Initiative Under Threat

Vote NO on Proposition 134

This is the latest blatant attempt to take away your decision-making voice by amending the state constitution, making it nearly impossible for ordinary Arizonans to get voter initiatives on the ballot.

A voter initiative is a way for voters to propose new laws or amend existing laws. The process is already tough to do in Arizona. Voter initiatives currently require signatures from 10% of the number of statewide voters. For a constitutional amendment, the requirement is 15%.

Now supporters of this initiative want you to vote for this proposition which will make it even harder for you to have a direct say on important policy. The strategy for taking away your voice - make signatures come proportionately from each of our thirty legislative districts. Opponents could target a single legislative district and do a full-court press to stop organizers from collecting signatures there. It won’t matter how popular the measure is in the rest of the state.

It’s called sabotage.

The motivation? Simple. The authors of this proposition don’t like the decisions you’ve been making.

For example, for years bills that would have stopped cigarette smoking in public places went nowhere. The legislature made sure those bills never saw the light of day. People finally said enough is enough and got the Smoke Free Arizona Act on the 2006 ballot. We passed it by a wide margin. That really upset a bunch of legislators.

The same goes for Arizona's minimum wage voter initiative. Power brokers were super irritated when you passed that, and they've been trying to make it harder for voter initiatives to make the ballot ever since.

Don't let them get away with this. Keep your voice. Vote NO on Proposition 134.

**Will Humble, Executive Director, Arizona Public Health Association, Phoenix**

---

Make no mistake, Proposition 134 has absolutely nothing to do with allowing rural voices to be heard on which citizen Initiatives and referendums make the ballot, and everything to do with legislators wanting to make it as hard as possible for citizens to exercise their State constitutionally granted rights to create new law, change existing law or stop a new law from taking effect. Proposition 134 seeks to amend Article IV, Part 1, Section 1 of the Arizona State Constitution on signature requirements for the citizen initiative and referendum process by requiring that signatures be obtained by Legislative District (there are 30 Legislative Districts) instead of the historical statewide requirement. The percentage of valid signatures is based on the number of votes cast for the Governor's office in the last election where a Governor was elected.

When we , the citizens, exercise our State constitutional rights, because we don't believe the legislature is acting on our behalf, we have the power to act as the Legislature. We,in essence, are the legislature. Our state's founding fathers purposely granted citizens this right, and on a STATEWIDE basis, because they realized that all voices, all votes, and all signatures should count no matter where we live in this state. No matter what your political affiliation is, you should be appalled and vote No on any ballot measure that asks you to not only take away your own rights, but the rights of future Arizona voters. The citizen initiative and referendum process is one of the few legal methods that citizens have that allows us to keep check on our legislators. Our founding fathers wanted it this way. Don't strip yourself, and all of us, of that power. Please vote no on Proposition 134.

**Diane McQueen, Dewey**

---

The signature distribution requirement initiative will make it harder for regular Arizonans to put issues on the ballot. The cost of getting citizen initiatives on the ballot will go up, making it even tougher for Arizonans to have their voices heard. This new signature requirement will make it harder for everyone except those with lots of money and power. Lobbyists and partisan politicians will keep control of our state government. Vote NO on Prop 134.

**Blake Sacha, President, Voter Choice Arizona, Gilbert**

---

Many legislators dislike sharing power with voters, so they're asking you to surrender your power that our constitution gives us. Our constitution's authors rejected many proposals to make it more difficult to put initiatives on the ballot; they settled on our current system that has worked since statehood in 1912. The only reason for this proposed change is that some legislators know the majority of Arizonans dislike those legislators' priorities. Prop. 134 would make the state's 7.2 million residents beholden to any one legislative district's 239,000 residents. If the most extreme district--liberal or conservative--dislikes an initiative, then the rest of the state can't vote on the initiative. That isn't the direct democracy our state's founders created when they wrote our constitution. Don't let extreme legislators strip us of our rights as citizens. Vote no on Prop. 134.

**James Smith, Ariz. Superior Court Judge (ret.), Self, Phoenix**

---

SCR 1015 is the fourth time the Republican majority in the Legislature has attempted to amend the Arizona constitution to erode Arizonans' direct democracy rights and it is up to us, the voters, to again stop this legislative overreach in its tracks. Erecting barriers like SCR 1015 to the rights of everyday Arizonans to make their own laws should receive a resounding no from the voters.

The drafters of the Arizona Constitution knew it was important to provide Arizona citizens with the power, through the initiative process, to directly enact laws or amend the Constitution when the Arizona Legislature refuses to take action desired

by a majority of the voters. Recent examples of successful initiatives are the increase in the minimum wage and outlawing dirty money in political campaigns.

For more than 150 years it has been sufficient to collect a number of valid signatures equivalent to 10% (15% for constitutional amendments) of the statewide voted cast in the last election for Governor. SCR 1015 would wipe out that statewide calculation and enact a requirement that the 10% and 15 % thresholds be met in each and every one of Arizona's 30 Legislative Districts. SCR 1015 effectively gives a single legislative district the power to kill any citizen's initiative. At the very least, SCR 1015 would significantly increase the cost of gathering signatures. Small grass roots organizations would face nearly insurmountable obstacles which would mean only rich corporations and deep pocketed national groups would be able to use the initiative process.

**Eileen Hollowell, Steering Committee member, Indivisible Tucson Action Alliance, Oro Valley  
Sponsored by Eileen Hollowell**

---

I will vote no on Proposition 134 and I encourage other Arizonans to do the same. This amendment immensely increases the cost and complexity of citizen-led ballot initiatives, and by doing so, removes an important check on the influence of out-of-state organizations. We are ONE Arizona, and our processes should reflect that.

**Raymond Kimball, Volunteer, Veterans for All Voters, Gilbert**

---

Through the citizen initiative process, the Arizona Constitution grants Arizona voters the right and responsibility to propose and enact needed legislation or to reject laws that run counter to the will of the majority of voters.

The Legislature has interfered with that process by making changes to the signature gathering form. Narrow rows and the restriction to sign within the lines mean people with "j," "g," and "y" in their names struggle to sign accurately. To ensure even more signature-invalidating mistakes, signers are required to write their ZIP codes before the name of their city.

Now, the Legislature wants to go a step further by asking voters to agree to a new requirement that petitions achieve the threshold percentage of valid signatures in all 30 legislative districts rather than statewide. This requirement would make the success of future citizen initiatives highly improbable.

Why is the Legislature proposing to make it harder for citizens to do our jobs? Because they aren't doing theirs and want to ensure we can't do ours.

Republicans with a razor-thin one-vote majority in the Senate and House have a stranglehold on legislating that has resulted in failed governance.

With no incentive to negotiate across the aisle, the current Legislature sidelines bills proposed by Democrats. The 2.5% flat income tax and universal school vouchers are bankrupting the state causing harm to our district public schools and cuts to all governmental departments. The general fund that had a \$2.5B surplus in January, 2023, is now in the red.

Enough is enough. Protect and preserve your right to petition the Legislature to propose and enact legislation based on the will of the majority of voters statewide.

Vote NO on Prop. 134.

**Judi Moreillon, Author, Educator, and Advocate, Tucson**

---

RepresentUS is a nonpartisan nonprofit advocating on behalf of voters. We have a very simple litmus test for issues that we support or oppose. "Does this measure make it easier or harder for regular people to have a say in their government?" Prop 134 clearly makes it HARDER for regular voters to have a say in their government. It does this in three key ways.

- First, it makes signature collection for ballot measures significantly more difficult and expensive, making it harder for citizens to qualify an issue for the ballot.
- Second, it increases the influence of wealthy out of state interests because they will be the only ones able to afford the

Spelling, grammar and punctuation were reproduced as submitted in the "for" and "against" arguments.

higher cost to qualify measures for the ballot.

- And third, Prop 134 allows any single legislative district to veto the will of the rest of the state by refusing to sign the qualification petitions.

At a time when we need MORE citizen involvement in our government, this measure makes it harder for regular voters to have a say in their government. Please vote NO.

**Bo Harmon, RepresentUS, Leesburg**

---

I am certain that none of the important ballot measures that the public has supported in our state's history would ever have voted on if this terrible idea had been in effect. Regardless of whether the measure is right-leaning or left-leaning, citizen organizers would not likely have been able to collect the number of signatures required by this constitutional amendment. And remember that this constitutional amendment will be nearly impossible to repeal if we find that it is not working. Simply put, the Arizona Legislature hates when the public exercises their rights enshrined in our state constitution to publicly initiated ballot measures. It's about power for them. Plain and simple. Think of all of those times that we, the public, had to act because the legislature refused to: from restricting the malicious influence of dark money on our elections to requiring the government to fully compensate citizens for government takings. I may disagree with the ballot measures that you want to put on the ballot, and you with mine. But it is un-American and against our proud Arizona heritage to oppose our right to put forward our public initiatives to compete in the marketplace of ideas. Please vote no on Proposition 134 and protect our rare public initiative rights.

**Ken Clark, Voter, Representing Myself, Phoenix**

---

The Arizona Forward Party believes that access to the ballot should forever and always be made easier for voters, not more difficult.

Proposition 134 makes it harder for citizen driven referendums, statewide initiatives, and constitutional changes to get on the ballot. The amendment would require EVERY legislative district to meet a petition signature threshold that is currently measured at the state level.

While the proponents claim this will give more representation to all, it will only make it more difficult to obtain the required signatures. If only ONE district fails to collect enough signatures, the referendum, initiative, or amendment will fail to appear on the ballot no matter how popular or relative it is to the rest of the state.

This proposed measure is not intended to balance the viewpoints of rural vs. urban, or Red vs. Blue voters—it is only intended to hinder the citizens' initiative process and to shift power away from voters and leave it solely in the hands of the legislature. All Arizonans in all 30 districts already have a voice — If there is a measure that a voter doesn't like, they can make their voice heard by voting no on election day.

Vote NO on Proposition 134, and preserve the current citizens' initiative process. Don't allow one single district to veto the wishes of a majority of Arizonans.

**Glenn Haselfeld, Leadership Team, Arizona Forward Party, Prescott Valley**

---

Vote NO on Prop 134!

Voters in the state of Alaska chose to use Ranked Choice Voting four years ago. After only one election cycle, voters have buyers' remorse. There is now a measure on the AK 2024 Ballot to get rid of RCV. This isn't unlike in AZ, when in the 90's a ballot measure, similar to Prop 134, amended the constitution to require runoff elections. The result was so bad that the next year another measure was on the ballot and 2/3 of the voters repeal it. Dramatic changes are generally a bad idea.

If Prop 134 passes, AZ voters will forever lose as our elections can be manipulated by the Secretary of State, who gets to decide how many candidates appear on the general ballot. How? Prop 134 imports California Jungle Primaries into Arizona,

which allows only one party to appear on the general election ballot - meaning your choice of different parties on the General Election goes away. You could only have choices from ONE party. Voters should have all party choices in November, not a single-party ballot.

This measure has been deceptively sold to voters. It is being funded by big money out of AZ and is designed to ensure their candidates, and perhaps only their candidates, appear on your general election ballot. And when other candidates appear, the complicated, confusing, and complex RCV scheme will allow their candidate to "win" even if they did not receive the most votes.

For everyone who believes in the sanctity of the straightforward voting process, it's time to reject RCV in our state.

Let's not make the same mistake Alaska did, let's not adopt failed ideas from California politicians and let's not allow New York special interests to manipulate Arizona elections. Vote NO on Prop 134!

#### **I. G. "Gus" Beall Jr., Concerned AZ Voter, Self, Phoenix**

---

Vote NO on Proposition 134.  
Protect Direct Democracy!

Arizona has had the rights of initiative and referendum since it became a state in 1912. They were drafted into the first state constitution by Teddy Roosevelt style progressives concerned about the undue influence that special interests had had in the territorial government. Arizona's first governor, George W.P. Hunt said that these provisions are "the most definite expression ever pronounced...of a social and political organization in which every citizen is the equal before the law of every other, and government is truly by consent of the governed."

Since that time special interests have indeed tried to limit the citizens rights of Initiative and Referendum. This is but the latest attempt. The requirement to collect signatures from each of the 30 legislative districts in Arizona will make it practically impossible to put anything on the ballot since failure to collect the required number from even a single legislative district will doom the effort and give one district veto power over a measure that may have strong broad support statewide.

Don't let the special interests take away your rights. Vote No.

#### **Cyndi Tuell, chair, Sierra Club - Grand Canyon Chapter, Tucson and Jim Vaaler, vice chair, Sierra Club - Grand Canyon Chapter, Phoenix**

---

The League of Women Voters of Arizona strongly opposes Proposition 134

The Arizona Constitution enshrines Arizona citizens' right to initiate legislation through the petition process. The petition process requires collecting a specific number of valid signatures from registered voters, regardless of where in Arizona they live. Proposition 134 radically changes the signature requirements by requiring a minimum number of signatures from each of the 30 legislative districts.

Even if a majority of Arizona voters are in favor of a proposition, if even one of the 30 districts does not meet the necessary minimum number of petition signatures, the proposition will not be on the ballot, thus depriving all voters of the opportunity to make their voices heard. In contrast, state legislators can move an initiative to the ballot for voter approval by a simple majority, and without collecting signatures.

If passed, this proposition will make it overwhelmingly difficult, if not impossible, for citizens' initiatives to qualify for the ballot. As a result, Arizona voters' constitutional right to make laws will be irrevocably curtailed. Therefore, we urge you to help maintain the rights given to us by Arizona's founders.

THE LEAGUE OF WOMEN VOTERS OF ARIZONA URGES YOU TO VOTE NO

#### **Pinny Sheoran, President, League of Women Voters of Arizona, Scottsdale Sponsored by League of Women Voters of Arizona**

Arizona has a long and proud history of democratic self-governance. It's always been part of our state constitution that citizens have the right to make laws by drafting initiatives and placing them on the ballot. If we the people support a policy, we can make it the law of the land, even if our politicians won't or can't act. It was a ballot initiative that first gave women in Arizona the right to vote. And in recent years, Arizonans have used the ballot initiative process to legalize medical marijuana, outlaw predatory medical debt, and require special interests to disclose their donors. If Proposition 134 had been in effect, all of those victories likely would have been impossible.

Over the last few years, the ballot initiative process has become more and more challenging for ordinary people to navigate. As educators, we experienced that first-hand in 2018 and 2020 as we sought to increase taxes on the rich to raise money for Arizona public schools. Proposition 134 would take this situation from bad to worse, making grassroots initiatives nearly impossible. Under Proposition 134, the residents of a single LD would be able to block a proposed policy, even if it's incredibly popular in Arizona as a whole.

Let's protect our right as citizens to make our voices heard. Vote NO on Proposition 134.

**Marisol Garcia, President, Arizona Education Association, Phoenix**

Prop. 134 will restrict and inhibit direct democracy in Arizona. In our state we are blessed with a constitution that allows us, as citizens, to change our laws. This is a check against concentrated political power in the hands of lawmakers. However every year we see attempts by the state legislature to limit our powers as citizens.

Citizens ballot initiatives are already expensive and difficult to propose. Prop. 134 will increase costs for ballot initiatives, meaning only the most wealthy and most elite citizens will be able to propose initiatives, limiting the voices of most Arizonans. Prop. 134 tries to solve a problem of concentrated populations making decisions for the whole state. This is not a problem with ballot initiatives in Arizona. In 2022 our state saw two citizens' initiatives on the ballot, both were passed by an overwhelming majority of voters, over 70 percent in both cases. Although citizens' initiatives may be a problem for some politicians, they are not a problem for citizens.

As citizens, we need to say no when the state legislature asks us to limit our ability to change our laws. Vote no.

**Mr. Garrett Weaver, Self, Tucson**

As a pro-public education advocacy organization, Save Our Schools Arizona strongly opposes Prop 134. Prop 134 would make it nearly impossible for citizens to pass our own laws — including desperately needed measures to increase local school funding — by forcing citizens to gather signatures from a percentage of voters in each and every one of Arizona's 30 legislative districts, not simply from all Arizona voters. The Legislature doesn't require a percentage of politicians from each district to vote for a bill in order to pass it. So why do they want to force the same requirement on everyday citizens?

These bought-and-sold politicians, and the dark-money lobbyists who control them, are not hiding that they want to make it harder for citizens to put initiatives on the ballot. They're frustrated that we're going around them to pass laws they don't like. If we fall for their subterfuge and approve Prop 134, all they'll have to do is pour a ton of money into one district to oppose—thus preventing voters, no matter how many of us actually signed to put that idea to a public vote, from ever having a say.

Arizonans have always been fiercely independent. Our founders so deeply valued our individual right to make our own laws that they wrote it into our state Constitution. But corrupt politicians can't stand the idea of us having a right they think should belong only to them. They've run out of ways to attack the process without asking us to amend away the very Constitution that explicitly gives us that right.

Arizona voters get the final word on whether initiatives make the ballot and become law. Not politicians. Not lobbyists. Let's keep it that way. Vote NO on Prop 134.

**Beth Lewis, Executive Director, Save Our Schools Arizona, Chandler and Melinda Iyer, Policy Director, Save Our Schools Arizona, Phoenix**

We urge voters to resoundingly defeat Proposition 134, which asks voters to amend the state Constitution to restrict Arizona's initiative and referendum process by requiring that ballot measures collect signatures from a percentage of voters in each of Arizona's 30 legislative districts: 10% for initiatives and 15% for a constitutional amendment.

This would effectively give any single district veto power over the rest, allowing any district in the state veto power over measures that have broad statewide support. Motivated by some lawmakers' increasing contempt for voters who bypass them to submit initiatives that lawmakers don't like, this flies in the face of Arizona's own constitution, which emphasizes that "all political power is inherent in the people." That's us, not an imperial legislature.

Laws are not passed with votes from every legislative district. Statewide ballot measures are not required to receive votes from every legislative district. It is illogical and harmful to require that ballot measures satisfy the impossibly high hurdle of collecting signatures from every district. Not only would this undercut our ability to put measures such as Stop Dark Money, a living minimum wage, and abortion access on the ballot, it would make such initiatives prohibitively expensive.

Lawmakers repeatedly try to dupe voters with measures like Proposition 134, seeking to trick them into voting away their own rights as Arizonans. We strongly urge a NO vote on Proposition 134.

**Melinda Iyer, Policy Director, Civic Engagement Beyond Voting, Phoenix and Catherine Sigmon, Co-Founder, Civic Engagement Beyond Voting, Tempe**

---

As a concerned voter, lifelong Arizonan, and healthcare professional for over seven years in the field, I am against Prop 134 for how it would undermine the voices of voters from all parts of the political spectrum.

**Tanzida Zaman, Phoenix**

---

Healthcare Rising Arizona is a member-led organization committed to fixing our healthcare problems through the citizens' ballot initiative process. Our volunteers have consistently turned in the most signatures of any ballot measure in state history, starting with the Predatory Debt Collection Protection Act and most recently with the Arizona Abortion Access Act.

But if Prop 134 becomes law, the barrier for average citizens to participate in the ballot measure process will be too great and direct democracy will suffer. Arizona already has incredibly hostile laws towards ballot measures, meaning that ballot measure campaigns must provide a buffer of almost double the amount of required signatures to get on the ballot. Prop 134 would change the existing requirement of collecting signatures from 10% (15% for constitutional amendments) of the statewide votes cast in the last election for Governor and instead require that the percentage signature threshold be collected proportionately in each of Arizona's 30 legislative districts. This is one of the most onerous burdens on signatures nationwide.

When government fails us, ordinary citizens need the right to bring issues directly to voters to decide. This measure was referred to the ballot by elected officials who hope to make it harder for citizens to engage in direct democracy. It does nothing to improve the quality of the process or ensure fair participation. It only serves to take power away from the average Arizonan.

We cannot allow this erosion of Arizonans' right to the ballot measure process to continue. Join us in voting No on Prop 134.

For a better healthcare future,

**The Members of Healthcare Rising Arizona, Phoenix  
Sponsored by Arizonans Fed Up with Failing Healthcare (Healthcare Rising AZ)**

---

Prop 134 is an attack on the voices of Arizona.

Citizen-led ballot initiatives are an important tool that we use to self-govern. It is one way that citizens of Arizona can use their voices to impact laws in our state. When our lawmakers are too divided or they don't have the political incentive to pass laws that serve the people of Arizona, we have the ability to make change by gathering enough valid signatures to qualify an initiative for the ballot so that all of Arizona's voters may weigh in on it.

This process has been used effectively to provide transparency in campaign finance, protect consumers from predatory debt collection, and reduce gerrymandering through independent redistricting.

Currently, signatures can be collected from anywhere in the state to qualify a measure for consideration by voters. Prop 134 seeks to weaken or eliminate Arizonans' right to propose future reforms by requiring a high threshold of signatures to be collected in each and every one of Arizona's 30 Legislative Districts. This new requirement would mean that any LD could effectively serve as a VETO to the will of the majority of voters. The increased legal burden and expense would restrict the ability of citizens to participate in this process. This would further increase the reliance on special interest groups and wealthy donors in future efforts, taking away Arizonans' voices.

Protect Arizona's Voice and Vote NO on Prop 134.

**Kazz Fernandes, Executive Director, Better Ballot Arizona, Mesa**

---

Arizona has a proud tradition of being a trailblazer, whether it's pioneering the legalization of medical marijuana, eliminating predatory medical debt practices, or demanding transparency from special interest groups regarding their donors. These milestones wouldn't have been possible if Prop 134 had been enacted.

The Arizona Constitution grants voters the right (Article IV, Pt1, Sec1) to propose and decide on laws through ballot initiatives independently of the legislature. This crucial right allows voters to introduce measures, vote on them, and shape Arizona's laws.

Prop 134 jeopardizes this right by introducing stringent signature requirements for ballot initiatives. Presently, signatures from 10% (or 15% for constitutional amendments) of statewide voters in the last gubernatorial election are needed. Prop 134 would mandate that these signatures be collected proportionally from each of Arizona's 30 legislative districts, significantly complicating the process of getting initiatives on the ballot.

Launching a ballot initiative is already a demanding and costly endeavor, but it shouldn't be rendered nearly impossible. Prop 134 would erect even more obstacles, curtailing Arizonans' ability to engage in their democratic process.

Vote NO on Prop 134 to safeguard your right to propose and vote on laws.

**Ylenia Aguilar, Phoenix**

---

Prop 134 would impose such a significant burden on the signature requirement in the ballot initiative process that most measures wouldn't even make it to the ballot, effectively killing them. The measure would change the current requirement of collecting signatures from 10% (15% for constitutional amendments) of statewide votes cast in the last election for Governor to that percentage threshold be met in each of Arizona's 30 legislative districts.

Arizona has had initiative rights since it became a state in 1912. Since then, special interests have tried to limit citizens' rights, and Prop 134 is the latest attempt. The requirement to collect signatures from each of Arizona's 30 legislative districts will make it hopeless to place anything on the ballot.

Arizona was the first state to legalize medical marijuana, end predatory medical debt practices, and require special interest groups to disclose their donors. Citizen-led ballot measures also brought us the Smoke-Free Arizona Act, Arizona Minimum Wage, and the Citizens Clean Elections Commission. Prop 134 would likely have prevented all of these popular policies from reaching the ballot.

Vote NO on this measure.

**Chris Herstam, Phoenix**

Growing up in rural Illinois, I have a deep appreciation for small towns and farming communities. While I now live in Phoenix, the diversity of economies and communities in Arizona is what I love most about our state. Arizona also has a proud tradition of self-governance, where the collective will of the people has led to significant legislative successes. We've legalized medical marijuana, banned predatory medical debt practices, and demanded transparency from special interests regarding their donors. These achievements highlight the power of voter ballot initiatives (not to be confused with ballot referrals that are put on the ballot by the legislature, including this very proposition). Prop 134 threatens to undermine this process by making it excessively difficult for voter initiatives to reach the ballot, which takes away the liberties of ALL Arizonans.

As a lifelong Republican, I believe in small government and fiscal conservatism. Prop 134 grossly infringes on both these principles. The real intention behind this measure is to create insurmountable obstacles for grassroots initiatives, ensuring that only those backed by wealthy corporate donors can afford the legal defenses necessary to survive these challenges. The cost implications of Prop 134 are significant, especially for smaller and rural counties. These areas will need to invest in new equipment and hire additional staff to handle the increased workload of verifying thousands of signatures. This expense, potentially hundreds of thousands of dollars per election cycle, will strain already limited budgets and divert resources from other critical needs.

Prop 134 will only benefit wealthy special interests and add unnecessary bureaucracy to our elections process. It attacks the voter initiative process and attempts to silence everyday Arizonans. Please join me in voting NO on Prop 134

### **Lisa Hoberg, Phoenix**

The ACLU of Arizona is a non-partisan, civil rights and liberties organization committed to protecting the voting rights of all Arizonans. The ACLU of Arizona urges a NO vote on Proposition 134 because it will undermine the ability of Arizonans to engage in the citizen initiative process and have a direct voice in our government.

Current Arizona law requires ballot initiatives to obtain signatures from 10% of all eligible voters to propose a law, and 15% of all eligible voters to propose a constitutional amendment. Proposition 134 alters this long-standing rule by requiring a citizen initiative to obtain the respective thresholds from eligible voters in all thirty legislative districts across the state. This will significantly drive up costs and deter future citizen initiatives.

Proponents argue this will give each legislative district an equal say in the initiative process – but we already have an equal say. Any person or community can initiate a citizen initiative and we all have the opportunity to vote on those that make the ballot. Proposition 134 simply drives up the costs for citizen initiatives to reduce the power of the public.

Arizonans first established the citizen initiative process in 1912 to give the public a direct voice in our government. Through the citizen initiative process, Arizonans have proven that they are in the best position to decide what is right for Arizona.

Proposition 134 will make it harder for all Arizonans – rural or urban, Democrat, Republican, or Independent – to have a voice in our democracy. At a time when the legislature is more committed than ever to making government work only for the few, Proposition 134 reduces the power of every Arizonan and makes it harder to have a government for the people, responsive to the people. Vote NO.

### **Scott Greenwood, Executive Director, ACLU of Arizona, Phoenix**

*Sponsored by ACLU of Arizona*

Prop 134 would impose such a significant burden on the signature requirement in the ballot initiative process that most measures wouldn't even make it to the ballot, effectively killing them. The measure would change the current requirement of collecting signatures from 10% (15% for constitutional amendments) of statewide votes cast in the last election for Governor to that percentage threshold be met in each of Arizona's 30 legislative districts.

Arizona has had initiative rights since it became a state in 1912. Since then, special interests have tried to limit citizens' rights, and Prop 134 is the latest attempt. The requirement to collect signatures from each of Arizona's 30 legislative districts will make it hopeless to place anything on the ballot.

Arizona was the first state to legalize medical marijuana, end predatory medical debt practices, and require special interest groups to disclose their donors. Citizen-led ballot measures also brought us the Smoke-Free Arizona Act, Arizona Minimum Wage, and the Citizens Clean Elections Commission. Prop 134 would likely have prevented all of these popular policies from ever reaching the ballot.

**Janet Hamlin, Tempe**

---

This is an effort to stifle the population's ability to bring referenda, ironically put on the ballot by a House and Senate majority who put multiple issues on the ballot just this term. The population's say in its government is paramount, we need more options to reign in excessive or extreme government, not less. Ballot measures are already extraordinarily difficult to put on the ballot and have been restricted multiple times over the past few years. A yes vote here would strangle the population's ability to put an initiative on the ballot... a check that is currently rarely used or available unless there are hundreds of thousands of proponents for placing it on the ballot. Let the citizens vote!

**Steven Jackson, Scottsdale**

---

The Arizona Constitution granted Arizona voters the power to engage in direct democracy through the voter initiative process. When the state legislature has failed to act, Arizona voters have used this power to pass laws to raise the minimum wage and increase funding for education.

Proposition 134 would amend the state constitution to add new burdens that require that a certain percentage of qualified voter signatures come from each Legislative District for a voter initiative to successfully appear on the ballot. This new signature requirement will make it more difficult for voter-led initiatives to appear on the ballot and would centralize more power in the hands of elected officials, and less power in the hands of the people.

**Joseph Palomino, Director, Arizona Center for Economic Progress, Tempe**

*Sponsored by Arizona Center for Economic Progress*

---

The power of the citizen initiative process lies in the fact that nearly any group of Arizona voters can come together to bring an issue to the ballot. Prop 134 would change the process so only the ultra-wealthy and powerful special interest groups would be able to gather enough signatures to bring a question to the ballot. Prop 134 makes it so that instead of reaching a general signature threshold, getting a question on the ballot would require an unrealistic amount per legislative district.

Requiring a large percentage of signatures for each legislative district is nearly impossible for regular Arizonans who want to participate in their democracy. Prop 134 also makes it extremely difficult for Rural Arizonans to bring pressing issues to the statewide ballot.

The ultra-wealthy with political power and special interest groups are not a true reflection of Arizona voters. They should not be the only ones who can afford to bring important priorities to the statewide ballot.

Prop 134 makes it harder for real Arizonans to utilize their civil liberties. Voting NO on Prop 134 helps keep Arizona's tradition of the citizen initiative process accessible and the will of the people alive.

**Jennifer Guzman, Program Director, Common Cause Arizona, Phoenix**

---

Do you ever wonder who comes up with these ideas and why all this junk is on your ballot? We can help answer that.

The Arizona Agenda is a daily reported newsletter that delivers a behind-the-scenes view of Arizona's political shenanigans and puts you, the voter, in those smoke-filled rooms where decisions are made.

We're here to fill you in on all the weird backstories and interesting nuggets from the Arizona Capitol and beyond. (Including fun facts like that you can write about anything in these ballot arguments. Isn't that wild? Someone should really make a law against using the publicity pamphlet to promote your newsletter...)

The Agenda was started by two local political reporters who left their jobs in corporate journalism to try something new. We're an independent, nonpartisan, no-BS daily newsletter about Arizona politics that's actually fun to read.

We have subscribers from the Governor's Office to the Capitol's Freedom Caucus. But we don't write the Agenda for those political insiders.

We write it for you, the confused voter who's tired of wading through clickbait, propaganda and misinformation to gain intelligence about your politicians and government.

We do investigations, features, voter guides, interviews with candidates and much more. Sometimes, we get politicians drunk and film it.

If you'd like that delivered to your inbox every weekday at 6 a.m., SUBSCRIBE FOR FREE at [ArizonaAgenda.com](http://ArizonaAgenda.com)

And if you're in Southern Arizona, check out our sister newsletter, the Tucson Agenda, which delivers the news you need to be an informed citizen south of the Gila River. Go to [TucsonAgenda.com](http://TucsonAgenda.com) to subscribe.

Thanks! And good luck filling out the rest of this absurdly long ballot! (Check out the candidate guide on our website if you need help.)

### **Hank Stephenson, Co-Founder, Arizona Agenda, Phoenix**

---

I am a veteran teacher and a recipient of the John J. Ross Award for Teacher Excellence in Law-Related Education (2021) presented by AFLSE.

- Arizona Legislators would never try to RESTRICT voter input, right?

WRONG, they're doing just that! We MUST vote NO on Prop 134!

- Did you know that if a "normal citizen" wants to bring an issue directly to the people for a vote, we CAN do that?

You have to be serious though! You'll need to collect over 384,000 legitimate signatures of registered voters to get a constitutional initiative on a ballot. (We've done it before when we restricted predatory medical debt practices and demanded that special interests disclose their donors.)

- Are you also aware that our AZ Legislators only need to get 16 Senators and 31 Representatives to put something on a ballot? That simple majority is how they're sneaking these 5 propositions onto our ballot.

This Legislature PROPosal states that citizens will be REQUIRED to have 15% of EACH of the 30 Legislative District's voters sign to get it on a ballot...even people in the middle of nowhere on a Reservation!

So Legislators only need 47 votes to put it on the ballot, but ONE missing signature in one LD out of 384,000 legitimate signatures will keep Citizen Initiatives OFF the ballot!"

This ensures Legislators will maintain their monopoly on power and will prevent popular measures from ever being put in front of Arizona voters. What a great way to continue to serve special interest groups!

If the voters approve this proposition, we can't blame our Legislators if we can never get a proposed initiative into law again!

- PLEASE VOTE NO ON PROP 134! Allow citizens to take an issue directly to the voters on a ballot without ridiculous requirements!

### **Bonnie Hickman, Concerned Arizona Educator, MESA Sponsored by Better Ballot Arizona**

---

We each represent 3 different firms that span the political aisle.

We have managed many ballot initiatives in Arizona over multiple election cycles. We also uniquely have worked and qualified ballot initiatives in states that have different geographic requirements similar to this proposed legislation. And therefore we can attest first hand knowledge the logistics involved in collecting 10% of voters' signatures from each of

## NOVEMBER 5, 2024 ★ GENERAL ELECTION

Arizona's 30 legislative districts will cost millions of dollars... not to mention the cost taxpayers will have to bare when rural counties have to process thousands of signatures. We are rapidly moving away from a "citizens" initiative and only ensuring that well funded special interests can be successful.

It is also outlandish that 10% of voters in every legislative district were not asked if they even wanted this on the ballot - instead it was done by a referral to bypass them.

Join us in voting NO on Prop 134.

Jess Grennan, Meghan Cox, Eric Chalmers

### Eric Chalmers, Phoenix

---

Chispa Arizona is strongly opposed to Prop 134. Chispa Arizona works to empower Latinx communities to influence policy, protect natural resources, and fight climate change. Through grassroots efforts and community engagement, we strive for clean air, safe water, and healthy neighborhoods, especially for those most affected by climate change.

Prop 134 would create the most restrictive signature requirements in the country. Only large political campaigns would have the resources to propose citizen measures, giving more power to the wealthy and corporations over our democracy.

The citizen initiative process is crucial to Arizona's democracy. It allows voters to shape the state's future by implementing clean energy standards or ensuring the right to clean water and air. This direct democracy makes Arizona healthier and more fair.

We must protect our ability to create a future with clean air and water through the citizen initiative process.

Please join Chispa Arizona in voting NO on Prop 134.

**Jose Martinez Jr., Operations Director, Chispa AZ, Buckeye**  
*Sponsored by Chispa AZ*

---

134

# BALLOT FORMAT

## PROPOSITION 134

### PROPOSED AMENDMENT TO THE ARIZONA CONSTITUTION BY THE LEGISLATURE RELATING TO INITIATIVES AND REFERENDA

#### OFFICIAL TITLE

AMENDING ARTICLE IV, PART 1, SECTION 1, CONSTITUTION OF ARIZONA; RELATING TO INITIATIVES AND REFERENDA.

#### DESCRIPTIVE TITLE

FOR A STATEWIDE BALLOT MEASURE TO QUALIFY TO APPEAR ON THE BALLOT, SIGNATURES FROM A PERCENTAGE OF THE QUALIFIED ELECTORS IN ALL 30 LEGISLATIVE DISTRICTS WOULD BE REQUIRED, AS FOLLOWS: 10% FOR STATEWIDE INITIATIVES; 15% FOR CONSTITUTIONAL AMENDMENTS; AND 5% FOR STATEWIDE REFERENDA.

A “yes” vote shall have the effect of amending the Arizona Constitution to require an applicant wishing to place a statewide measure on the ballot to collect a certain percentage of signatures in each of the 30 legislative districts, rather than a percentage of the total number of statewide voters. Signatures from 10% of the voters in each district would be required for a statewide initiative to appear on the ballot. Signatures from 15% of the voters in each district would be required for an amendment to the Arizona Constitution to appear on the ballot. Signatures from 5% of the voters in each district would be required for a statewide referendum to appear on the ballot. If a proposed measure does not obtain the minimum percentage of signatures in any one of the 30 legislative districts, it would fail to qualify for the ballot, and would not be presented to voters.

YES

A “no” vote shall have the effect of keeping the current constitutional language requiring only the signatures of 10% of the total number of statewide voters for an initiative to amend a statute, 15% of statewide voters for a constitutional amendment, and 5% of statewide voters for a referendum.

NO

134

Commonly referred to as a cat, the Ringtail (*Bassariscus astutus*), state mammal of Arizona, is actually a close relative of raccoons and coatis. Watch for a glimpse of its luxurious black and white tail in rocky crevices and caves!



# 135 PROPOSITION

Saguaro Blossom 

## HOUSE CONCURRENT RESOLUTION 2039

## A CONCURRENT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA; AMENDING ARTICLE IV, PART 2, SECTION 1, CONSTITUTION OF ARIZONA; AMENDING ARTICLE V, SECTION 4, CONSTITUTION OF ARIZONA; RELATING TO THE GOVERNOR.

Be it resolved by the House of Representatives of the State of Arizona, the Senate concurring:

1. Article IV, part 2, section 1, Constitution of Arizona, is proposed to be amended as follows if approved by the voters and on proclamation of the Governor:

1. Senate; house of representatives; members; special session on petition of members; independent redistricting commission; congressional and legislative boundaries

Section 1. (1) A. The senate shall be composed of one member elected from each of the thirty legislative districts established pursuant to this section.

B. The house of representatives shall be composed of two members elected from each of the thirty legislative districts established pursuant to this section.

(2) C. Upon ON the presentation to the governor of a petition bearing the signatures of ~~not less than~~ AT LEAST two-thirds of the members of each house; requesting a special session of the legislature and designating the date of convening, the governor shall promptly call a special session to assemble on the date specified. At a special session so called the subjects ~~which~~ THAT may be considered by the legislature shall not be limited. ON THE PRESENTATION TO THE GOVERNOR OF A PETITION BEARING THE SIGNATURES OF AT LEAST ONE-THIRD OF THE MEMBERS OF EACH HOUSE REQUESTING A SPECIAL SESSION OF THE LEGISLATURE FOR THE PURPOSE OF TERMINATING OR ALTERING THE EMERGENCY POWERS GRANTED TO THE GOVERNOR DURING A STATE OF EMERGENCY AND DESIGNATING THE DATE OF CONVENING, THE GOVERNOR SHALL PROMPTLY CALL A SPECIAL SESSION TO ASSEMBLE ON THE DATE SPECIFIED. AT A SPECIAL SESSION SO CALLED THE SUBJECTS THAT MAY BE CONSIDERED BY THE LEGISLATURE ARE LIMITED TO EMERGENCY POWERS GRANTED TO THE GOVERNOR DURING A STATE OF EMERGENCY.

(3) D. By ON OR BEFORE February 28 of each year that ends in one, an independent redistricting commission shall be established to provide for the redistricting of congressional and state legislative districts. The independent redistricting commission shall consist of five members. ~~No~~ NOT more than two members of the independent redistricting commission shall be members of the same political party. Of the first four members appointed, ~~no~~ NOT more than two shall reside in the same county. Each member shall be a registered Arizona voter who has been continuously registered with the same political party or registered as unaffiliated with a political party for three or more years immediately preceding appointment; AND who is committed to applying the provisions of this section in an honest, independent and impartial fashion and to upholding public confidence in the integrity of the redistricting process. Within the three years previous to appointment, members shall not have been appointed to, elected to; or a candidate for any other public office, including precinct committeeman or committeewoman but not including school board member or officer, and shall not have served as an officer of a political party, ~~or~~ served as a registered paid lobbyist or as an officer of a candidate's campaign committee.

(4) E. The commission on appellate court appointments shall nominate candidates for appointment to the independent redistricting commission, except that, if a politically balanced commission exists whose members are nominated by the commission on appellate court appointments and whose regular duties relate to the elective process, the commission on appellate court appointments may delegate to such existing commission (hereinafter called the commission on appellate court appointments' designee) the duty of nominating members for the independent redistricting commission; and all other duties assigned to the commission on appellate court appointments in this section.

(5) F. By ON OR BEFORE January 8 of years ending in one, the commission on appellate court

135

PROPOSITION 135

appointments or its designee shall establish a pool of persons who are willing to serve on and are qualified for appointment to the independent redistricting commission. The pool of candidates shall consist of twenty-five nominees, with ten nominees from each of the two largest political parties in Arizona based on party registration, and five who are not registered with either of the two largest political parties in Arizona.

(6) G. Appointments to the independent redistricting commission shall be made in the order set forth below. ~~No~~ NOT later than January 31 of years ending in one, the highest ranking officer elected by the Arizona house of representatives shall make one appointment to the independent redistricting commission from the pool of nominees, followed by one appointment from the pool made in turn by each of the following: the minority party leader of the Arizona house of representatives, the highest ranking officer elected by the Arizona senate; and the minority party leader of the Arizona senate. Each such official shall have a seven-day period in which to make an appointment. Any official who fails to make an appointment within the specified time period will forfeit the appointment privilege. ~~In the event that~~ IF there are two or more minority parties within the house or the senate, the leader of the largest minority party by statewide party registration shall make the appointment.

(7) H. Any vacancy in the above four independent redistricting commission positions remaining as of March 1 of a year ending in one shall be filled from the pool of nominees by the commission on appellate court appointments or its designee. The appointing body shall strive for political balance and fairness.

(8) I. At a meeting called by the secretary of state, the four independent redistricting commission members shall select by majority vote from the nomination pool a fifth member who ~~shall~~ IS not be registered with any party already represented on the independent redistricting commission and who shall serve as ~~chair~~ CHAIRPERSON. If the four commissioners fail to appoint a fifth member within fifteen days, the commission on appellate court appointments or its designee, striving for political balance and fairness, shall appoint a fifth member from the nomination pool, who shall serve as ~~chair~~ CHAIRPERSON.

(9) J. The five commissioners shall then select by majority vote one of their members to serve as ~~vice-chair~~ VICE CHAIRPERSON.

(10) K. After having been served written notice and provided with an opportunity for a response, a member of the independent redistricting commission may be removed by the governor, with the concurrence of two-thirds of the senate, for substantial neglect of duty, gross misconduct in office; or inability to discharge the duties of office.

(11) L. If a commissioner or ~~chair~~ THE CHAIRPERSON does not complete the term of office for any reason, the commission on appellate court appointments or its designee shall nominate a pool of three candidates within the first thirty days after the vacancy occurs. The nominees shall be of the same political party or status as was the member who vacated the office at the time of ~~his or her~~ THAT MEMBER'S appointment, and the appointment other than the ~~chair~~ CHAIRPERSON shall be made by the current holder of the office designated to make the original appointment. The appointment of a new ~~chair~~ CHAIRPERSON shall be made by the remaining commissioners. If the appointment of a replacement commissioner or ~~chair~~ CHAIRPERSON is not made within fourteen days following the presentation of the nominees, the commission on appellate court appointments or its designee shall make the appointment, striving for political balance and fairness. The newly appointed commissioner shall serve out the remainder of the original term.

(12) M. Three commissioners, including the ~~chair~~ CHAIRPERSON or ~~vice-chair~~ VICE CHAIRPERSON, constitute a quorum. Three or more affirmative votes are required for any official action. Where a quorum is present, the independent redistricting commission shall conduct business in meetings open to the public, with ~~48~~ FORTY-EIGHT or more ~~hours~~ HOURS' public notice provided.

(13) N. A commissioner, during the commissioner's term of office and for three years thereafter, ~~shall be~~ IS ineligible for Arizona public office or for registration as a paid lobbyist.

(14) O. The independent redistricting commission shall establish congressional and legislative districts. The commencement of the mapping process for both the congressional and legislative districts shall be the creation of districts of equal population in a grid-like pattern across the state. Adjustments to the grid shall then be made as necessary to accommodate the goals as set forth below:

A. 1. Districts shall comply with the United States Constitution and the United States voting rights act. ;

B. 2. Congressional districts shall have equal population to the extent practicable, and state legislative districts shall have equal population to the extent practicable. ;

C. 3. Districts shall be geographically compact and contiguous to the extent practicable. ;

D. 4. District boundaries shall respect communities of interest to the extent practicable. ;

135

PROPOSITION 135

E. 5. To the extent practicable, district lines shall use visible geographic features, city, town and county boundaries; and undivided census tracts. ;

F. 6. To the extent practicable, competitive districts should be favored where to do so would create no significant detriment to the other goals.

(15) P. Party registration and voting history data shall be excluded from the initial phase of the mapping process but may be used to test maps for compliance with the above goals. The places of residence of incumbents or candidates shall not be identified or considered.

(16) Q. The independent redistricting commission shall advertise a draft map of congressional districts and a draft map of legislative districts to the public for comment. ,which Comment shall be taken for at least thirty days. Either or both bodies of the legislature may act within this period to make recommendations to the independent redistricting commission by memorial or by minority report. ,which THE recommendations shall be considered by the independent redistricting commission. The independent redistricting commission shall then establish final district boundaries.

(17) R. The provisions regarding this section are self-executing. The independent redistricting commission shall certify to the secretary of state the establishment of congressional and legislative districts.

(18) S. Upon ON approval of this amendment, the department of administration or its successor shall make adequate office space available for the independent redistricting commission. The STATE treasurer ~~of the state~~ shall make \$6,000,000 available for the work of the independent redistricting commission pursuant to the year 2000 census. Unused monies shall be returned to the state's STATE general fund. In years ending in eight or nine after the year 2001, the department of administration or its successor shall submit to the legislature a recommendation for an appropriation for adequate redistricting expenses and shall make available adequate office space for the operation of the independent redistricting commission. The legislature shall make the necessary appropriations by a majority vote.

(19) T. The independent redistricting commission, with fiscal oversight from the department of administration or its successor, shall have procurement and contracting authority and may hire staff and consultants for the purposes of this section, including legal representation.

(20) U. The independent redistricting commission shall have standing in legal actions regarding the redistricting plan and the adequacy of resources provided for the operation of the independent redistricting commission. The independent redistricting commission shall have sole authority to determine whether the Arizona attorney general or counsel hired or selected by the independent redistricting commission shall represent the people of Arizona in the legal defense of a redistricting plan.

(21) V. Members of the independent redistricting commission are eligible for reimbursement of expenses pursuant to law, and a member's residence is deemed to be the member's post of duty for purposes of reimbursement of expenses.

(22) W. Employees of the department of administration or its successor shall not influence or attempt to influence the district-mapping decisions of the independent redistricting commission.

(23) X. Each commissioner's duties established by this section expire upon ON the appointment of the first member of the next INDEPENDENT redistricting commission. The independent redistricting commission shall not meet or incur expenses after the redistricting plan is completed, except if litigation or any government approval of the plan is pending, or to revise districts if required by court decisions or if the number of congressional or legislative districts is changed.

2. Article V, section 4, Constitution of Arizona, is proposed to be amended as follows if approved by the voters and on proclamation of the Governor:

4. Governor; powers and duties; special sessions of legislature; message and recommendations; state of emergency

Section 4. A. The governor shall transact all executive business with the officers of the government, civil and military, and may require information in writing from the officers in the executive department upon ON any subject relating to the duties of their respective offices. He THE GOVERNOR shall take care that the laws be ARE faithfully executed. He THE GOVERNOR may convene the legislature in extraordinary session. He THE GOVERNOR shall communicate, by message, to the legislature at every session the condition of the state; and recommend such matters as he shall deem THE GOVERNOR DEEMS expedient.

B. IF ANY EMERGENCY POWERS ARE AUTHORIZED BY STATE LAW TO BE GRANTED TO THE GOVERNOR DURING A STATE OF EMERGENCY, UNLESS SUCH POWERS ARE FOR A STATE OF WAR EMERGENCY OR AN EMERGENCY ARISING FROM A FLOOD OR FIRE, THE EMERGENCY POWERS GRANTED TO THE GOVERNOR TERMINATE EITHER:

1. THIRTY DAYS AFTER THE DATE ON WHICH THE STATE OF EMERGENCY IS PROCLAIMED, UNLESS THE LEGISLATURE EXTENDS THE EMERGENCY POWERS GRANTED TO THE GOVERNOR DURING THE STATE OF EMERGENCY BY CONCURRENT RESOLUTION. IF THE LEGISLATURE DOES NOT EXTEND THE EMERGENCY POWERS GRANTED TO THE GOVERNOR DURING THE STATE OF EMERGENCY OR DECLARE BY CONCURRENT RESOLUTION THE EMERGENCY TO BE AT AN END, THE GOVERNOR MAY NOT PROCLAIM A NEW STATE OF EMERGENCY ARISING OUT OF THE SAME CONDITIONS FOR WHICH THE STATE OF EMERGENCY WAS PROCLAIMED. IF THE LEGISLATURE DOES EXTEND THE EMERGENCY POWERS GRANTED TO THE GOVERNOR DURING THE STATE OF EMERGENCY, THE LEGISLATURE MAY ALSO ALTER OR LIMIT SUCH POWERS BY CONCURRENT RESOLUTION.

2. BY PROCLAMATION OF THE GOVERNOR TERMINATING THE STATE OF EMERGENCY OR BY CONCURRENT RESOLUTION OF THE LEGISLATURE DECLARING THE EMERGENCY POWERS GRANTED TO THE GOVERNOR TO BE AT AN END.

3. The Secretary of State shall submit this proposition to the voters at the next general election as provided by article XXI, Constitution of Arizona.

#### ANALYSIS BY LEGISLATIVE COUNCIL

Current law allows the Governor to declare a state of emergency if the Governor finds that a disaster or other extreme peril threatens the safety of the people or property of this state. During a state of emergency, the Governor:

1. Has complete authority over all state agencies and has the right to exercise, within the designated area, all police power vested in this state by law.

2. May direct all state agencies to use and employ state personnel, equipment and facilities to perform activities designed to prevent or alleviate actual or threatened damage caused by the emergency. The Governor may also direct state agencies to provide services and equipment to counties and municipalities in this state to restore any services for the health and safety of the citizens of the affected area.

Proposition 135 would amend the Arizona Constitution to specify that the emergency powers granted to the Governor during the state of emergency (except for powers related to a state of war emergency or an emergency arising from a flood or fire) terminate 30 days after the date the state of emergency is proclaimed, unless the Legislature extends the Governor's emergency powers by enacting a concurrent resolution. If the Legislature extends the Governor's emergency powers, the Legislature would be allowed to alter or limit the powers by concurrent resolution. If the Legislature does not extend the Governor's emergency powers, the Governor would be prohibited from proclaiming a new state of emergency arising out of the same conditions for which the initial state of emergency was proclaimed.

Proposition 135 also would require the Governor to call a special session to assemble the Legislature if at least one-third of the members of each house sign a petition requesting a special session for the purpose of terminating or altering the Governor's emergency powers. At the special session, only the emergency powers granted to the Governor may be considered. The Governor's emergency powers would terminate if the Legislature enacts a concurrent resolution ending the emergency powers of the Governor, in which case the Governor would be prohibited from proclaiming a new state of emergency arising out of the same conditions for which the initial state of emergency was proclaimed. (The Governor's emergency powers would also terminate if the Governor issued a proclamation terminating the state of emergency).

135

PROPOSITION 135

# ARGUMENTS “FOR” PROPOSITION 135



As the saying goes, “absolute power corrupts, absolutely.” Which is why we all have an interest in ensuring power is not concentrated too heavily into the hands of one politician. Prop 135 is a commonsense approach to placing limitations on the Governor’s authority by ensuring there are reasonable checks and balances to their executive power.

Emergencies do happen. There are natural disasters like floods and fires. These often require a swift and decisive response from an executive leader. But emergencies are by definition temporary. And extraordinary powers conferred under extreme events must also be temporary.

Prop 135 strikes an appropriate balance, allowing for emergency declarations to respond to legitimate emergencies, but automatically terminating them 30 days after the date they were declared, unless extended by the legislature with a majority vote. This ensures an on-going emergency and the great power being put into the hands of one politician is affirmed by more than just that person. If these powers are abused or if the nature of the emergency changes, the legislature may also limit or alter the powers being granted.

Historically and unsurprisingly, governors have been unwilling to pass simple reforms that limit their own power. That is why the People must approve and pass this Constitutional check and protect themselves from future administrations that take advantage of the powers they have been granted.

Vote YES on Prop 135 to protect small businesses, secure our individual liberties, and ensure a proper balance of power while maintaining the ability to respond quickly to true emergencies.

**Scot Mussi, President, Arizona Free Enterprise Club, Gilbert**  
*Sponsored by Arizona Free Enterprise Club*

Vote yes on Proposition 135. Everyone who believes concentrated power is bad for democracy should vote yes to limit the emergency powers of Arizona’s governor. The recent pandemic demonstrated the need to restore a proper balance of power between the governor and us, as most closely represented by our state legislature. The governor is rightfully authorized the ability to invoke emergency powers in order to decisively deal with unexpected issues. However, an emergency over a lengthy period of time is not really an emergency anymore but is instead a “new normal”. We should have input, via our representatives, on how our daily lives will be affected by the “new normal”. Open-ended emergency authorities make a mockery of democratic governance and undermine the consent of the governed. A self-governing people should not be subjected to unchecked authorities no matter how well-meaning. Vote yes on Proposition 135.

**Brook Doty, Chairman, LD17 Republicans, Tucson**

Prop 135 ensures proper oversight to limit the power of the governor from keeping Arizona citizens under a state of emergency indefinitely, as we saw in 2020. Emergency powers are necessary, but this proposition will put a time limit of 30 days on emergency declarations. After that, only the legislature can extend them, with proper debate. Small businesses and citizens have civil liberties that, even in an emergency, must be preserved. This proposition will do that by taking the sole power out of the governor’s hands.

VOTE YES ON PROP 135

**Nikki Colletti, Glendale**

Vote YES to preserve small business and personal freedoms in times of crisis! Proposition 135 establishes crucial checks and balances on gubernatorial authority, preventing potential abuses of power that we witnessed during the pandemic. While emergencies demand swift action, it's imperative that such extraordinary powers remain temporary. By automatically terminating emergency declarations after 30 days unless extended by the legislature, Prop 135 ensures accountability and prevents prolonged overreach. This measure strikes a necessary balance, enabling rapid responses to crises while safeguarding against unchecked executive authority. It's a common-sense approach to protect individual liberties and

maintain a proper balance of power. Vote YES on Prop 135 to uphold democracy, safeguard freedoms, and ensure responsible governance.

### **Kristan Culbertson, Parks**

---

"Please vote YES on Prop 135 because the people need protection from government overreach and concentrated power in the hands of one politician.

With Prop 135, emergency powers would automatically terminate 30 days after an emergency is declared.

A "Yes" vote for Prop 135 would permit the legislature to call a special session with 1/3 of its members, enable them to terminate emergency declarations, provide oversight and amend them, thereby protecting the people's civil rights. This measure will prevent future multi-year lockdowns, allowing the ability to swiftly respond to real emergencies, while ensuring proper legislative oversight.

Please vote YES on Prop 135. Thank you.

Gisela Aaron, Tucson, AZ, LD17, Pct 176"

### **Gisela Aaron, Tucson**

*Sponsored by Arizona Free Enterprise Club*

---

"Vote YES on Proposition 135. It is a commonsense approach to placing checks and limitations on the Governor's emergency powers. Proposition 135 provides for terminating the Governor's emergency powers 30 days after a declaration unless the emergency is extended by a vote of the legislature.

Proposition 135 maintains the ability to quickly respond to real emergencies, while ensuring the response is measured, appropriate, and checked by other branches of the government.

During the Covid Pandemic residents of some states were subject to draconian lockdowns and rules that violated civil rights with no mechanism to counteract their governor's powers.

Proposition 135 will ensure emergency powers are not abused for political purposes.

Passing Proposition 135 would also provide citizens with the following protections:

- Sets a reasonable time for responding to emergencies
- Limits the power afforded to one politician
- Protects small businesses
- Maintains the ability to respond to actual emergencies
- Ensures checks and balances between the branches of government

Unforeseen emergencies do happen and our government needs to be empowered to deal with them in a timely manner. Proposition 135 provides a bright line between dealing with an actual emergency and egregious political posturing by the Governor.

Vote YES on Proposition 135 to prevent government overreach."

### **Brian Eckley, Mesa**

*Sponsored by Arizona Free Enterprise Club*

---

#### Why Vote YES on Prop 135?

- Ensures Checks and Balances: Prop 135 prevents the concentration of power in the hands of one individual by requiring legislative approval to extend emergency powers beyond 30 days.
- Maintains Swift Response to Emergencies: Natural disasters and other emergencies require quick action, which Prop 135 allows while ensuring such powers are temporary and subject to review.
- Protects Civil Liberties: By limiting the duration of emergency powers, Prop 135 helps safeguard individual freedoms and prevents potential abuses of power.

- Supports Small Businesses: Extended emergency powers can impose undue burdens on small businesses. Prop 135 provides a reasonable time frame for emergency measures, preventing prolonged disruptions.
- Promotes Good Governance: This measure ensures that any extension of emergency powers is justified and supported by the legislature, reflecting the will of the people.

Historically, governors have been reluctant to limit their own powers. Prop 135 is a common-sense solution that requires legislative oversight, protecting us from the risk of prolonged and unchecked executive power. This constitutional check is essential for maintaining a balanced government, protecting individual liberties, and ensuring that responses to emergencies remain just and appropriate.

Vote YES on Prop 135 to ensure proper checks and balances, protect small businesses, and preserve our civil liberties while maintaining the ability to respond effectively to true emergencies.

**Suzanne Murray, Chandler**

---

Remember Covid? When the Governor shut down our entire state, with no check and balance on how long our rights were violated? Prop 135 would restore proper checks and balances on emergency powers and automatically terminate emergency declarations after 30 days. An extension would require a vote by the legislature. The Governor will never vote to limit his or her power, so we the people must approve this Constitutional check.

Vote yes to protect small businesses, secure our individual liberties, and ensure a proper balance of power while maintaining the ability to respond quickly to true emergencies.

**Michal Joyner, Scottsdale**

---

I urge all voters to vote YES on Prop 135 (Emergency Declaration Amendment). A YES vote will allow the legislature to terminate a state of emergency declared by the governor and provide for automatic termination of any emergency power granted to the governor 30 days after the stated emergency. This measure will prevent the abuse of emergency powers such as creating an ongoing state of emergency beyond what is necessary to address the emergency. Without limits allowing for termination of emergency powers, the governor would be able to impose a perpetual "state of emergency" which would be unconstitutional. Prop 135 would also allow the Arizona Legislature to call themselves into a special session with 1/3 of the members, to terminate the emergency declaration should an attempt be made by the governor to continue the emergency beyond 30 days unless the legislature deems it necessary and extends these emergency powers for reasons such as a state of war or an emergency arising from flood or fire. The people always need protection from government overreach and Prop 135 is an excellent safeguard while still maintaining the governor's power to declare such an emergency when needed. Vote YES and prevent perpetual emergencies that endanger our Constitutional rights.

**Clare Goldsberry, Arizona Free Enterprise, Phoenix**

**135**

---

Vote YES on Prop 135! Our existing emergency powers statutes are outdated, lack any checks and balances, and have no explicit limitations in the constitution. With Prop 135, the governor's emergency powers will automatically be terminated after 30 days unless the legislature extends those powers to the governor. Emergencies are temporary, and the vast powers of the executive should also be temporary while allowing for extensions from the legislature. Prop 135 does maintain the flexibility for the executive to respond to floods and fires, but ensures any other emergencies terminate without legislative oversight. This constitutional ballot measure brings balance to the Executive & Legislative branches of government, protecting public safety and individual liberties. Please join me in voting YES on Prop 135.

**Linda Busam, Peoria**

*Sponsored by Arizona Free Enterprise Club*

---

Checks and balances are always the way to limit absolute government overreach and ensure that power is not concentrated too heavily into the hands of one politician.

In Arizona we have emergencies like flash floods, wildfires, and mudslides. Prop 135 importantly preserves the ability to provide emergency relief and assistance as well as ongoing funding from the federal government. It also provides a new safeguard against legitimate emergencies being used to usher in extraordinary and inappropriate uses of power.

Emergencies are temporary and so should be emergency powers.

Prop 135 would provide for the branch of government closest to the people - the legislative - to hold the Governor accountable, ensuring the power is in more than one person's hands. This is especially important for individuals and businesses that don't have political influence or resources such as small businesses who are unable to challenge the government's overreach.

The only way the People can ensure this good governance and important Constitutional safeguard is passed is by voting YES on Prop 135.

Patricia Moore

**Patricia Moore, Voter, Goodyear**

---

An emergency is defined as “an unforeseen combination of circumstances or the resulting state that calls for immediate action” and “an urgent need for assistance or relief” The key words are “unforeseen” and “urgent”,

Under this change, the authorities still retain the ability to deal with unforeseen and urgent matters. It does not, however, allow for an ongoing transfer of powers at an uncertain time and scope. Those changes remain the responsibility of duly elected legislators, not a small group of executive officials and their appointees who the citizens did not elect. If executives seek to redefine what an emergency is or offer an overly broad definition of an emergency, they can necessarily be reined in.

Small businesses as well as individuals with limited resources or without a steady salary will continue to bear the uneven burden of economic shutdowns, just as they did during the pandemic.

When emergency powers were granted, it seems unlikely that an emergency would be considered to go on for two years as recently happened in this state. Truly catastrophic situations where there's an absolute compelling reason for public safety, not just convenient to make marginal improvements, will still be addressed and then removed when the threat, as determined by an elected legislature, abates. Let's keep the power decentralized as originally intended.

Vote Yes on Prop 135 to keep power decentralized as originally intended.

Steve Hetsler

Gold Canyon

**Stephen Hetsler, Gold Canyon**

---

**"VOTE "YES" ON PROPOSITION 135: EMERGENCY POWERS**

Proposition 135 is a critical measure that will curb the abuse of emergency powers by ensuring that such declarations automatically expire 30 days after being declared, unless extended by a legislative vote. This proposition is crucial to restore the balance of power and prevent the concentration of authority in the hands of a single individual, the Governor.

In a democratic society, it is fundamental to have checks and balances in place to prevent any one person from wielding absolute power. The ability to declare an emergency is a necessary tool for a leader to address immediate crises such as natural disasters or pandemics. However, it is equally important to ensure that these emergency powers are not misused or extended indefinitely, infringing upon individual liberties and bypassing the normal legislative processes.

By establishing a time limit on emergency declarations, Proposition 135 strikes a delicate balance between addressing emergencies swiftly and preventing the misuse of power. It ensures that emergency measures are temporary and subject to regular review by the People's representatives, safeguarding citizens from any potential overreach by the executive branch.

We have seen how prolonged emergency declarations can lead to the erosion of personal freedoms and economic hardships on businesses. Proposition 135 offers a pathway to protect small businesses, individual liberties, and the overall democratic process.

## NOVEMBER 5, 2024 ★ GENERAL ELECTION

This proposition does not strip the government of its ability to respond effectively to genuine emergencies. Instead, it sets clear guidelines for the responsible use of emergency powers, ensuring that such measures align with the constitution and rule of law.

### VOTE “YES” ON PROPOSITION 135: EMERGENCY POWERS LIMITATIONS

"

**Karla Bailey, Vail**

*Sponsored by Kaaren Sherrell*

---

"Vote YES on Prop 135!

Remember “15 days to slow the spread?” Those 15 days turned into over two years in Arizona. In order for our representatives (the Legislative Branch) to have any say over the lockdown, under existing law they either needed to be called into special session by the Governor (thus yielding some of his/her power) or 2/3 of the Legislature would have had to petition to call themselves into special session. It is virtually impossible to get 2/3 of the Legislature to agree on anything these days, so the Governor’s control over our lives went relatively unchecked for two years keeping businesses closed, requiring us to wear masks nearly everywhere, preventing in-person proms and graduations for students at many schools, and preventing people from seeing loved ones in hospitals. The Legislature soon discovered that, without emergency powers reform, too much power is concentrated into the hands of one politician, eliminating proper checks and balances that representative government requires.

Prop 135 would automatically terminate an emergency declaration after 30 days, unless extended by a vote of our elected representatives. This limit incentivizes the Governor to call our Legislators into session if an extension is necessary and it would also enable the Legislature to convene if the Governor declined to do so. A special session can limit or roll back emergency powers any time after an emergency is declared. There’s an old saying: “power corrupts, and absolute power corrupts absolutely”. Common sense would tell us that one person shouldn’t be able to abridge our civil rights without a check and balance from our elected representatives in the Legislative Branch.

Please vote YES on Prop 135!"

**Joe Straining, Paradise Valley**

*Sponsored by Charles Mackey*

---

Considering recent Arizona COVID lockdowns, it’s clear that emergency powers wielded by executives have been excessive. While emergencies demand swift action, it’s crucial that such powers remain temporary and accountable. This initiative proposes a solution: automatic termination of emergency powers after 30 days, ensuring they don’t become permanent fixtures. Additionally, it empowers the legislature to convene a special session with just 1/3 of its members, allowing for swift action to modify or terminate emergency declarations with a simple majority vote.

By enacting this measure, we safeguard democracy by restoring the balance of power between branches of government. It ensures that decisions affecting public welfare are subject to democratic scrutiny and debate, preventing potential abuses of power. Moreover, it upholds constitutional principles by preventing the erosion of civil liberties under prolonged states of emergency. This initiative promotes effective governance by facilitating timely review and termination of emergency powers, ensuring that governmental responses remain proportional to crises.

By curbing executive overreach and restoring legislative oversight, we rebuild faith in our democratic institutions. Finally, protecting individual liberties is crucial. This measure strikes a balance between public safety and personal freedom, preventing future COVID-like lockdowns while upholding the principles of liberty and democracy. Overall, this initiative ensures that emergency powers are wielded responsibly, preventing abuses, and safeguarding the rights and freedoms of all citizens. Please vote YES on HCR2039!

**Andrew Adams, Gilbert Citizen, Gilbert**

*Sponsored by LD14GOP*

"Currently in Arizona, there are not a whole lot of checks on emergency powers that can be used by one politician, the Governor. Theoretically, he/she can unilaterally prohibit people from driving, stop the usage or burning of fuel, shut down businesses, impose lockdowns and curfews, and restrict other civil liberties. Our state has been one of the worst in the country at having a constitutional check on these immense powers.

We must impose common sense limitations on these extreme emergency powers.

Under Prop 135, emergency declarations would end after 30 days, unless the legislative body debated and determined they needed to continue. The legislature would also be able to narrow the powers of the declaration so that more extreme exercises of those powers (like stopping people from travelling) would have to end, while still allowing for harmless powers like accepting federal monies could continue.

We need this reasonable proposition to pass. Join me in voting 'Yes' for Prop 135."

**Carol Stines, Phoenix**

*Sponsored by Charles Mackey*

"There is an old saying that ""A government that is allowed to break the law during an emergency will create an emergency to break the law"".

Given the recent governmental overreach during the Covid 19 pandemic, the need to rein in government emergency powers is more important than at any time in our Nation's history.

The unchecked governmental powers during the recent Pandemic wielded by unelected bureaucrats caused widespread financial damage, limited personal freedom, damaged emotional wellbeing, and created a severe hardship to our educational system.

Proposition 135 places reasonable limits on the Governor's emergency powers, ensuring that extended states of emergency receive proper legislative oversight. This measure:

1. Limits initial emergency declarations to 30 days
2. Requires legislative approval for extensions beyond 30 days
3. Allows the legislature to terminate a state of emergency at any time

This commonsense approach to limiting the Governor's emergency powers will allow sufficient time to react in a true crisis, and limit any extensions for purely political purposes. Let's not have the recent Covid 19 pandemic history repeat itself.

Vote YES on Proposition 135."

**Dennis Liles, Mesa**

*Sponsored by Arizona Free Enterprise Club*

Vote YES on Proposition 135 to reasonably limit powers of the Governor.

We all saw what happened during the COVID « pandemic » where politicians, under the guise of an emergency, continued to exert power to place onerous restrictions on citizens (and in many cases exempted themselves from these same restrictions) even after the « emergency » had ended. Do you want to prevent over-zealous Governors from restricting your rights?

There certainly is a place for politicians to decisively respond to true emergencies. However, these emergencies are, by definition, temporary — and so should extraordinary powers claimed by governors.

This proposition automatically terminates emergency declarations (unless for war, floods or fires) 30 days after they are first declared unless the emergency is extended by the legislature. It prevents the Governor from proclaiming a new state of emergency arising out of the same conditions unless the legislature extends the emergency powers. It also requires signatures of « at least one-third of the members of each house requesting a special session of the legislature for the purpose of terminating or altering the emergency powers granted to the Governor... ».

Proposition 135 ensures that an on-going emergency is affirmed by more than one person, and so eliminates having such great power in the hands of just one politician. Thus, it prevents a perpetual rule by one person.

It is no surprise governors have been unwilling to limit their own power. We must pass this proposition to protect citizens from those who may abuse their powers.

Proposition 135 will secure our individual liberties, while also allowing the ability for the Governor and administration to respond quickly to true emergencies.

VOTE YES on Proposition 135 to protect our freedoms.

**Victoria Craig, Concerned Citizen, Scottsdale**

---

Quite simply the abuse of emergency powers and the disregard of the constitution during COVID was malfeasance on the part of our political leaders. It is unfortunately necessary to make sure this never happens again, by limiting emergency declarations in time and scope, and empowering the legislature to act as a check against unfettered executive power. Please vote YES on Prop 135 to restore free speech and rights of the public and ensure that emergency powers are never abused again.

**Janet Fernstrom, Scottsdale**

*Sponsored by Arizona Free Enterprise Club*

---

**Vote Yes on Prop 135**

We need to restore the proper checks and balance on the Governor's emergency powers. Prop 135 will restore this balance. Prop 135 retains the power to use emergency powers to respond quickly to a real emergency like natural disasters such as floods and wildfires. At the same time, it balances this concentrated power left in the hands of a single politician by automatically terminating the emergency declaration after 30 days unless it is extended by a majority vote of the legislature which is the most deliberative and representative branch of the government.

Prop 135 would provide a check on the perpetual rule by one and would preserve our civil liberties by allowing our elected representatives to have oversight and input in the terms and length of this extraordinary exercise of power by a single elected political official.

We all know of small businesses that closed and never re-opened due to the unrestricted mandates imposed by the Governor's unrestricted exercise of emergency powers. Without Prop 135, we had no recourse as citizens since our state representatives and state senators had no power to rein in the governor's unbridled power. This experience alone should teach us that we need to ensure better checks and balances and ensure a proper balance on the exercise of this extraordinary use of power.

Voting Yes on Prop 135 ensures the ability of our government to respond quickly to emergencies while ensuring that this power is not abused, overused, and overextended by the decision of a single person without oversight by our duly elected representatives.

**James Roth, Arizona citizen, Rio Verde**

---

During the Covid lockdowns, many small businesses, restaurants, schools, children, individuals, churches, nursing homes, hospitals, etc were severely negatively impacted. At that time, all of the decisions were being made by just one politician. Our representatives should be enabled to reverse an emergency declaration enacted by a single person. The bedrock of representative government is checks and balances. Vote YES on Prop 135 to restore a proper balance of power.

**Diane Niemann, Phoenix**

*Sponsored by Arizona Free Enterprise Club*

---

"Vote yes on Prop 135 which provides a system of checks and balances when a state of emergency is declared. Emergencies do happen. Emergencies may be natural disasters such as floods and fires, or medical emergencies as we experienced with COVID. The Governor needs that authority to respond to genuine emergencies; however, emergencies are usually short lived and should not extend for years. Prop 135 allows for quick executive action, when necessary, while keeping reasonable restrictions on the Governor's authority.

Prop 135 would automatically end any emergency powers 30 days after an emergency is declared, unless extended by the legislature. It would allow one-third of the members of each house of the legislature to petition the Governor to call a special

session regarding the Governor's emergency powers. When called, Prop 135 enables our elected senators and representatives to limit the power given to one politician. Our elected senators and representatives will be empowered to reflect the will of the people and protect our civil liberties. It provides a system of checks and balances so one person cannot tyrannically control our lives and businesses for as long as that person desires.

Vote yes to Prop 135 - Restricting Emergency Powers - which enables the governor to respond to emergencies while empowering our elected senators and representatives to represent the citizens of Arizona and protect our civil liberties."

**Jo Ann Gasper, Hereford**

*Sponsored by Arizona Free Enterprise Club*

Current Arizona law concerning emergency powers of executive officials is a totalitarian's dream. Once the governor declared a Covid-19 state of emergency, he and other executive officers exercised almost unlimited power to issue orders with the full force of law. The law allowed those orders to destroy lives, jobs, families and businesses, without proof that the affected businesses and activities posed any more danger than others that were not affected.

The Legislature wasn't in session when the state of emergency was declared, and the law required a super-majority vote of both houses to call a special session to rein in the powers of the executive. So the destruction continued unchecked for longer than anticipated or necessary. Too many of our legislators lacked the courage or wisdom to act. When business owners complained that their livelihoods were being destroyed without any opportunity to question or contest the basis for the emergency orders, the courts failed them miserably. Judges were hamstrung by the poorly-written law, and by badly-reasoned precedent.

We voters should never allow that to happen again. We elect our legislators to make law, not the governor. Prop. 135 would allow legislators to take a stand to approve or end emergency declarations. This doesn't eliminate the governor's power to declare emergencies or issue needed orders. For short periods of time, emergency powers might be needed. But Prop. 135 wisely sets much more reasonable limits on the duration of emergency powers, and removes legal barriers that made it difficult for legislators to step in when they should.

**Lyle Aldridge, Tucson**

As a physician, a mother, and a grandmother, I was greatly disturbed by what happened when the governor of Arizona declared a state of emergency for Covid. Our businesses were shut down with many going bankrupt. Our schools were closed down with our children suffering educational set-backs. Citizens were essentially relegated to their homes. Many felt their civil rights were violated.

At the time the governor declared that state of emergency, there were insufficient safeguards against the exercise of total power. There were few limits to what could be done or how long it could last. When it became apparent that the restrictions were needlessly excessive, there was no way for citizens to put an end to it.

This Proposition 135 allows for a means to limit and balance the governor's emergency orders. It allows the legislature to address the issue and to call themselves into special session by a petition from one-third of the members of both the House and Senate.

If the governor declares a state of emergency for any reason other than war, flood, or fire, the state of emergency terminates after 30 days. It may be extended by the legislature, and the legislature may also alter or limit the powers. Either the governor or the legislature may declare an end to the state of emergency.

This is a common-sense addition to our constitution to protect citizens and provide balances and limits to governmental powers and over-reach. Please Vote YES on Proposition 135.

**Sherrylyn Young, MD, Tucson**

Arizona has a government based on checks and balances because one person can not always be trusted to understand and act in our best interests. As we saw with Covid, executive orders can be used as a workaround in lieu of those checks and balances. Small businesses and civil liberties paid the price of the decisions of a few people.

Events requiring emergency powers happen. When something such as a natural disaster occurs, the Governor can make a decision more quickly than a committee can.

After swiftly protecting our citizens, the next step will go to the Legislature. Those individuals we elected can work as a team over the next 30 days to evaluate the emergency adding any new information and input we give to their offices to the ultimate decision. The emergency can then be extended or expire as those who represent us see fit.

Vote YES on Prop 135 to protect our small businesses, our rights and allow a proper response to emergencies while maintaining checks and balances.

**John Hassett, Phoenix**

---

Prop 135 brings thoughtfulness back to the use of emergency powers: Vote YES!

Prop 135 ensures that emergency powers are available but prevents indefinite control.

Remember COVID? The governor gave the power to both counties and cities to issue health related mandates. Did you know that Maricopa County Board of Supervisors shut down Queen Creek restaurants through the health department even though the Town of Queen Creek voted against the mandates?

Prop 135 ensures that the governor can only issue emergency mandates for up to 30 days without the consent of the legislature. Prop 135 exempts any emergencies related to war, flood or fire. Thus, anything the governor delegated to cities and counties, or any executive orders, would expire after 30 days. The state legislature would be required to act, including calling themselves back into session, in order to extend the powers past 30 days. If they do not, they go away automatically. This is a reasonable restriction that protects citizens from overzealous politicians.

Please vote YES on Prop 135.

Written by:

Bob Pamplin

Wendy Wayne

Ashley Stewart

Clint Stewart

Don Meyer

Carol Winstanley

Peter Anello

Cherie Anello

Delia Athey

David Winstanley

Concerned Citizens of Southeast Mesa and Queen Creek

**135**

**Don Meyer, Concerned Citizens of Southeast Mesa and Queen Creek, Queen Creek; Clint Stewart, Concerned Citizens of Southeast Mesa and Queen Creek, Mesa; Ashley Stewart, Concerned Citizens of Southeast Mesa and Queen Creek, Mesa; Wendy Wayne, Concerned Citizens of Southeast Mesa and Queen Creek, Mesa; Bob Pamplin, Concerned Citizens of Southeast Mesa and Queen Creek, Mesa; Peter Anello, Concerned Citizens of Southeast Mesa and Queen Creek, Mesa; Cherie Anello, Concerned Citizens of Southeast Mesa and Queen Creek, Mesa; Delia Athey, Concerned Citizens of Southeast Mesa and Queen Creek, Queen Creek; Carol Winstanley, Concerned Citizens of Southeast Mesa and Queen Creek, Mesa; and David Winstanley, Concerned Citizens of Southeast Mesa and Queen Creek, Mesa**

---



# ARGUMENTS “AGAINST” PROPOSITION 135

## Arizona’s Emergency Response at Risk

### Vote NO on Proposition 135

Voting for this would add bureaucratic red tape and delay Arizona’s emergency response. The legislature wants you to give them even more power over the executive branch (Governor, Secretary of State, and state agencies) by slowing or stopping the response to a declared state of emergency after only 30 days.

The state legislature is already set up to micromanage executive branch public health emergency responses. A 2022 law, passed after the COVID-19 pandemic, puts a 120-day limit on public health emergency declarations. After the first 120 days, the legislature must approve extensions of the emergency.

The purpose of any state emergency declaration is to allow state agencies to implement reasonable measures to help quickly respond to disasters. For example, during a declared public health emergency the governor and director of the state health department can temporarily:

- Fast-track the purchase of antiviral medications or vaccines & prioritize their distribution to high-risk populations.
- Provide transportation for medical support personnel and ill and exposed persons.
- Quickly set up testing stations.
- Establish temporary control measures for hazardous highly infectious diseases – whether due to bioterrorism or not.

Without the governor having that extra temporary statutory authority during a public health emergency we’re in danger of losing the ability to quickly respond. And when people and communities are in a state of emergency, the last thing they need to do is wait for the legislature to come to a consensus.

Future public health disasters will be more likely to spin out of control and cause great harm because of fractured and acrimonious meddling by the legislature if Proposition 135 passes.

Don’t take the bait. Vote NO on Proposition 135.

**Will Humble, Executive Director, Arizona Public Health Association, Phoenix**

## Bureaucratic Delays Put Public Safety at Risk - Vote NO on Proposition 135

The Arizona Alliance for Community Health Centers strongly opposes Proposition 135. It undermines the governor’s ability to respond effectively to emergencies, putting Arizonans at risk.

**Bureaucratic Delays:** Proposition 135 adds bureaucratic red tape and delays Arizona’s emergency response. Emergencies demand swift action, not bureaucratic delays. This requirement could slow down essential decisions, jeopardizing public safety.

**Existing Legislative Control:** The state legislature already has significant control over public health emergency responses. A 2022 law limits public health emergency declarations to 120 days, requiring legislative approval for extensions. Adding further restrictions is redundant and harmful.

**Loss of Rapid Response:** Automatically terminating the governor’s emergency powers after 30 days, unless extended by the legislature, hinders ongoing response efforts. Emergencies often last longer. Requiring repeated legislative approval can prevent timely actions. When communities face emergencies, waiting for the legislature to reach a consensus is not an option.

**Political Gridlock Jeopardizing Public Safety:** Future public health disasters could spiral out of control due to legislative interference if Proposition 135 passes. Restricting the governor’s ability to re-declare emergencies under similar conditions

undermines necessary flexibility. This resolution risks politicizing emergency management, allowing political considerations to influence crucial responses rather than prioritizing public safety and expert recommendations.

Therefore, the Arizona Alliance for Community Health Centers urges voters to vote NO on Proposition 135.

**Jessica Yanow, Chief Executive Officer, Arizona Alliance for Community Health Centers, Phoenix**  
*Sponsored by Arizona Alliance for Community Health Centers*

---

They are lying to you with this proposition. The governor has no constitutional authority to declare a state of emergency now. Titles 26 and 36 in the statutes are unconstitutional and if they are serious about following the constitutions, the legislature would strike these laws granting authority to the governor, they should not be there. This entire proposition violates our Representative from of Government. This would grant the governor power to make law, enforce law, and govern through proclamation. This violates our state constitution under Article 4, Part I, Section I, "All legislative power shall be vested in the legislature." It violates Article 4, Section 4 of the US Constitution; "The United States shall guarantee to every State a Republican form of Government". Finally, Article 4, Part 2, Section 25, is the only section that mentions "in emergency". It says, "Continuity of Government operations in emergency". The only authority granted to the legislature, NOT the governor, is to establish a system that maintains government service during enemy attack! This system is only to delegate duties to another department if unable to continue, and/or appoint a new director if killed or missing. There is no authority over the people! This proposition destroys a representative form of government and makes the governor a dictator. There is no "limiting" the powers of the governor because it doesn't exist now. They are asking you to grant this power, claiming it is a limitation. Even if the legislature is called, they still have to vote a majority. How convenient this is, playing into the WHO's desire to claim control over independent sovereigns and decide what is a health emergency and what we are to obey. It is all about money and controls.

Do not fall for this lie. Vote NO.

**Randy Miller, Founder, Your American Sheriffs, Sun City**

---

ballot measure is unconstitutional.

**John Fifer, Wickenburg and Treva Fifer, Wickenburg**

---

Well-intentioned or not, Proposition 135 is a Trojan Horse you need to reject. In the guise of limiting a governor's dictatorial powers, Prop 135 actually grants him those very powers.

In 2021, during COVID, the Legislature introduced ARS 26-303(G) and (H), our state's historically first grant of "emergency powers" directly over citizens, to the governor. Unfortunately, these clauses were (and still are) *prima facie* unconstitutional.

The Arizona Constitution specifies that no "department" (branch) of government may exercise the powers of another. It nowhere grants the governor any power to create edicts to be enforced directly upon the citizenry -- those are called laws, and must be passed by the Legislature. All emergency powers authorized in the state constitution are granted strictly to the legislature, and affect government employees only -- to manage funding and crucial staffing to ensure the continuation of government services during times of catastrophe.

The constitutionally correct course is for the legislature to solve the problem they themselves created, in the proper manner -- by repealing the unconstitutional clauses (G) and (H) of ARS 26-303. Instead, they are now doubling down on their error and asking you to "paper it over" by amending the constitution itself to approve new language -- language that when added, will actually grant a governor the precise dictatorial powers that they claim they are "limiting."

Do not approve the introduction of one-person rule into the Arizona Constitution. Reserve our precious separation of powers.

Vote NO on Proposition 135.

**C Tavares, Morristown**

My argument AGAINST HCR 2039. This is the constitutional amendment making the governor a king/queen, allowing them to make laws through proclamations and declarations, taking your freedoms away like they did during COVID. This is all a lie, that they want to limit the authority of the governor. The governor has no authority to declare a state of emergency now. The legislature has no authority to do so. The laws on the books in title 26 and 36 that give these powers to the governor are all unconstitutional.

### **Tonya Berg, Wickenburg**

Don't be misled or scared into thinking that HCR 2039 (Prop 135) is a good idea, that it will restrict emergency powers by a certain number of days, or that it is "supported by Conservatives and opposed by the Radical Left" according to the AZ Free Enterprise Club. I am a long-time conservative Precinct Committeeperson (PC) serving Legislative District 27 in northern Glendale. At our Maricopa County Republican Committee Meeting in January 2024, HCR 2039 was rejected overwhelmingly by the conservative PCs of the 30 Legislative Districts in Maricopa County. They voted NOT to support HCR 2039!

This constitutional Amendment will insert emergency powers into our AZ Constitution and will give these powers to one person – the AZ Governor – with some time and procedural restrictions. This violates Article 3 of our AZ Constitution's separation of powers by giving the Governor the authority to make laws thus creating a dictatorship even though it may be limited to "a number of days". The Governor should never have a totalitarian type of authority even for one minute!

"On March 11, 2020, Governor Ducey declared a state of emergency in Arizona and subsequently issued executive orders containing restrictions that severely harmed small businesses across the state. To do this, he relied on the "Emergency Management" statute (A.R.S. 26-303), under which the legislature gave him lawmaking power which our AZ Constitution is designed to forbid". (Per Amicus Brief from the New Civil Liberties Alliance)

These emergency powers in the Arizona Revised Statutes must be repealed, NOT added to the AZ Constitution with some arbitrary restrictions under this bogus proposition!

HCR 2039 (Prop 135) strikes at the very heart of our rights and freedoms as Arizona citizens.

PROTECT OUR CURRENT AZ CONSTITUTION and vote NO to this amendment!

### **Mary Platt, LD 27 Precinct Committeeperson, Republican Party, Glendale**

The League of Women Voters of Arizona opposes Proposition 135, which amends the Arizona Constitution to shift the power to terminate a state emergency or alter the governor's emergency powers from the governor to the legislature. The proposition would require the governor to seek legislative approval to extend an emergency declaration every 30 days. This proposition would also amend the Arizona Constitution to reduce the percentage of legislators required to call a special session to extend the emergency declaration from 66% to 33%.

Effective emergency management involves both response and recovery phases. Response includes activities such as rescue and the work directly related to rescue, such as clearing roads. Recovery, which takes longer, involves repairing the damage caused by the emergency.

By empowering the legislators to dilute the governor's emergency powers, this constitutional amendment would undermine the governor's ability to effectively manage ongoing crisis situations. Requiring legislative approval to extend an emergency declaration every 30 days is impractical and will create unnecessary delays that could worsen the crisis. During a crisis, Arizona needs swift action, not the cumbersome and potentially partisan delays introduced by Proposition 135.

THE LEAGUE OF WOMEN VOTERS OF ARIZONA URGES YOU TO VOTE NO.

### **Pinny Sheoran, President, League of Women Voters of Arizona, Scottsdale**

*Sponsored by League of Women Voters of Arizona*

# BALLOT FORMAT

## PROPOSITION 135

### PROPOSED AMENDMENT TO THE ARIZONA CONSTITUTION BY THE LEGISLATURE RELATING TO THE GOVERNOR

**OFFICIAL TITLE**

AMENDING ARTICLE IV, PART 2, SECTION 1, CONSTITUTION OF ARIZONA; AMENDING ARTICLE V, SECTION 4, CONSTITUTION OF ARIZONA; RELATING TO THE GOVERNOR.

**DESCRIPTIVE TITLE**

TERMINATES GOVERNOR'S EMERGENCY POWERS, EXCEPT FOR POWERS RELATING TO WAR, FIRE, OR FLOOD, 30 DAYS AFTER THE GOVERNOR'S PROCLAMATION, UNLESS EXTENDED BY THE LEGISLATURE. REQUIRES THE GOVERNOR TO CALL A SPECIAL SESSION UPON PRESENTMENT OF A PETITION SIGNED BY AT LEAST ONE-THIRD OF THE MEMBERS OF THE LEGISLATURE.

A “yes” vote shall have the effect of amending the Arizona Constitution to automatically terminate any emergency powers granted to the Governor thirty days after the date the state of emergency was proclaimed, unless the Legislature extends the emergency powers granted to the Governor or the emergency relates to war, fire, or flood. If the Legislature does not extend the emergency, the Governor may not declare a new state of emergency arising under the same conditions. Additionally, if requested by at least one-third of the members of each house of the Legislature, the Governor must promptly call a special session for the purposes of terminating or altering the emergency powers granted to the Governor during the state of emergency.

**YES**

A “no” vote shall have the effect of maintaining the current emergency powers of the Governor.

**NO**

135



The trumpet-shaped blossom of the Saguaro (*Carnegiea gigantea*) cactus is the state flower of Arizona, and indigenous to the Sonoran Desert. They bloom at night during the spring and stay open for less than 24 hours.



Desert Tortoise

# PROPOSITION 136

## SENATE CONCURRENT RESOLUTION 1041

### A CONCURRENT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA; AMENDING ARTICLE IV, PART 1, SECTION 1, CONSTITUTION OF ARIZONA; RELATING TO BALLOT MEASURES.

Be it resolved by the Senate of the State of Arizona, the House of Representatives concurring:

1. Article IV, part 1, section 1, Constitution of Arizona, is proposed to be amended as follows if approved by the voters and on proclamation of the Governor:

1. Legislative authority; initiative and referendum

Section 1. (1) Senate; house of representatives; reservation of power to people. The legislative authority of the state shall be vested in the legislature, consisting of a senate and a house of representatives, but the people reserve the power to propose laws and amendments to the constitution and to enact or reject such laws and amendments at the polls, independently of the legislature; and they also reserve, for use at their own option, the power to approve or reject at the polls any act, or item, section, or part of any act, of the legislature.

(2) Initiative power. The first of these reserved powers is the initiative. Under this power ten percent of the qualified electors shall have the right to propose any measure, and fifteen percent shall have the right to propose any amendment to the constitution.

(3) Referendum power; emergency measures; effective date of acts. The second of these reserved powers is the referendum. Under this power the legislature, or five percent of the qualified electors, may order the submission to the people at the polls of any measure, or item, section or part of any measure, enacted by the legislature, except laws immediately necessary for the preservation of the public peace, health or safety, or for the support and maintenance of the departments of the state government and state institutions; but to allow opportunity for referendum petitions, no act passed by the legislature shall be operative for ninety days after the close of the session of the legislature enacting such measure, except such as require earlier operation to preserve the public peace, health or safety, or to provide appropriations for the support and maintenance of the departments of the state and of state institutions; provided, that no such emergency measure shall be considered passed by the legislature unless it shall state in a separate section why it is necessary that it shall become immediately operative, and shall be approved by the affirmative votes of two-thirds of the members elected to each house of the legislature, taken by roll call of ayes and nays, and also approved by the governor; and should such measure be vetoed by the governor, it shall not become a law unless it shall be approved by the votes of three-fourths of the members elected to each house of the legislature, taken by roll call of ayes and nays.

(4) Initiative and referendum petitions; filing. All petitions submitted under the power of the initiative shall be known as initiative petitions, and shall be filed with the secretary of state not less than four months preceding the date of the election at which the measures so proposed are to be voted upon. All petitions submitted under the power of the referendum shall be known as referendum petitions, and shall be filed with the secretary of state not more than ninety days after the final adjournment of the session of the legislature which shall have passed the measure to which the referendum is applied. The filing of a referendum petition against any item, section or part of any measure shall not prevent the remainder of such measure from becoming operative.

(5) Effective date of initiative and referendum measures. Any measure or amendment to the constitution proposed under the initiative, and any measure to which the referendum is applied, shall be referred to a vote of the qualified electors, and for an initiative or referendum to approve a tax, shall become law when approved by sixty percent of the votes cast thereon and upon proclamation of the governor, and not otherwise and for all other initiatives and referendums, shall become law when approved by a majority of the votes cast thereon and upon proclamation of the governor, and not otherwise.

(6) (A) Veto of initiative or referendum. The veto power of the governor shall not extend to an initiative measure to approve a tax that is approved by sixty percent of the votes cast thereon or to a

136

PROPOSITION 136



referendum measure to approve a tax that is decided by sixty percent of the votes cast thereon and for all other initiatives and referendums, the veto power of the governor shall not extend to initiatives and referendums approved by a majority of the votes cast thereon.

(6) (B) Legislature's power to repeal initiative or referendum. The legislature shall not have the power to repeal an initiative measure to approve a tax that is approved by sixty percent of the votes cast thereon or to repeal a referendum measure to approve a tax that is decided by sixty percent of the votes cast thereon and for all other initiatives and referendums, the legislature shall not have the power to repeal an initiative measure approved by a majority of the votes cast thereon and shall not have the power to repeal a referendum measure decided by a majority of the votes cast thereon.

(6) (C) Legislature's power to amend initiative or referendum. The legislature shall not have the power to amend an initiative measure to approve a tax that is approved by sixty percent of the votes cast thereon, or to amend a referendum measure to approve a tax that is decided by sixty percent of the votes cast thereon, unless the amending legislation furthers the purposes of such measure and at least three-fourths of the members of each house of the legislature, by a roll call of ayes and nays, vote to amend such measure. For all other initiatives and referendums, the legislature shall not have the power to amend an initiative measure approved by a majority of the votes cast thereon and shall not have the power to amend a referendum measure decided by a majority of the votes cast thereon, unless the amending legislation furthers the purposes of such measure and at least three-fourths of the members of each house of the legislature, by a roll call of ayes and nays, vote to amend such measure.

(6) (D) Legislature's power to appropriate or divert funds created by initiative or referendum. The legislature shall not have the power to appropriate or divert funds created or allocated to a specific purpose by an initiative measure that also approves a tax that is approved by sixty percent of the votes cast thereon, or by a referendum measure that also approves a tax that is decided by sixty percent of the votes cast thereon, unless the appropriation or diversion of funds furthers the purposes of such measure and at least three-fourths of the members of each house of the legislature, by a roll call of ayes and nays, vote to appropriate or divert such funds. For all other initiatives and referendums, the legislature shall not have the power to appropriate or divert funds created or allocated to a specific purpose by an initiative measure approved by a majority of the votes cast thereon and shall not have the power to appropriate or divert funds created or allocated to a specific purpose by a referendum measure decided by a majority of the votes cast thereon, unless the appropriation or diversion of funds furthers the purposes of such measure and at least three-fourths of the members of each house of the legislature, by a roll call of ayes and nays, vote to appropriate or divert such funds.

(7) Number of qualified electors. The whole number of votes cast for all candidates for governor at the general election last preceding the filing of any initiative or referendum petition on a state or county measure shall be the basis on which the number of qualified electors required to sign such petition shall be computed.

(8) Local, city, town or county matters. The powers of the initiative and the referendum are hereby further reserved to the qualified electors of every incorporated city, town and county as to all local, city, town or county matters on which such incorporated cities, towns and counties are or shall be empowered by general laws to legislate. Such incorporated cities, towns and counties may prescribe the manner of exercising said powers within the restrictions of general laws. Under the power of the initiative fifteen percent of the qualified electors may propose measures on such local, city, town or county matters, and ten percent of the electors may propose the referendum on legislation enacted within and by such city, town or county. Until provided by general law, said cities and towns may prescribe the basis on which said percentages shall be computed.

(9) Form and contents of initiative and of referendum petitions; verification. Every initiative or referendum petition shall be addressed to the secretary of state in the case of petitions for or on state measures, and to the clerk of the board of supervisors, city clerk or corresponding officer in the case of petitions for or on county, city or town measures; and shall contain the declaration of each petitioner, for himself, that he is a qualified elector of the state (and in the case of petitions for or on city, town or county measures, of the city, town or county affected), his post office address, the street and number, if any, of his residence, and the date on which he signed such petition. Every initiative measure shall embrace but one subject and matters properly connected therewith, which subject shall be expressed in the title; but if any subject shall be embraced in an initiative measure which shall not be expressed in the title, such initiative measure shall be void only as to so much thereof as shall not be embraced in the title. Each sheet containing petitioners' signatures shall be attached to a full and correct copy of the title and text of the measure so proposed to be initiated or referred



to the people, and every sheet of every such petition containing signatures shall be verified by the affidavit of the person who circulated said sheet or petition, setting forth that each of the names on said sheet was signed in the presence of the affiant and that in the belief of the affiant each signer was a qualified elector of the state, or in the case of a city, town or county measure, of the city, town or county affected by the measure so proposed to be initiated or referred to the people.

(10) Official ballot. When any initiative or referendum petition or any measure referred to the people by the legislature is filed, in accordance with this section, with the secretary of state, the secretary of state shall cause to be printed on the official ballot at the next regular general election the title and number of said measure, together with the words "yes" and "no" in such manner that the electors may express at the polls their approval or disapproval of the measure.

(11) Publication of measures. The text of all measures to be submitted shall be published as proposed amendments to the constitution are published, and in submitting such measures and proposed amendments the secretary of state and all other officers shall be guided by the general law until legislation shall be especially provided therefor.

(12) Conflicting measures or constitutional amendments. If two or more conflicting measures or amendments to the constitution shall be approved by the people at the same election, the measure or amendment receiving the greatest number of affirmative votes shall prevail in all particulars as to which there is conflict.

(13) Canvass of votes; proclamation. It shall be the duty of the secretary of state, in the presence of the governor and the chief justice of the supreme court, to canvass the votes for and against each such measure or proposed amendment to the constitution within thirty days after the election, and upon the completion of the canvass the governor shall forthwith issue a proclamation, giving the whole number of votes cast for and against each measure or proposed amendment, and declaring such measures or amendments to approve a tax as are approved by sixty percent of those voting thereon to be law and for all other measures or amendments, declaring such measures as are approved by a majority of those voting thereon to be law.

(14) Reservation of legislative power. This section shall not be construed to deprive the legislature of the right to enact any measure except that the legislature shall not have the power to adopt any measure that supersedes, in whole or in part, any initiative measure to approve a tax that is approved by sixty percent of the votes cast thereon or any referendum measure to approve a tax that is decided by sixty percent of the votes cast thereon unless the superseding measure furthers the purposes of the initiative or referendum measure and at least three-fourths of the members of each house of the legislature, by a roll call of ayes and nays, vote to supersede such initiative or referendum measure. For all other initiatives and referendums, the legislature shall not have the power to adopt any measure that supersedes, in whole or in part, any initiative measure approved by a majority of the votes cast thereon and shall not have the power to adopt any measure that supersedes, in whole or in part, any referendum measure decided by a majority of the votes cast thereon, unless the superseding measure furthers the purposes of the initiative or referendum measure and at least three-fourths of the members of each house of the legislature, by a roll call of ayes and nays, vote to supersede such initiative or referendum measure.

(15) Legislature's right to refer measure to the people. Nothing in this section shall be construed to deprive or limit the legislature of the right to order the submission to the people at the polls of any measure, item, section or part of any measure.

(16) Self-executing. This section of the constitution shall be, in all respects, self-executing.

(17) CHALLENGES TO THE CONSTITUTIONALITY OF INITIATIVE MEASURES OR AMENDMENTS. AT ANY TIME AFTER A PETITION IN SUPPORT OF A CONSTITUTIONAL AMENDMENT OR INITIATIVE MEASURE IS FILED WITH THE SECRETARY OF STATE, A PERSON MAY BRING AN ACTION IN SUPERIOR COURT AT LEAST ONE HUNDRED DAYS BEFORE THE DATE OF THE ELECTION AT WHICH THE MEASURE OR AMENDMENT WILL BE VOTED ON TO CONTEST THE CONSTITUTIONALITY OF THE MEASURE OR AMENDMENT ON THE GROUNDS THAT, IF ENACTED, THE MEASURE OR AMENDMENT VIOLATES THE CONSTITUTION OF THE UNITED STATES OR THIS CONSTITUTION. ANY PARTY MAY APPEAL TO THE SUPREME COURT WITHIN FIVE CALENDAR DAYS AFTER THE SUPERIOR COURT ENTERS JUDGMENT. IF, IN ANY ACTION BROUGHT UNDER THIS SUBSECTION AT LEAST ONE HUNDRED DAYS BEFORE THE DATE OF THE ELECTION AT WHICH THE MEASURE OR AMENDMENT WILL BE VOTED ON, A COURT OF COMPETENT JURISDICTION ENTERS A JUDGMENT FINDING THAT THE MEASURE OR AMENDMENT VIOLATES THE CONSTITUTION OF THE UNITED STATES OR

THIS CONSTITUTION, THE SECRETARY OF STATE OR OTHER OFFICER SHALL NOT CERTIFY OR PRINT THE MEASURE OR AMENDMENT ON THE OFFICIAL BALLOT.

**Sec. 2. Findings and declaration of purpose**

The legislature finds and declares as follows:

1. All laws, regardless of how the laws were enacted, must conform to the Arizona Constitution and the United States Constitution. See Fann v. State, 251 Ariz. 425 (2021).

2. The Arizona Supreme Court has long maintained, however, that it lacks authority to adjudicate challenges to the constitutionality of an initiative unless and until the initiative is adopted. See League of Ariz. Cities and Towns v. Brewer, 213 Ariz. 557 (2006). One result of this inability to obtain preelection judicial review is that voters and advocacy organizations are compelled to invest time and resources supporting or opposing proposals that may be intrinsically invalid.

3. This amendment expressly authorizes challenges to the constitutional validity of proposed initiative measures or constitutional amendments at any time after a petition is filed with the secretary of state. If an action is commenced at least one hundred days before the election, the court must hear and decide the case immediately and, if the court determines that the measure or amendment is unconstitutional, enjoin it from placement on the ballot.

4. This amendment supplements and expands access to the courts to adjudicate the constitutionality of proposed initiative measures or constitutional amendments. It does not repeal, limit or preempt any other express or implied claim, cause of action or remedy that the legislature or the courts have provided or may provide in the future.

5. This amendment does not preclude, limit or abrogate any claim, cause of action or remedy provided or authorized by law or in equity to challenge the validity or legal sufficiency of an initiative measure, referendum or constitutional amendment or any petition filed in support of any of the foregoing.

2. The Secretary of State shall submit this proposition to the voters at the next general election as provided by article XXI, Constitution of Arizona.

**ANALYSIS BY LEGISLATIVE COUNCIL**

Under the separation of powers doctrine embodied in Article III of the Arizona Constitution, the courts generally may not adjudicate challenges to the constitutionality of an initiative measure until after the initiative measure is enacted by the voters.

Proposition 136 would amend the Arizona Constitution to allow a person to bring an action in superior court to contest the constitutionality of a statutory initiative measure or a constitutional amendment proposed under the power of initiative at least one hundred days before the date of the election at which the measure or amendment will be voted on. Any party may appeal the superior court's decision to the Arizona Supreme Court within five days after the superior court enters judgment. If a court finds that the proposed statutory initiative measure or proposed constitutional amendment violates the United States Constitution or Arizona Constitution, the Secretary of State or other officer shall not certify or print the measure or amendment on the official ballot.

**136**

**PROPOSITION 136**





## ARGUMENTS “FOR” PROPOSITION 136

### Pre-Election Initiative Challenges

Every election cycle, out-of-state special interests spend millions trying to put their bad ideas onto our ballot. Because these groups do not understand our laws or our constitution, the measures they peddle are often unworkable or illegal. In some instances, they don’t even seem to care that their proposed measure is unconstitutional.

For example, in 2020 two out-of-state groups collected signatures to put the largest tax hike in state history on the ballot. Nonpartisan attorneys at legislative council told them prior to gathering any signatures that their measure was unconstitutional. They didn’t care. After a multi-million dollar campaign that resulted in the measure passing by a slim margin, the Arizona Supreme Court ruled the initiative unconstitutional a year later.

Prop 136 would protect our election process from these unconstitutional measures by allowing the Arizona Supreme Court to review a proposed initiative before it goes on the ballot. If the court determines the measure is unconstitutional, it will not appear on the ballot.

This is a simple, common-sense reform that ensures that unconstitutional measures are not placed on the ballot. Vote YES on Prop 136 to protect our ballot and ensure only constitutional measures are sent to voters.

**Scot Mussi, President, Arizona Free Enterprise Club, Tempe**

*Sponsored by Arizona Free Enterprise Club*

136

# ARGUMENTS “AGAINST” PROPOSITION 136



Vote No on Proposition 136!

Sierra Club Grand Canyon Chapter opposes Prop 136 because we oppose any attempts to strip Arizonans of their constitutional right to the ballot initiative process. The ballot initiative process is so important to the Arizona Constitution, it was amended back into the state constitution after President Taft required it be removed prior to admitting Arizona to the Union on February 14, 1912.

Arizonans have long been frustrated by the lack of representative leadership from the Arizona Legislature and in just the past three election cycles, Arizonans have voted to raise the minimum wage, increase campaign finance transparency, allow Dreamers in-state tuition, and protect public education funding.

Prop 136 would allow powerful monied interests to add significant burdens to Arizonans seeking change through the ballot initiative process. By allowing anyone to legally challenge initiatives even before they are filed, this means Arizonans will be tied up in court, paying expensive legal fees, and being distracted by powerful interests who don't want positive change for Arizona's future. We've already seen how legal challenges threaten the will of Arizona voters – in 2020, Arizona voters passed by a wide margin of over 100,000 votes Prop 208 which would have increased the tax rate on Arizonans making \$250,000 or more to fund education and that was later overturned by the Arizona Supreme Court. Arizona voters have the constitutional right to have their voice heard through ballot initiatives, and Prop 136 will make it even harder for them to do so.

Sierra Club Grand Canyon Chapter opposes Prop 136 and encourages all Arizona voters to protect their voice by voting No on Prop 136.

**Cyndi Tuell, chair, Sierra Club - Grand Canyon Chapter, Tucson and Jim Vaaler, vice chair, Sierra Club - Grand Canyon Chapter, Phoenix**

The League of Women Voters of Arizona strongly opposes this proposition, which would limit the constitutionally granted citizens' right to make laws through the initiative and referendum processes. The current process to get citizens' initiatives on the ballot includes a vigorous petition certification process, requiring a specific number of valid signatures. This proposition would allow individuals opposed to the changes proposed by the ballot measure to challenge the constitutionality of the measure in court before it is on the ballot. If the court agrees, then the measure would not be on the ballot, thus negating the intent of the voters who signed the petition and depriving all Arizona voters of making their voices heard. This proposition, if passed, would increase the barriers faced by citizen-led initiatives. And there would be a financial burden as well; litigation costs money, and taxpayers often foot the bill. This proposition is a blatant attempt to limit the power of voters to enact laws and constitutional amendments. It is in the voter's best interest to vote no on the proposition.

**THE LEAGUE OF WOMEN VOTERS OF ARIZONA URGES YOU TO VOTE NO**

**Pinny Sheoran, President, League of Women Voters of Arizona, Scottsdale**  
*Sponsored by League of Women Voters of Arizona*

Arizona's fiercely independent founders valued the right of everyday citizens to make our own laws so much that they wrote that right into the state Constitution. In fact, citizens' first use of our new right to initiative was to put women's voting rights on the ballot in 1912, allowing Arizonans to honor women's right to vote 8 years before the 19th Amendment did. Prop 136 challenges that foresight and freedom, making it harder and enormously more expensive for citizens to even get measures on the ballot for the voters to decide.

Prop 136 would let well-funded special interests sue to try to knock a citizen initiative off the ballot before the election. All the plaintiff would have to do is argue that the initiative is unconstitutional. If they can get a judge to agree with them, that initiative would be thrown off the ballot, invalidating the voices of the hundreds of thousands of voters who signed the petitions and preventing the rest of us from ever having a say.

It should tell you all you need to know that the main proponent for Prop 136 is the Arizona Free Enterprise Club. This dark-money special interest group has sued year after year to block and overturn many voter-run initiatives. If they fool us into approving Prop 136, extremist politicians and lobbyists would be spared the trouble and expense of having to campaign against measures that threaten their anti-democratic agenda.

Prop 136 undercuts the rights of citizens granted in the Arizona Constitution and would force citizen-led initiatives to be tied up in costly legal battles triggered by frivolous lawsuits. Don't get hoodwinked into signing your own rights away. We strongly urge a NO vote on Prop 136.

**Beth Lewis, Executive Director, Save Our Schools Arizona, Chandler and Melinda Iyer, Policy Director, Save Our Schools Arizona, Phoenix**

Prop 136 would allow any person to challenge the constitutionality of any constitutional amendment or ballot initiative measure as soon as they are filed with the state. This means that citizen-led efforts to propose a ballot initiative would require even more burdensome preparation since they would inevitably be challenged, taxing oftentimes underresourced and understaffed citizen groups. Without any clear benefits, this measure only makes the initiative process more expensive, time-consuming, and confusing for Arizonans who want to exercise this essential democratic right.

Arizona's ballot initiative process is already subject to several checks and balances to ensure the legality of each measure. These include the single-subject rule, topic restrictions, and a veto referendum that already allows for citizen-led challenges. The ballot initiative process should be celebrated as a politically neutral vehicle made available to and used by individuals and groups for a wide range of causes dating back to 1912. Prop 136 is merely a power grab by politicians who seek to consolidate their own power by significantly impeding voters' ability to initiate change.

This measure undermines Arizona's long-standing leadership in direct democracy. The unintended consequences will be a distraction from the democratic process and chaos throughout the execution of the state's ballot measure system.

In particular, rural voters will be most hurt by this measure as they already face heightened difficulties in participating in the democratic process, from hurdles in getting signatures in these areas to challenges in accessing voting channels. Prop 136 will further disenfranchise rural Arizonans by creating another barrier to one of the few forms of direct democracy we are afforded today.

Vote NO on this measure.

Bob Sommer, Business for Democracy-AZ

**Bob Sommer, Tempe**

Planned Parenthood Advocates of Arizona (PPAA) is strongly opposed to Prop 136. PPAA is Planned Parenthood's advocacy arm in Arizona and the state's largest nonpartisan advocacy organization dedicated to protecting access to sexual and reproductive health care. We advocate for everyone in our community, no matter their race, gender, sexuality, disability, or immigration status, so we can ensure access to reproductive healthcare and bodily autonomy for everyone.

The citizen initiative process is one of the most vital parts of Arizona's democracy. Efforts such as raising the minimum wage, legalizing marijuana, and enshrining a fundamental right to abortion access are all ways that the voters of Arizona can and have shaped the future of our state independently of politicians. A strong direct democracy creates a healthier, more equitable, and more just Arizona, and the citizen initiative process is a key component of that.

Prop 136 would make the citizen initiative process much less accessible by increasing the costs of creating a ballot initiative. Allowing for challenges to ballot initiatives during the initiative process will require those organizing these initiatives to prepare for costly, time-consuming court challenges. All citizens deserve access to this process, not just those with financial resources.

It is vital to maintain the democratic process and protect the rights of all Arizonans. Please join Planned Parenthood

Advocates of Arizona in voting NO on Prop 136.

**Erika Mach, Chief External Affairs Officer, Planned Parenthood Advocates of Arizona, Phoenix**

---

Arizona has a long and proud history of democratic self-governance. It's always been part of our state constitution that citizens have the right to make laws by drafting initiatives and placing them on the ballot. If we the people support a policy, we can make it the law of the land, even if our politicians won't or can't act.

But over the last few years, the ballot initiative process has become more and more challenging for ordinary people to navigate. As educators, we experienced that first-hand in 2018 and 2020 as we sought to increase taxes on the rich to raise money for Arizona public schools.

Proposition 136 would make it even easier for special interests to kick initiatives off the ballot for specious reasons, further limiting our power as citizens.

Let's protect our right as citizens to make our voices heard. Vote NO on Proposition 136.

**Marisol Garcia, President, Arizona Education Association, Phoenix**

---

SCR 1041 is an attack on the initiative process that undermines Arizona's long-standing leadership in direct democracy, seeks to limit the voice of the people, and creates additional barriers in the ballot initiative process, particularly for rural voters. This measure's unintended consequences will be expensive, a distraction from the democratic process, and wreak chaos throughout the state's vital initiative process.

This measure would allow any person to challenge the constitutionality of any constitutional amendment or ballot initiative measure as soon as it has been filed with the state. This means that citizen-led efforts to lead a ballot initiative have the challenge of even more preparation, knowing they would inevitably be challenged, often already underresourced and staffed. The extreme waste of time and money this measure will create is still unclear.

The current ballot initiative process is already subject to several checks and balances to ensure the legality of each introduced measure. Proposals undergo rigorous review by the Arizona Legislative Council and a fiscal analysis by the Joint Legislative Budget Committee. It isn't the case that any ballot initiative can get on the ballot, and SCR 1041 only makes it more expensive, time-consuming, and burdensome for Arizonans who want to utilize this democratic right.

In particular, rural voters will be most hurt by this measure as they already face heightened challenges in participating in the democratic process, from difficulties in getting signatures in these areas to challenges in accessing voting channels. SCR 1041 will further disenfranchise rural Arizonans by creating another barrier to the few forms of direct democracy we are afforded today.

Vote NO on this measure.

**Ryan Winkle, Chair, Arizona Asian Chamber of Commerce, Mesa  
Sponsored by Arizona Asian Chamber of Commerce**

---

We strongly urge a NO vote on Proposition 136, which would ask voters to amend the Arizona Constitution to allow anyone to sue to knock a citizen initiative off the ballot that they feel is not constitutional.

You and I probably don't have the millions of dollars to sue, but we know who does: deep-pocketed special interests that dislike measures that get in the way of their ability to profit, pollute, or control our behavior. Lawsuits mounted by shadowy dark-money groups repeatedly spend millions to disqualify ballot measures that are overwhelmingly approved by voters, such as Invest in Ed and Stop Dark Money itself.

This measure would allow costly lawsuits before the issue even gets to the ballot, potentially preventing a popular vote at all. This is one of a battery of Republican legislative referrals in recent years aimed at making it harder for initiatives to qualify

for the ballot and easier for challengers to get them removed from the ballot.

One of the tactics of those who want to hurt the voters' constitutionally protected chance to propose laws is to make the process prohibitively expensive, and this measure falls within that group.

Proposition 136 is broadly opposed by those who have sweated and worked tirelessly to bring popular ballot measures such as abortion access and a living minimum wage to the Arizona ballot. We urge you to vote NO on Proposition 136.

**Melinda Iyer, Policy Director, Civic Engagement Beyond Voting, Phoenix and Catherine Sigmon, Co-Founder, Civic Engagement Beyond Voting, Tempe**

---

Prop 136 represents a direct attack on the initiative process, introducing a provision allowing any person to challenge the constitutionality of a constitutional amendment or ballot initiative immediately upon filing with the state. This measure sets a dangerous precedent by burdening citizen-led initiatives with costly and time-consuming legal challenges, even before they gain traction or public support. This measure not only undermines the democratic process but also creates an unnecessary bureaucratic hurdle that will waste valuable time and resources.

Arizona's current initiative process already includes rigorous checks and balances to ensure the legality and feasibility of proposed measures. Initiatives undergo thorough reviews by the Arizona Legislative Council and receive fiscal analyses by the Joint Legislative Budget Committee. Prop 136 exacerbates existing challenges by adding further complexity and expense to an already demanding process, disproportionately affecting rural communities struggling with limited resources and access to voting channels.

Rural voters, in particular, will bear the brunt of this measure's impact, facing heightened difficulties in collecting signatures and navigating the additional legal hurdles imposed by Prop 136. This measure threatens to disenfranchise rural Arizonans and diminish their ability to participate effectively in our democratic system.

Prop 136 undermines Arizona's proud tradition of direct democracy, imposes unnecessary barriers to citizen participation, and disproportionately impacts rural communities. I urge voters to reject Prop 136 and safeguard our democratic rights by preserving fair and accessible pathways for Arizonans to participate in shaping their governance through the initiative process.

Vote NO.

Bridget Sharpe, Director of Human Rights Campaign AZ

**Bridget Sharpe, Phoenix**

---

The ACLU of Arizona is a non-partisan, civil rights and liberties organization committed to protecting the voting rights of all Arizonans. The ACLU of Arizona urges a NO vote on Proposition 136 because it will undermine the ability of Arizona voters to have a direct voice in our government.

The citizen initiative process has been in place since Arizona's founding. The first initiative granted women the right to vote, passing by a more than 2 to 1 margin. Since then, Arizonans from all sides of the political spectrum have utilized the initiative process to have a direct voice in the laws that govern our state. The citizen initiative process has led to raising the minimum wage, legalizing marijuana, and demanding special interests disclose their donors. A strong direct democracy ensures a government that is accountable, equitable, and fair for all people.

Proposition 136 would undermine the citizen initiative process by allowing special interests, corporate lobbyists, and the state legislature to bring costly litigation against a citizen petition before it even has a chance to reach the voters.

The ballot initiative process is already subject to several checks and balances to ensure citizen-led measures are legal. These include a single subject rule, legislative override, and a veto referendum, which already allow challenges to a citizen-led initiative. Additionally, all initiatives undergo rigorous review by the Arizona Legislative Council, a fiscal analysis by the Joint Legislative Budget Committee, and are subject to constitutional challenge if they pass.

Proposition 136 allows special interests to abuse the courts to file costly litigation to prevent Arizonans from having a direct say in our democracy. We urge voters to reject this legislative power grab. A NO vote ensures Arizonans continue to have a direct voice in our state laws and Constitution.

**Scott Greenwood, Executive Director, ACLU of Arizona, Phoenix**  
*Sponsored by ACLU of Arizona*

---

Opportunity Arizona strongly opposes Proposition 136 and condemns this attack by politicians at the Legislature on citizen-led initiatives. Extremists introduced this anti-direct democracy proposal to create another barrier for voters and to weaken the most effective tool citizens have to affect change.

The corrupt and extremist politicians who introduced this resolution are terrified that Arizona voters will use the ballot initiative process to vote on and pass the same common-sense solutions that they block with cheap political stunts. Direct democracy enables citizens to overcome the political barriers – like gerrymandered political districts or partisan obstruction at the State Legislature – that prevent voters' preferences from actually becoming policy.

Making direct democracy more difficult for citizens to initiate is part of a larger anti-democratic effort to make barriers for people to make decisions and will only give politicians more power while taking power away from the people. VOTE NO on Proposition 136 to protect citizen ballot initiatives and ensure that Arizona voters continue to have a voice.

**Ben Scheel, Executive Director, Opportunity Arizona, Phoenix**  
*Sponsored by Opportunity Arizona*

---

Over the past few elections, Arizonans have dealt with overly political courts deciding which ballot measures Arizonans can vote on. While this has been frustrating for voters who have had successful or popular ballot measures unjustly thrown out, Prop 136 takes it to a heightened level.

Prop 136 makes it easier for any ballot measure to be thrown out in court. Prop 136 is a clear attempt to undo the work of the everyday Arizonans who spend countless hours holding conversations with fellow voters to put the issues that Arizonans care about on the ballot. Prop 136 makes it so that special interest groups and other politicians can easily undo the work of community members to find solutions for themselves when politicians fail them at the legislature.

The process of challenging and vetting ballot measures already exists. Abusing the judicial branch to undermine the citizen initiative process and the will of the people is anti-democratic. Prop 136 is the result of lawmakers upset with concerned voters exercising their rights to place issues on the ballot after years of gridlock from the legislative branch.

Vote NO on Prop 136 to protect Arizonans' right to send the issues they care about to the ballot.

**Jennifer Guzman, Program Director, Common Cause Arizona, Phoenix**

---

Do you ever wonder who comes up with these ideas and why all this junk is on your ballot?  
We can help answer that.

The Arizona Agenda is a daily reported newsletter that delivers a behind-the-scenes view of Arizona's political shenanigans and puts you, the voter, in those smoke-filled rooms where decisions are made.

We're here to fill you in on all the weird backstories and interesting nuggets from the Arizona Capitol and beyond. (Including fun facts like that you can write about anything in these ballot arguments. Isn't that wild? Someone should really make a law against using the publicity pamphlet to promote your newsletter...)

The Agenda was started by two local political reporters who left their jobs in corporate journalism to try something new.  
We're an independent, nonpartisan, no-BS daily newsletter about Arizona politics that's actually fun to read.

We have subscribers from the Governor's Office to the Capitol's Freedom Caucus. But we don't write the Agenda for those political insiders.

We write it for you, the confused voter who's tired of wading through clickbait, propaganda and misinformation to gain intelligence about your politicians and government.

We do investigations, features, voter guides, interviews with candidates and much more. Sometimes, we get politicians drunk and film it.

If you'd like that delivered to your inbox every weekday at 6 a.m., SUBSCRIBE FOR FREE at ArizonaAgenda.com And if you're in Southern Arizona, check out our sister newsletter, the Tucson Agenda, which delivers the news you need to be an informed citizen south of the Gila River. Go to TucsonAgenda.com to subscribe. Thanks! And good luck filling out the rest of this absurdly long ballot! (Check out the candidate guide on our website if you need help.)

### **Hank Stephenson, Co-Founder, Arizona Agenda, Phoenix**

---

Chispa Arizona strongly opposes Prop 136. Chispa Arizona works to empower Latinx communities to influence policies, protect natural resources, and fight climate change. Through grassroots advocacy and community engagement, we work for clean air, safe water, and healthy neighborhoods, especially for those hit hardest by climate change.

The citizen initiative process is a key part of Arizona's democracy. It lets voters directly shape the state's future, whether by pushing for stricter clean energy laws or ensuring the right to clean water and air. This form of direct democracy makes Arizona healthier, fairer, and more just.

Prop 136 would make citizen initiatives much more expensive, limiting the ability to put important issues on the ballot to just the wealthiest special interests. Everyone deserves a say in our democracy.

We must protect our right to create a future with clean air and water through the citizen initiative process.

Please join Chispa Arizona in voting NO on Prop 136.

### **Jose Martinez Jr., Operations Director, Chispa AZ, Buckeye** *Sponsored by Chispa AZ*

---

I am a veteran teacher of 37 years, spouse of a retired veteran and passionate about civic education. I am paying \$75 to submit each of these AGAINST statements because I feel voters in Arizona MUST know what is going on!

The Legislature only needs 47 of its members to agree to put something on a ballot. (Normal citizens must collect over 384,000 signatures to get something on a ballot!)

Because I believe that the Legislature is concerned that it is not difficult enough to keep citizens from "interfering in politics," they want to make it more difficult! (So much for "We the people...")

PROP 136 plan is to kill citizen initiatives by being allowed to take the citizen to court as soon as they file to BEGIN collecting signatures.

I believe the plan is to KEEP taking them to court until they just give up! Citizens have two years to get signatures; THINK how many court cases special interest groups could bring against them in that time? Now think of all the money that group will need for lawyers!

Citizen groups don't have the money to fight in court like Legislators and special interest groups do!

The way it is now, the Law says any court challenge cannot come until all 384,000 signatures are in. This means the citizen can then focus on one court case without time for the opposition to file multiple cases!

If the voters say 'yes,' we won't be able to blame the Legislators if we have to keep paying lawyers to get an idea on the state ballot.

PLEASE VOTE NO ON PROP 136 ! Let citizens have a chance of getting something on the ballot to take directly to the voters without spending ridiculous amounts of money fighting lawyers in court.

### **Bonnie Hickman, Concerned Arizona Educator, MESA**

# BALLOT FORMAT

## PROPOSITION 136

### PROPOSED AMENDMENT TO THE ARIZONA CONSTITUTION BY THE LEGISLATURE RELATING TO BALLOT MEASURES

**OFFICIAL TITLE**

AMENDING ARTICLE IV, PART 1, SECTION 1, CONSTITUTION OF ARIZONA; RELATING TO BALLOT MEASURES.

**DESCRIPTIVE TITLE**

AUTHORIZES A PERSON TO BRING A LAWSUIT TO TRY TO STOP A VOTER-PROPOSED INITIATIVE FROM BEING PLACED ON THE BALLOT IF THAT PERSON SUES AT LEAST 100 DAYS BEFORE AN ELECTION AND CLAIMS THE VOTER-PROPOSED INITIATIVE WOULD VIOLATE THE UNITED STATES CONSTITUTION OR THE ARIZONA CONSTITUTION.

A “yes” vote shall have the effect of amending the Arizona Constitution to allow lawsuits regarding the constitutionality of a voter-initiated ballot measure to be filed at least 100 days prior to the election, in order to stop the measure from being placed on the official ballot. If a challenged voter-initiated ballot measure were found unconstitutional, the Secretary of State or another officer in charge of elections would be prohibited from placing it on the official ballot.

**YES**

A “no” vote shall have the effect of preserving the current state of the law, which typically requires challenges to the constitutionality of a voter-initiated ballot measure to be brought only after the voters have decided to approve a ballot measure.

**NO**

136



With its high domed shell and thick elephant-like legs, the hardy Desert Tortoise (*Gopherus morafkai*) can live up to 35-40 years in the Sonoran Desert! Due to habitat disruption and poaching, the species is now protected by the government.



Great Horned Owl

# PROPOSITION 137

## SENATE CONCURRENT RESOLUTION 1044

### A CONCURRENT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA; AMENDING ARTICLE VI, SECTIONS 4, 9, 12, 37, 38, 39, 41 AND 42, CONSTITUTION OF ARIZONA; RELATING TO THE JUDICIAL DEPARTMENT.

Be it resolved by the Senate of the State of Arizona, the House of Representatives concurring:

1. Article VI, section 4, Constitution of Arizona, is proposed to be amended as follows if approved by the voters and on proclamation of the Governor:

4. Supreme court; term of office

Section 4. Justices of the supreme court shall hold office for a regular term of six years DURING GOOD BEHAVIOR, except as provided by AS DETERMINED EXCLUSIVELY THROUGH THE PROVISIONS OF this article AND ARTICLES VI.I AND VIII.

2. Article VI, section 9, Constitution of Arizona, is proposed to be amended as follows if approved by the voters and on proclamation of the Governor:

9. Intermediate appellate courts

Section 9. The jurisdiction, powers, duties and composition of any intermediate appellate court shall be as provided by law. JUDGES OF INTERMEDIATE APPELLATE COURTS SHALL HOLD OFFICE DURING GOOD BEHAVIOR, AS DETERMINED EXCLUSIVELY THROUGH THE PROVISIONS OF THIS ARTICLE AND ARTICLES VI.I AND VIII.

3. Article VI, section 12, Constitution of Arizona, is proposed to be amended as follows if approved by the voters and on proclamation of the Governor:

12. Superior court; term of office

Section 12. A. Judges of the superior court in counties having a population of less than two hundred fifty thousand persons according to the most recent United States census shall be elected by the qualified electors of their counties at the general election. They shall hold office for a regular term of four years except as provided by this section from and after the first Monday in January next succeeding their election, and until their successors are elected and qualify. The names of all candidates for judge of the superior court in such counties shall be placed on the regular ballot without partisan or other designation except the division and title of the office.

B. The governor shall fill any vacancy in such counties by appointing a person to serve until the election and qualification of a successor. At the next succeeding general election following the appointment of a person to fill a vacancy, a judge shall be elected to serve for the remainder of the unexpired term.

Judges of the superior court in counties having a population of two hundred fifty thousand persons or more according to the most recent United States census shall hold office for a regular term of four years DURING GOOD BEHAVIOR, except as provided by AS DETERMINED EXCLUSIVELY THROUGH THE PROVISIONS OF this article AND ARTICLES VI.I AND VIII.

4. Article VI, section 37, Constitution of Arizona, is proposed to be amended as follows if approved by the voters and on proclamation of the Governor:

37. Judicial vacancies and appointments; residence; age

Section 37. A. Within sixty days from the occurrence of a vacancy in the office of a justice or judge of any court of record, except for vacancies occurring in the office of a judge of the superior court or a judge of a court of record inferior to the superior court, the commission on appellate court appointments, if the vacancy is in the supreme court or an intermediate appellate court of record, shall submit to the governor the names of not less than three persons nominated by it to fill such vacancy, no NOT more than two of whom shall be members of the same political party unless there are more than four such nominees, in which event not more than sixty percentum PERCENT of such nominees shall be members of the same political party.

B. Within sixty days from the occurrence of a vacancy in the office of a judge of the superior court or a judge of a court of record inferior to the superior court except for vacancies occurring in the office of a judge of the superior court or a judge of a court of record inferior to the superior court in a county having a

137

PROPOSITION 137



population of less than two hundred fifty thousand persons according to the most recent United States census, the commission on trial court appointments for the county in which the vacancy occurs shall submit to the governor the names of not less than three persons nominated by it to fill such vacancy, ~~no~~ NOT more than two of whom shall be members of the same political party unless there are more than four such nominees, in which event ~~no~~ NOT more than sixty ~~per centum~~ PERCENT of such nominees shall be members of the same political party. A nominee shall be under sixty-five years of age at the time ~~his~~ THE NOMINEE'S name is submitted to the governor. Judges of the superior court shall be subject to retention or rejection by a vote of the qualified electors of the county from which they were appointed at the general election UNDER THE CONDITIONS AND in the manner provided by section 38 of this article.

C. A vacancy in the office of a justice or a judge of such courts of record shall be filled by appointment by the governor without regard to political affiliation from one of the nominees whose names ~~shall be~~ ARE submitted to ~~him~~ THE GOVERNOR as hereinabove provided. In making the appointment, the governor shall consider the diversity of the state's population for an appellate court appointment and the diversity of the county's population for a trial court appointment, however the primary consideration shall be merit. If the governor does not appoint one of such nominees to fill such vacancy within sixty days after their names are submitted to the governor by such commission, the chief justice of the supreme court forthwith shall appoint on the basis of merit alone without regard to political affiliation one of such nominees to fill such vacancy. If such commission does not, within sixty days after such vacancy occurs, submit the names of nominees as hereinabove provided, the governor shall have the power to appoint any qualified person to fill such vacancy at any time thereafter prior to the time the names of the nominees to fill such vacancy are submitted to the governor as hereinabove provided. ~~Each justice or judge so appointed shall initially hold office for a term ending sixty days following the next regular general election after the expiration of a term of two years in office. Thereafter, the terms of justices or judges of the supreme court and the superior court shall be as provided by this article.~~

D. A person appointed to fill a vacancy on an intermediate appellate court or another court of record now existing or hereafter established by law shall have been a resident of the counties or county in which that vacancy exists for at least one year ~~prior to his~~ BEFORE THE PERSON'S appointment, in addition to possessing the other required qualifications. A nominee shall be under sixty-five years of age at the time ~~his~~ THE NOMINEE'S name is submitted to the governor.

5. Article VI, section 38, Constitution of Arizona, is proposed to be amended as follows if approved by the voters and on proclamation of the Governor:

**38. Declaration of candidacy; form of judicial ballot, rejection and retention; failure to file declaration**

Section 38. A. ~~A~~ ANY justice or judge of the supreme court or an intermediate appellate court ~~shall file in the office of the secretary of state~~, and ~~a~~ ANY judge of the superior court or other court of record including such justices or judges who are holding office as such by election or appointment at the time of the adoption of this section OR ANY AMENDMENT TO THIS SECTION except for judges of the superior court and other courts of record inferior to the superior court in counties having a population of less than two hundred fifty thousand persons, according to the United States census, shall BE SUBJECT TO A VOTE OF RETENTION ON THE OCCURRENCE OF ANY OF THE FOLLOWING:

1. A FINAL CONVICTION OF A FELONY OFFENSE IF NOT OTHERWISE REMOVED PURSUANT TO ARTICLE VI.I, SECTION 3.
2. A FINAL CONVICTION OF ANY CRIME INVOLVING FRAUD OR DISHONESTY IF NOT OTHERWISE REMOVED PURSUANT TO ARTICLE VI.I, SECTION 3.
3. AN INITIATION OF PERSONAL BANKRUPTCY PROCEEDINGS IN WHICH THE JUSTICE OR JUDGE IS A DEBTOR.
4. A FORECLOSURE OF ANY MORTGAGE FOR WHICH THE JUSTICE OR JUDGE IS A MORTGAGOR.
5. A DETERMINATION PURSUANT TO SECTION 42 OF THIS ARTICLE, BY A MAJORITY OF ALL MEMBERS OF THE COMMISSION ON JUDICIAL PERFORMANCE REVIEW, THAT THE JUSTICE OR JUDGE DOES NOT MEET JUDICIAL PERFORMANCE STANDARDS.

B. A JUSTICE OR JUDGE OF THE SUPREME COURT OR AN INTERMEDIATE APPELLATE COURT WHO IS SUBJECT TO A VOTE OF RETENTION PURSUANT TO SUBSECTION A OF THIS SECTION SHALL FILE IN THE OFFICE OF THE SECRETARY OF STATE, AND A JUDGE OF THE SUPERIOR COURT WHO IS SUBJECT TO A VOTE OF RETENTION PURSUANT TO SUBSECTION A



OF THIS SECTION SHALL file in the office of the clerk of the board of supervisors of the county in which ~~he~~ THE JUSTICE OR JUDGE regularly sits and resides, not less than sixty nor more than ninety days ~~prior to~~ BEFORE the regular general election ~~next preceding the expiration of his term of office~~ SUBSEQUENT TO THE EVENT REQUIRING A VOTE OF RETENTION, a declaration of ~~his~~ THE JUSTICE'S OR JUDGE'S desire to be retained in office, and the secretary of state shall certify to the several boards of supervisors the appropriate names of the candidate or candidates appearing on such declarations filed in ~~his~~ THE JUSTICE'S OR JUDGE'S office, EXCEPT THAT IF THE EVENT REQUIRING A VOTE OF RETENTION OCCURS LESS THAN ONE HUNDRED TWENTY DAYS BEFORE A REGULAR GENERAL ELECTION, THE DECLARATION SHALL BE FILED NOT LESS THAN SIXTY NOR MORE THAN NINETY DAYS BEFORE THE NEXT ENSUING REGULAR GENERAL ELECTION. NOT LATER THAN ONE HUNDRED TWENTY DAYS BEFORE A REGULAR GENERAL ELECTION, THE CHIEF JUSTICE OF THE SUPREME COURT SHALL PROVIDE TO THE SECRETARY OF STATE A LIST OF ALL JUSTICES OR JUDGES WHO ARE SUBJECT TO A VOTE OF RETENTION AT SUCH ELECTION PURSUANT TO SUBSECTION A OF THIS SECTION. THE DETERMINATION OF WHETHER A JUSTICE OR JUDGE IS SUBJECT TO RETENTION SHALL BE MADE BY THE CHIEF JUSTICE OF THE SUPREME COURT, EXCEPT THAT, WITH RESPECT TO ANY EVENT REQUIRING A VOTE OF RETENTION INVOLVING THE CHIEF JUSTICE OF THE SUPREME COURT, THE DETERMINATION SHALL BE MADE BY THE VICE CHIEF JUSTICE OF THE SUPREME COURT.

B. C. The name of any justice or judge whose declaration is filed as provided in this section shall be placed on the appropriate official ballot at the next regular general election under a nonpartisan designation and in substantially the following form:

Shall \_\_\_\_\_, (Name of justice or judge) of the \_\_\_\_\_ court be retained in office?  
Yes  No  (Mark X after one).

C. D. If a majority of those voting on the question votes "No," then, upon the expiration of the term for which such justice or judge was serving ON JANUARY 1 OF THE YEAR FOLLOWING THE GENERAL ELECTION, a vacancy shall exist, which shall be filled as provided by this article. If a majority of those voting on the question votes "Yes," such justice or judge shall remain in office ~~for another term~~, subject to removal as provided by this constitution.

D. E. The votes shall be counted and canvassed and the result declared as in the case of state and county elections, whereupon a certificate of retention or rejection of the incumbent justice or judge shall be delivered to ~~him~~ THE INCUMBENT by the secretary of state or the clerk of the board of supervisors, as the case may be.

E. F. If a justice or JUDGE WHO IS SUBJECT TO RETENTION PURSUANT TO SUBSECTION A OF THIS SECTION fails to file a declaration of ~~his~~ THE JUSTICE'S OR JUDGE'S desire to be retained in office, as required by ~~this section~~ SUBSECTION B OF THIS SECTION, ~~then~~ ~~his~~ THE JUSTICE'S OR JUDGE'S office shall become vacant ~~upon the expiration of the term for which such justice or judge was serving~~ ON JANUARY 1 OF THE YEAR FOLLOWING THE GENERAL ELECTION IN WHICH THE JUSTICE OR JUDGE WOULD HAVE BEEN A CANDIDATE FOR RETENTION.

G. ANY JUDGE OF AN INTERMEDIATE APPELLATE COURT WHO IS SUBJECT TO A VOTE OF RETENTION PURSUANT TO SUBSECTION A OF THIS SECTION SHALL BE ELECTED FOR RETENTION ON A STATEWIDE BASIS AND ALL OTHERWISE ELIGIBLE REGISTERED VOTERS IN THIS STATE ARE ELIGIBLE TO VOTE ON SUCH RETENTION ELECTIONS.

6. Article VI, section 39, Constitution of Arizona, is proposed to be amended as follows if approved by the voters and on proclamation of the Governor:

### 39. Retirement of justices and judges; vacancies

Section 39. A. On attaining the age of seventy years a justice or judge of a court of record shall retire and ~~his~~ THE JUSTICE'S OR JUDGE'S judicial office shall be vacant, except as otherwise provided in section 35 of this article. In addition to becoming vacant as provided in this section, the office of a justice or judge of any court of record becomes vacant ~~upon his~~ ON THE JUSTICE'S OR JUDGE'S death or ~~his~~ THE JUSTICE'S OR JUDGE'S voluntary retirement pursuant to statute or ~~his~~ THE JUSTICE'S OR JUDGE'S voluntary resignation, and also, IF SUBJECT TO A VOTE OF RETENTION as provided in section 38 of this article, ~~upon the expiration of his term~~ ON JANUARY 1 OF THE YEAR next following a general election at which a majority of those voting on the question of ~~his~~ THE JUSTICE'S OR JUDGE'S retention vote in the negative or for which general election ~~he~~ THE JUSTICE OR JUDGE is required, but fails, to file a declaration of ~~his~~ THE JUSTICE'S OR JUDGE'S desire to be retained in office.

137

PROPOSITION 137



B. This section is alternative to and cumulative with the methods of removal of judges and justices provided in ARTICLE VI.I AND ARTICLE VIII, parts 1 and 2 of article 8 and article 6.1 of this Constitution.

7. Article VI, section 41, Constitution of Arizona, is proposed to be amended as follows if approved by the voters and on proclamation of the Governor:

41. Superior court divisions; commission on trial court appointments; membership; terms

Section 41. A. Except as otherwise provided, judges of the superior court in counties having a population of two hundred fifty thousand persons or more according to the most recent United States census shall hold office ~~for a regular term of four years~~ DURING GOOD BEHAVIOR, AS DETERMINED EXCLUSIVELY THROUGH THE PROVISIONS OF THIS ARTICLE AND ARTICLES VI.I AND VIII.

B. There shall be a nonpartisan commission on trial court appointments for each county having a population of two hundred fifty thousand persons or more according to the most recent United States census which shall be composed of the following members:

1. The chief justice of the supreme court, who shall be the chairman of the commission. In the event of the absence or incapacity of the chairman the supreme court shall appoint a justice thereof to serve in his place and stead.

2. Five attorney members, none of whom shall reside in the same supervisorial district and not more than three of whom shall be members of the same political party, who are nominated by the board of governors of the state bar of Arizona and who are appointed by the governor subject to confirmation by the senate in the manner prescribed by law.

3. Ten nonattorney members, no more than two of whom shall reside in the same supervisorial district.

C. At least ninety days ~~prior to~~ BEFORE a term expiring or within twenty-one days of a vacancy occurring for a nonattorney member on the commission for trial court appointments, the member of the board of supervisors from the district in which the vacancy has occurred shall appoint a nominating committee of seven members who reside in the district, not more than four of whom may be from the same political party. The ~~make-up~~ MAKEUP of the committee ~~shall~~, to the extent feasible, SHALL reflect the diversity of the population of the district. Members shall not be attorneys and shall not hold any governmental office, elective or appointive, for profit. The committee shall provide public notice that a vacancy exists and shall solicit, review and forward to the governor all applications along with the committee's recommendations for appointment. The governor shall appoint two persons from each supervisorial district who shall not be of the same political party, subject to confirmation by the senate in the manner prescribed by law.

D. In making or confirming appointments to trial court commissions, the governor, the senate and the state bar shall endeavor to see that the commission reflects the diversity of the county's population.

E. Members of the commission shall serve staggered four year terms, except that initial appointments for the five additional nonattorney members and the two additional attorney members of the commission shall be designated by the governor as follows:

1. One appointment for a nonattorney member shall be for a one-year term.
2. Two appointments for nonattorney members shall be for a two-year term.
3. Two appointments for nonattorney members shall be for a three-year term.
4. One appointment for an attorney member shall be for a one-year term.
5. One appointment for an attorney member shall be for a two-year term.

F. Vacancies shall be filled for the unexpired terms in the same manner as the original appointments.

G. Attorney members of the commission shall have resided in this state and shall have been admitted to practice in this state by the supreme court for at least five years and shall have resided in the supervisorial district from which they are appointed for at least one year. Nonattorney members shall have resided in this state for at least five years, shall have resided in the supervisorial district for at least one year before being nominated and shall not be judges, retired judges nor admitted to practice before the supreme court. None of the attorney or nonattorney members of the commission shall hold any governmental office, elective or appointive, for profit and no attorney member is eligible for appointment to any judicial office of this state until one year after membership in the commission terminates.

H. No person other than the chief justice shall serve at the same time as a member of more than one judicial appointment commission.

I. The commission shall submit the names of not less than three individuals for nomination for the office of the superior court judge pursuant to section 37 of this article.

J. ~~Prior to~~ BEFORE making recommendations to the governor, the commission shall conduct



investigations, hold public hearings and take public testimony. An executive session as prescribed by rule may be held upon a two-thirds vote of the members of the commission in a public hearing. Final decisions as to recommendations shall be made without regard to political affiliation in an impartial and objective manner. The commission shall consider the diversity of the county's population and the geographical distribution of the residences of the judges throughout the county, however the primary consideration shall be merit. Voting shall be in a public hearing. The expenses of meetings of the commission and the attendance of members thereof for travel and subsistence shall be paid from the general fund of the state as state officers are paid, upon claims approved by the chairman.

K. After public hearings the supreme court shall adopt rules of procedure for the commission on trial court appointments.

~~L. The members of the commission who were appointed pursuant to section 36 of this article prior to the effective date of this section may continue to serve until the expiration of their normal terms. All subsequent appointments shall be made as prescribed by this section.~~

8. Article VI, section 42, Constitution of Arizona, is proposed to be amended as follows if approved by the voters and on proclamation of the Governor:

42. Retention evaluation of justices and judges

Section 42. A. The supreme court shall adopt, after public hearings, and administer for all justices and JUDGES OF THE INTERMEDIATE APPELLATE COURTS AND judges ~~who file a declaration to be retained in office~~, OF THE SUPERIOR COURT IN A COUNTY WITH A POPULATION OF TWO HUNDRED FIFTY THOUSAND PERSONS OR MORE ACCORDING TO THE MOST RECENT UNITED STATES CENSUS OR IN A COUNTY WITH A POPULATION OF LESS THAN TWO HUNDRED FIFTY THOUSAND PERSONS ACCORDING TO THE MOST RECENT UNITED STATES CENSUS THAT CHOOSES TO SELECT ITS JUDGES OF THE SUPERIOR COURT AS IF IT HAD A POPULATION OF TWO HUNDRED FIFTY THOUSAND PERSONS OR MORE a COMMISSION AND process, established by court rules for evaluating judicial performance. The rules shall PROVIDE THAT EACH JUSTICE OR JUDGE SHALL BE EVALUATED NOT LESS FREQUENTLY THAN EVERY FOUR YEARS FROM THE YEAR OF FIRST APPOINTMENT, AND SHALL include written performance standards and performance reviews which survey opinions of persons who have knowledge of the justice's or judge's performance.

B. A MAJORITY OF THE HOUSE OF REPRESENTATIVES SHALL APPOINT ONE MEMBER TO THE COMMISSION AND A MAJORITY OF THE SENATE SHALL APPOINT ONE MEMBER TO THE COMMISSION. THE HOUSE OF REPRESENTATIVES AND SENATE HAVE COMPLETE DISCRETION IN APPOINTING MEMBERS PURSUANT TO THIS SECTION, AND SUCH MEMBERS SHALL HAVE RIGHTS AND PRIVILEGES EQUAL TO ALL OTHER MEMBERS OF THE COMMISSION.

C. UPON WRITTEN REQUEST OF A LEGISLATOR, THE COMMISSION SHALL INVESTIGATE AN ALLEGATION THAT A JUSTICE OR JUDGE HAS ENGAGED IN A PATTERN OF MALFEASANCE IN OFFICE. IF THE COMMISSION FINDS THAT THE JUSTICE OR JUDGE HAS ENGAGED IN A PATTERN OF MALFEASANCE IN OFFICE, THE COMMISSION SHALL MAKE A DETERMINATION THAT THE JUSTICE OR JUDGE DOES NOT MEET JUDICIAL PERFORMANCE STANDARDS.

D. The public shall be afforded a full and fair opportunity for participation in the evaluation process through public hearings, dissemination of evaluation reports to voters and any other methods as the court deems advisable.

Sec. 9. Effective date

If approved by a majority of the votes cast thereon, this act applies retroactively to from and after October 31, 2024, and the returns of any votes of retention or rejection in the general election held on November 5, 2024 shall not be included in the official canvass or result in the issuance of any certificate of retention or rejection.

Sec. 10. Findings

The People of the State of Arizona find and declare as follows:

1. Judicial retention elections in the State of Arizona are simultaneously too infrequent, because judges whose conduct proves unsuitable for judicial office may serve for years before next standing for retention; and too frequent, because judges whose conduct is objectively satisfactory stand for retention regardless of their good behavior and performance.

2. The voters of the State of Arizona have exercised the right not to retain a judge in 0.3% of

137

PROPOSITION 137



judicial retention elections to date, indicating both general satisfaction with judicial performance in the state and an ongoing public interest in electoral accountability for the judicial branch.

3. The number of judicial retention elections appearing on the ballot unduly increases the financial cost of elections, the length and complexity of ballots, and the complexity and duration of vote tabulation.

4. The voters of the State of Arizona will be able to research judicial performance more efficiently, and persons who are not well suited for judicial office will be unable to "hide in a crowd" of peers, when retention elections feature only judicial officers whose conduct falls below objective standards.

5. It is appropriate to amend the process of judicial retention elections to ensure accountability for the judicial officers of this State and to increase the efficiency of our elections.

**Sec. 11. Short title**

This act shall be titled the "Judicial Accountability Act of 2024."

12. The Secretary of State shall submit this proposition to the voters at the next general election as provided by article XXI, Constitution of Arizona.

**ANALYSIS BY LEGISLATIVE COUNCIL**

The Arizona Constitution currently sets out a merit selection and retention system for justices of the Arizona Supreme Court, judges of the Arizona Court of Appeals, and judges of the Superior Court in counties with a population of 250,000 or more persons. Those appellate and trial court judges and justices are appointed by the Governor from lists of nominees selected by nonpartisan commissions, and serve terms (four years for trial court judges and six years for appellate court judges), subject to a vote of the people to determine whether the judge or justice should be retained or removed from office.

The Commission on Judicial Performance Review (JPR Commission), composed of 34 members appointed by the Arizona Supreme Court, evaluates the performance of judges and justices who are up for a retention vote. The Arizona Constitution requires that this judicial performance evaluation process include the opportunity for input from the public and that judicial performance reports be given to the voters before the state's general election.

The Arizona Constitution also provides for the removal of judges and justices pursuant to Article VI.I (a state commission regulating judicial conduct) and Article VIII (recall and impeachment). The Arizona Constitution also establishes a mandatory retirement age of 70 years for judges and justices.

Proposition 137 would amend the Arizona Constitution to provide that judges and justices appointed through the merit selection process would no longer be subject to a set four-year or six-year term of office and an automatic retention vote. Rather, Proposition 137 provides that those judges and justices who have not reached the mandatory retirement age would hold office during good behavior and could only be removed from office through the procedures set out in Article VI.I or VIII or pursuant to a retention election if the judge or justice:

1. Is convicted of a felony offense.
2. Is convicted of a crime involving fraud or dishonesty.
3. Initiates a personal bankruptcy proceeding in which the justice or judge is a debtor.
4. Is a mortgagor of a mortgage that is foreclosed.
5. Is determined to not meet judicial performance standards by a majority of the JPR Commission.

Under Proposition 137, the JPR Commission would evaluate each judge and justice at least once every four years. Membership on the JPR Commission would be expanded to include one member appointed by a majority of the Arizona House of Representatives and one member appointed by a majority of the Arizona State Senate. On the written request of a state legislator, the commission would be required to investigate an allegation that a judge or justice engaged in a pattern of malfeasance in office, and if the commission found that the pattern of malfeasance had occurred, the commission must determine that the judge or justice did not meet judicial performance standards.

Proposition 137 also specifies that the retention vote for a judge of the Court of Appeals would occur on a statewide, rather than regional, basis.

If Proposition 137 is approved by the voters at the November 5, 2024 general election, the results of the retention vote for each judge and justice on the November 5, 2024 ballot will not be included in the official vote count and will not result in the retention or rejection of any judge or justice.

**137**

**PROPOSITION 137**





## ARGUMENTS “FOR” PROPOSITION 137

When I look at my general election ballot there are way too many things going on: too many ballot measures, too many people and way too many judges. In Maricopa County there are over fifty people running for retention. Who are these people? Does anyone really know? Of course not. None of us do. There are so many, in fact, that it is possible for many bad judges to be hiding among the good ones. That is probably why none of them ever lose. This proposition would ensure that the ballot would be much shorter. It would also ensure that the worst judges are singled out to be on the ballot. If passed, it will make elections cost less, a shorter ballot, fewer errors in tabulating ballots (which will make sure we get a quicker result on election day!) and singling out those judges who have been terrible at their jobs. I urge you to vote yes on this proposition.

**Connie Martin, Prescott**

*Sponsored by Arizona Free Enterprise Club*

There is a reason why this ballot measure is called the “Judicial Accountability Act.” It is called that because for the first time, judges who have ethical problems will be singled out and held accountable to the people. Since the seventies almost two thousand judges have gone up for retention. In all of that time only six have ever lost their retention election. The reason is that no one knows who they are. If this proposition passes, however, everyone will know who the bad judges are. The proposition says that any judge who has a felony, has filed for bankruptcy or who has been a terrible judge in their courtroom will be held accountable by being placed on the ballot for us to vote on. They cannot hide among the good judges. Arizona has a history of having some of the best judges in the country because of the Merit Selection system. The ballot measure will ensure that it stays that way. Vote yes on this proposition.

**Kathleen Liles, Mesa**

*Sponsored by Arizona Free Enterprise Club*

If you have been watching all of the activity in this election, you may be wondering why there are so many signs all of a sudden for judges. The reason is that out of state donors are pouring money in Arizona to influence our courts. For the first time, millions of dollars are being spent opposing and supporting judges. The reason for that is that they believe they can affect the outcomes of these retention elections. We need a court that is independent and that is why I support this proposition. It will prevent big money donors from taking over our courts, while making sure the public has a say in removing judges who are doing a bad job. If you care about the direction of Arizona and you care about keeping our courts free of special interests out of state, please vote yes on this proposition.

**Larry Maddox, Prescott**

*Sponsored by Arizona Free Enterprise Club*

Every election I look at the ballot and wonder who all of these judges are. They all get elected no matter what, but are they really all that good? There are very few resources available to the public to determine who the good judges are versus the bad judges. That is why I support this proposition. If passed, it will mean that judges who have committed crimes, who treat people poorly in their courtrooms or have serious ethical lapses are singled out and put on the ballot, where most will lose. It allows the people—and only the people—to decide who should remain in office and not a bunch of out of state donors. I urge you to support this proposition.

**Ellen Gordon, Mesa**

*Sponsored by Arizona Free Enterprise Club*

If this proposition passes, counties will save millions of dollars and elections will be decided much more quickly. The reason the ballot is so long is the long list of judges on the ballot. 99% of the time they get reelected, but the public still has to pay for them to appear on the ballot. In addition, most of the errors in our elections appear among the judicial portion of the ballot. This section is the leading cause of delay in having a result in our elections! This proposition will lead to less cost, a shorter ballot and a quicker result, all while making sure bad judges are not retained. Please vote for this proposition!

**Susan Blood, Gilbert**

*Sponsored by Arizona Free Enterprise Club*

---

**THESE ARE THE REASONS THEY SAY TO VOTE YES**

Arizona Voters,

As I submit this ballot argument, I believe I'm the only person in Arizona willing to submit a Vote Yes statement on Prop. 137. That should tell you something about the merits of this legislative referral.

Because none of the legislators that referred this ballot measure are willing to tell you why they did it, and why they think you should vote Yes, I will.

Here are their arguments:

They believe judges should have lifetime appointments with no accountability. This is despite the fact that lifetime appointments for judges at the US Supreme Court have been a failure, undercutting our democracy and destroying reproductive rights.

They oppose abortion. They wrote this law specifically to try and keep abortion bans in place by removing any accountability or check on anti-abortion judges.

They believe that laws should be retroactive and wrote Prop. 137 to overturn voter decisions around judges. No law should go back in time.

They wrote this measure to be retroactive because they specifically want to protect Arizona Supreme Court Justices Bolick and King, who are currently up for retention. These two justices decided to ban abortion in Arizona without exception. If Prop. 137 passes, it overturns the vote we as citizens are taking \*right now\* on the retention of Bolick and King.

They believe that voters should not have the right to decide who acts as our judges, despite the fact that voters have had that right in Arizona for over a century.

In short, these extremists believe that they know better than anyone else and that only the people they choose should decide how we run our State.

These are their reasons they want you to vote Yes.

I hope you see through their cynical referral.

**Lauren Kuby, State Senate Candidate; Legislative District 8; former Tempe Vice Mayor, Tempe**



## ARGUMENTS “AGAINST” PROPOSITION 137

This measure would not only virtually eliminate your right as a voter to decide whether judges — appointed through a political process — should remain on the bench, but would nullify your votes for or against judges in THIS election due to its retroactivity clause.

Judges in Arizona’s four most populous counties (Maricopa, Pima, Pinal, and Coconino) are appointed through the gold standard of Merit Selection, yet the partisan Governor makes final appointments. When former Supreme Court Justice Sandra Day O’Connor led the charge in the 1970s to institute our Merit System through citizens’ initiative, she saw the wisdom of voters having a voice through an electoral retention process. While some may find it a nuisance to vote to retain (or not) judges, others see an unaccountable, lifetime-appointed judiciary on the Federal and US Supreme Court benches. Scandals involving cruises, motor homes, jet flights to exotic vacations, fat stipends to attend gatherings of special-interest donors — all only revealed through persistent investigation — have made our judiciary a punch line about corruption, and the public has no viable recourse.

It’s not surprising that this measure is supported by the Arizona Judges Association. It would free them from pesky oversight, releasing them to make critical decisions about our lives without interference.

Republican lawmakers pushing this bill pretend that eliminating judicial retention would save voters from worrying our silly heads about something so complicated as judges. But we know that our right to weigh in on the judges whose decisions help shape our lives is not only important, but essential to the future of our democracy.

Judges say they’re only “calling balls and strikes,” but remember — they don’t just read the law, they interpret it. Otherwise, every decision would be unanimous. We strongly urge a NO vote on this measure.

**Catherine Sigmon, Co-Founder, Civic Engagement Beyond Voting, Tempe and Melinda Iyer, Co-Founder & Policy Director, Civic Engagement Beyond Voting, Phoenix**

Fellow patriots! Do you love the constitution? Do you enjoy your freedoms? Perhaps you like the liberties, and democracy this great nation grants us? If you do, I urge you to VOTE NO on this BAD BILL. Read two lines in, and you will see what I mean. This bill aims to give ALL judges a lifetime appointment and remove our ability to vote on judges once and for all! Since the writing of Arizona’s constitution 111 years ago we have always had the privilege to vote to elect our publicly funded, judicial servants also known as Judges. This bill intends to take our choice away, because our local legislators think us too stupid to have the right to choose who to hire when people are fighting in a court of law for their freedoms. This bill wants to cancel 4 & 6 year terms on our Judges & Supreme Court Justices and make them LIFETIME appointments as long as Judges are deemed “ON GOOD BEHAVIOR” Now tell me, what does “on good behavior” even mean? For these reasons I believe it is safe to deem this ballot measure Anti-Arizonan, and Anti-American, and urge you to VOTE NO to PROTECT OUR FREEDOMS AND LIBERTIES.

**Eric Stafford, State Senate Candidate Legislative District 29, Stafford4AZ, Goodyear**

Vote NO on Prop 137! We have some state legislators who are upset because voters unseated three activist Maricopa County Superior Court judges during the 2022 election cycle; so they’re pushing legislation to eliminate our choice entirely. The bill is retroactive, so it will nullify all of the results of this year’s judicial retention elections regardless of how we the people vote for it. Gov. Doug Ducey expanded the State’s Supreme Court from five to seven even though all the other justices from both parties said it was unnecessary, which allowed him to pack the court with four conservative justices during his tenure. In the past, we relied on the Commission on Judicial Performance Review which graded a judge unfit, based not on their rulings but only on their behavior. We now have organizations that track judges on their rulings that clearly come from their ideologies and world

views. Corrupt politicians and the judges who do their bidding should not test the will of the voters. Join me and vote NO on Prop 137!

**Kerry Jackson, Phoenix**

---

We Arizonans value our freedom and power to hold accountable those in government who do the wrong thing in our view. So why would we want to grant what are essentially LIFETIME APPOINTMENTS to judges who rule over us? Proposition 137 would do just that by eliminating judicial retention elections. VOTE NO on Prop 137!

Whether you agree or disagree with the 1864 abortion ban law that Arizona Supreme Court Justices Bolick and King upheld in April, protecting these judges, or any judge by giving them a job for life that reigns over all Arizonans violates the self-determination we value.

Power-hungry politicians want to keep their judges in place for as long as possible in order to advance their own political agendas. Arizona voters are not the ones who are asking for this to be on our ballot, but rather these extreme politicians who are desperate to hold onto power.

VOTE NO on Prop 137 to protect your right to decide who gets to remain a judge at the end of their term. It's our decision, not politicians.

**Christian Ortega, Phoenix**

---

Proposition 137 is an affront to the voters, the judiciary, and the Constitution. It is that simple.

In the 248 years of this County's existence, elections, election results, and the electorate have all been held in the highest esteem. The Constitutional right to vote, with all of its amendments to right wrongs such as eliminating women and Blacks from the process, is sacrosanct. Sacrosanct. That word means too important or valuable to be interfered with. The past 4 years have demonstrated the chaos of governance suffered at the hands of election interference.

All of that being said, Proposition 137 eliminates voters from their right to determine who and for how long serves on the Arizona Supreme Court. The fact that these are elected positions removed from the cloak of political gerrymandering. Arizonans are fortunate to have the voice to decide who makes the most important judicial decisions from the mundane to the most elaborate and life-affecting. When judicial views are made that are in opposition to the lives of Arizonans as demonstrated by Justice Bolick and Justice King earlier this year by upholding the 1864 near-total abortion ban.

Arizonans must retain the right to be heard through the ballot box. Silence the ballot box you silence democracy. Vote no on Proposition 137.

**137****Ruthee Goldkorn, Peoria**

*Sponsored by Opportunity Arizona*

---

I strongly urge Arizonans to VOTE NO on Proposition 137. This measure allows Arizona judges to retain their positions until retirement at age 70, without the public oversight that Arizonans currently have. As of now, every 6 years judges face retention elections. Judges making decisions that are contrary to the view of the majority of Arizonans can be held accountable by the will of the voters and not be retained. We have had this right for over 50 years and it plays an important part in our democracy, as it allows us to vote for judges who we know will work for justice in Arizona and not those who uphold a partisan political agenda. The citizens of Arizona are not asking for this right to be taken away from them, but this is rather only a ploy by some extreme legislators to allow unpopular judicial decisions to not have any civilian oversight or accountability. Specifically, they want to prevent 2 judges, Clint Bolick and Kathryn King- who voted in favor of reinstating the total abortion ban (which is opposed by the majority of Arizonans)- from facing public accountability for their decisions. Our government is based on a system of checks and balances, and judicial retention elections provide a "check" by the citizens to oversee whether judicial decisions are consistent with the sentiment of the majority of Arizonans. We have seen the serious consequences of federal judicial decisions which are contrary to the will and feelings of the majority of Americans

and these judges have no oversight whatsoever. This is not the system that has been in place in Arizona, nor the system that we desire. Arizonans see through this political ploy and need to VOTE NO on Proposition 137 to retain oversight of the judiciary.

### **Dr. Dean Martin, Phoenix**

---

VOTE NO on Prop 137 to prevent lawmakers from stripping power away from Arizona voters. Our vote is one of our most sacred rights. Extremist Republican lawmakers are attempting to remove the ability for Arizona voters to hold judges accountable. This year, Arizonans witnessed the Arizona Supreme Court uphold a civil war era near-total abortion ban. Extremist lawmakers are attempting to protect the judges who voted to uphold the ban from facing the consequences of this disastrous vote. Arizonans have the right to voice their support or opposition to these judges. Arizonans have the right to vote on whether we believe these judges are representing the interest of voters and upholding the Constitution, or whether these judges are voting recklessly for political gain and stripping us of our civil and human rights. More than 60% of Americans oppose lifetime appointments of judges. Prop 137 is not the will of the voters. It is a selfish, greedy, and desperate attempt by extremist lawmakers to prevent Arizona Supreme Court Justices Bolick and King from having to answer to voters. By voting to allow the 1864 abortion ban to go into effect, these judges displayed their contempt for the life, liberty, dignity, and safety of women in Arizona. These judges used their votes to send a strong message to the nation that in Arizona, pregnant people do not have equal protection under the law, and are therefore not equal citizens. Justices Bolick and King had their opportunity to vote and chose to uphold extremist ideology rather than to uphold the Constitution. It is Arizona's turn to vote. We must VOTE NO on Prop 137 to protect our votes in the upcoming judicial retention election from being invalidated and ensure we preserve the right to vote on judicial retention.

### **Meghan Krokaugger, Phoenix**

---

#### Please Oppose Proposition 137!

Since the state's founding over 112 years ago, a hallmark of Arizona's constitution is its provisions for direct democracy by voters in the form of the initiative and referendum processes, as well as election of select members of the judiciary.

In 1992, Arizona voters established by constitutional amendment the merit-based Judicial Performance Review (JPR). The JPR requires that the performance evaluation process include public input about each judge's performance collected through surveys of jurors, witnesses, litigants, people who represent themselves in court, attorneys and court staff who have observed the judge at work. This long-standing process has worked to the benefit of Arizona citizens since then.

Now, the Arizona legislature wishes to take away this right of voters to make decisions about members of the judiciary, those judges who hold the futures of Arizonans in their hands when they make any decision about a case before them. Over recent years, the legislature has attempted—and sometimes succeeded—to pass every measure they can to remove your right to direct democracy as provided for in the Arizona constitution. Prop 137 is another attempt at this. Worse, it is written retroactively, so if passed, the entire judicial retention slate for the November election would be dismissed.

The Sierra Club holds voter participation and direct democracy as sacrosanct and inalienable. Don't let the Arizona legislature take away your vote and your voice in the retention of the judges who have such an effect on the lives of Arizonans. Vote NO on Proposition 137.

### **Cyndi Tuell, chair, Sierra Club - Grand Canyon Chapter, Tucson and Jim Vaaler, vice chair, Sierra Club - Grand Canyon Chapter, Phoenix**

---

Proposition 137 will eliminate Arizonan's ability to hold judges accountable. This measure takes away the right of the people to have a say in our court justices. It will also undo the will of Arizona Voters and invalidate the 2024 Judicial Election Results on judges who were NOT re-elected to their seats.

Extremist politicians are dressing this up and twisting its true intent because they want you to vote against your own interests. They want to be able to appoint and retain activist judges who vote in favor of extremist, partisan agendas instead of actual justice. We must protect the right

to vote on judges so that we can make sure we have judges who rule in favor of justice, not politics. Vote NO on Prop 137!

**Denise Previte, Scottsdale**

---

Proposition 137 is a terrible idea because it rolls back the right we have as Arizonans to determine when a judicial appointment is no longer fit for retention and I urge you to VOTE NO. We have had this right since 1974 and we should not have it taken away because it comes at odds with what those who are in power want. A strong majority of Americans, and even a majority of federal judges, oppose lifetime judicial appointments. This proposition is anti-democratic, and it would give judges lifetime appointments on the bench without accountability-- including the justices who voted for the territorial era abortion ban-- until the retirement age of 70. This is just another ballot proposition from our partisan extremist lawmakers in a desperate attempt to hold on to power, which is why we should VOTE NO on Proposition 137.

**Jonathon Sandell, Phoenix**  
*Sponsored by Opportunity Arizona*

---

VOTE NO on Prop 137. This proposition would strip Arizonans of the ability to hold Arizona judges accountable for their actions. Prop 137 would allow members of the Arizona judiciary to keep their positions until they hit the retirement age of 70. Currently, Arizonans have the right to vote to decide whether to keep a judge or have a new one appointed if they dislike this judge's ruling history. Arizona Republican extremists want to strip us of this right in order to protect the two Supreme Court Justices who voted in favor of the 1864 total abortion ban. This proposition was not supported by or brought to the ballot by Arizonans. Instead, Republicans Lawmakers used their power in the State Legislature to push forward this anti-democratic initiative in hopes of bypassing a veto from the Governor. More than 60% of everyday Americans and even 60% of Federal judges oppose lifetime appointments for judges. Here in Arizona, our unique history with judicial retention elections ensures us protection over the problem and abuses of power that we see on the Federal level in the US Supreme Court. We have the ability to remove activist judges who rule in favor of partisans from the bench. This is another attempt by Arizona Republicans to send toxic, anti-democratic, and unconstitutional bills to the ballot to overwhelm voters and score political points. This is a threat to both judicial independence and democratic governance by taking power away from Arizonans and ensuring that extremist Republicans can rule however they please without fear of the people's will being heard. VOTE NO on this extremist proposition and show hyper partisan lawmakers what We The People really means!

**Nicholas Mink, Scottsdale**

**137**

---

The League strongly opposes Proposition 137, a constitutional amendment that would abolish retention elections that allow voters to decide if judges should stay in office and, instead, allow judges to remain in office indefinitely during “good behavior.”

The governor appoints Arizona Supreme and appellate court judges based on a nominating commission’s recommendation. Lower court judges are either appointed based on merit (Maricopa, Pima, and Pinal counties) or elected by the voters (the remaining counties). All appointed judges are up for retention election at the end of their terms; this is the voters’ opportunity to decide if they should stay in office. The Arizona Commission on Judicial Performance Review (JPR) surveys people who have contact with the judges, including attorneys, jurors, litigants, witnesses, court staff, and other judges. The Commission also holds public hearings every election year and accepts written comments from the public.

This proposition would effectively abolish retention elections unless a judge exhibits “bad behavior.” The “bad behavior” list does not include criteria such as public perception of unfairness, lack of impartiality, lack of thoughtful, fact-based rulings, patterns of unprofessional or unethical behavior, or conflicts of interest. Ultimately, the Chief Justice makes the final determination.

Judges have immense power over people's lives and should, like other branches of government, be ultimately subject to the people's will. This proposition would remove the voter's right to confirm or reject judges.

**Pinny Sheoran, President, League of Women Voters of Arizona, Scottsdale**  
*Sponsored by League of Women Voters of Arizona*

---

Vote no on Proposition 137, which would in essence grant the Arizona Supreme Court Justices and most judges in the state lifetime appointments. This is not what the people of Arizona want, which is why it wasn't proposed by them, it was created and proposed by extremist members of the Arizona legislature. If passed, this measure will strip Arizona voters of their right to hold elected officials accountable through regularly voting for who we want to see in the Arizona Supreme Court. It is shameful that measures are being proposed to restrict our rights as voters instead of expanding them. Vote no on Prop 137 because it shrinks and does not expand democracy.

**Karlyn Bradley, Phoenix**  
*Sponsored by Opportunity Arizona*

---

Vote NO on Prop 137: Keep Accountability in Our Merit Based Judge Selection System

Proposition 137 seeks to rob Arizona voters of important powers. Specifically, it would strip us of our critical role in holding judges accountable through judicial retention elections. These elections are an important part of our Merit Selection System, a treasured legacy from Justice Sandra Day O'Connor.

I urge you to vote NO on Proposition 137.

Our current judicial retention system was passed by the voters and has served Arizona well for decades. Voters decide if judges are enforcing the law and doing their jobs properly. The overwhelming majority of judges have been retained, only a few who were clearly not up to the job have been removed by the voters. This misguided proposition effectively eliminates term limits for judges in all but the most extreme cases.

Another troubling element of Prop. 137 is its retroactivity. If passed, it could overturn voter decisions about judges in this election cycle. Should voters this year exercise their right not to retain a judge, that decision would be nullified.

Voting NO on Prop. 137 preserves the power of Arizona voters, and our Merit Selection System. It ensures accountability for the judiciary. The judges themselves respect the process and voted to support continuing retention elections.

I have the utmost respect for our Arizona judges. One current example stands out. Voters overwhelmingly passed the Stop Dark Money Initiative in 2022, but it was challenged by several powerful dark money groups. Our courts decisively dismissed each challenge. I salute the excellent judges who stood up to pressure and followed the law. Let's keep the Merit Selection System which made our courts so excellent.

I urge you to vote NO on Proposition 137!

Terry Goddard  
 Former Arizona Attorney General and Mayor of Phoenix

**Terry Goddard, Phoenix**

---

Arizona's judges must be accountable to those they serve. Proposition 137 undercuts accountability, and, although we are no longer actively serving judges, we oppose Proposition 137 because:

It abolishes the current system in which Arizonans decide whether to retain a judge at regularly scheduled retention elections – held every six years for all appellate judges (Supreme Court and Court of Appeals) and every four years for Superior Court Judges from Arizona's more populous counties.

It creates a new system in which Arizona voters will rarely have an opportunity to vote on judges in retention elections. Appellate and Superior Court judges would only be subject to retention elections if a majority of the Arizona Commission on Judicial Performance Review (JPR Commission) determined the judge failed to meet judicial performance standards, or the judge had been convicted of certain crimes, filed bankruptcy, or had a mortgage foreclosed.

It cancels any “do not retain” decision the voters may make in the upcoming November 2024 retention elections. Even if a majority of the voters in November decide not to retain a judge, the proposition is retroactive, and that judge would not be removed from office.

It subjects judges who stand in retention elections to legislative pressure and intimidation. Any one legislator can force the JPR Commission to investigate a retention judge by merely alleging the judge “engaged in a pattern of malfeasance.” The JPR Commission has no discretion to ignore the allegation, even if groundless or made for partisan reasons. Judges should spend their time doing the people’s work, not responding to groundless allegations.

Other judges oppose Proposition 137. Members of the Arizona Judges Association, a voluntary association of state judicial officers that promotes fair and impartial courts, have voted to oppose Proposition 137.

**Patricia Norris, Phoenix; Scott Bales, Phoenix; Diane Johnsen, Scottsdale; Ruth McGregor, Phoenix; Peter Swann, Phoenix; and Lawrence Winthrop, Phoenix**

---

A cornerstone of our freedom and economy is a healthy democracy, where all eligible Americans have the opportunity to vote to hold politicians and government accountable. Since our state was founded more than 100 years ago, Arizona voters have exercised that right in judicial elections. Our ability to decide whether or not judges should be retained every few years is an important check and balance to ensure our legal system is fair and just.

Prop 137 would strip us of this right, allowing powerful judges who decide cases that affect millions of Arizonans to be appointed for a lifetime. This change to the state constitution would eliminate our voice.

Not only that, but Prop 137 is retroactive by 10 years, meaning the outcomes of the judicial elections we vote in this November would be overturned, reversing the will of the people. When voters cast ballots, they should do so knowing their vote will count.

As founder and CEO of the largest local business coalition in the U.S., I believe any erosion of voter power is a threat to our society as well as our economy. Businesses depend on a fair and even playing field, which impartial judges are supposed to uphold. No matter what your political beliefs, I think we can all agree that unchecked political and judicial control is not something we want in our state. Ensuring our laws and constitution are respected is vital. Vote no on Prop 137.

---

**Kimber Lanning, Founder and CEO, Local First Arizona, Phoenix**

---

Don’t give away your constitutional rights!

Few of us enjoy the “judges/justices” section of our ballots every 2 years. Heck, I appear in front of judges and cover them at ArizonasLaw.org, and researching and voting that section is not my idea of a picnic, either. HOWEVER, it is an important part of what has made Arizona’s merit selection process a blueprint for many other states. It is accountability.

This so-called “Judicial Accountability Act” actually REDUCES accountability, and gives almost all of our judges/justices a lifetime appointment. (Only with a felony conviction, a bankruptcy, a foreclosure or an unheard of finding of failing to meet standards would a retention election take place.) Remember, our elected lawmakers do not approve of Arizona judges/justices when appointed, as in the federal system.

Even worse than taking away our power to give a thumbs up or thumbs down to these judges/justices, the lawmakers who put this on the ballot - by only 1 vote in each chamber – are asking you to voluntarily nullify your votes for the judges/justices ON THE SAME BALLOT!

Why would you, the voter, do this?

The reason proponents give in this pamphlet is the politicization of these judicial retention elections. In reality, it is their motivation that is nakedly political – attempting to protect a Supreme Court made up of all Republican-appointed justices and to prevent a Democratic Governor from making appointments. (In fact, at the last minute, they removed a clause that would make this change temporary, until they could elect a new Governor.)

This measure asks US to voluntarily give away some of our power. (Other measures they referred to the ballot about initiatives do likewise.) DON'T FALL FOR IT!

Keep judges/justices accountable to US, the voters!

We will provide additional coverage of this proposal at [ArizonasLaw.org](http://ArizonasLaw.org).

**Paul Weich, Attorney/Publisher, ArizonasLaw.org/PWLawArizona.com, Phoenix**

Vote No!

Proposition 137 is proposing lifetime appointments for judges to replace the current 4-6-year term elections. This change would allow judges to remain in office indefinitely, provided they exhibit "good behavior." While the aim may be to provide stability, it raises concerns about transparency, accountability, and the checks and balances essential to our democracy. Public oversight is a crucial safeguard against abuse of power, bias, and corruption. Without such oversight, the judiciary may become insulated from the people it serves, leading to decisions that undermine the principles of justice and fairness. The ambiguity of "good behavior" is problematic, as it is open to interpretation and could lead to potential biases. Historical evidence suggests that lifetime appointments can shield judges from the public scrutiny and accountability necessary for consequences for their actions. Such a shift in power dynamics subverts the voice of the people, who play a vital role in determining those

who wield the power to interpret and enforce the law.

Our world increasingly values transparency and accountability, and this proposition threatens both. We cannot afford to take a step backward by allowing this legislation to pass.

It is imperative that we protect the checks and balances that keep our judiciary fair and impartial. By opposing Proposition 137, we can preserve the voice of the people and maintain a judiciary that prioritizes justice over personal interests.

If lifetime power for a president is deemed unsuitable, then granting it to judges should be equally concerning, if not more so. Just as a president's term limit ensures accountability and prevents the consolidation of power, so too do term limits for judges. Stability is important, but it should not come at the cost of transparency and the democratic principles that underpin our society. Vote no on Proposition 137.

**Jessica Staggers, Community Engagement Strategist, Maricopa County Young Democrats Events Director, Surprise**

Arizonans have lost trust in the judiciary — and for good reason.

Arizona voters are fortunate that we have a system of checks and balances that allows us to vote on our judges. It's important to remember that not every state does. In 1974, Arizona's Merit Selection system of nominating and retaining judges was championed by Sandra Day O'Connor and other legal scholars who recognized the need for voters to be the final check and balance to prevent courts from becoming undemocratic. Prop 137 would strip us of these rights and give near lifetime appointments to judges in Maricopa, Pima, Pinal and Coconino Counties, all Appellate Courts, and the Arizona Supreme Court.

Voters who support public education recognize the desperate need for these checks and balances. Many remember the great lengths the Arizona Supreme Court has gone to in order to reject education funding measures over the past 7 years, after Gov. Ducey expanded and stacked the Court. In 2018, the Court tossed Invest in Ed from the ballot, depriving Arizona voters an opportunity to increase school funding. In 2021, the Court overruled a lower court's decision on Prop 208, blocking the citizen-powered initiative to tax wealthier Arizonans to provide more than \$800 million for public education. In 2022, the Court tossed a citizen's referendum on Ducey's tax breaks for the rich. Arizona voters were denied the ability to reject this measure, which is now driving massive budget deficits that hurt schools and everyday Arizonans.

137

ARGUMENTS "AGAINST" PROPOSITION 137

Prop 137 deprives Arizona voters of the right to weigh in on the retention of judges based on the merit selection system. We urge you to vote “no” on this measure to retain your treasured rights as an Arizonan.

**Beth Lewis, Director, Save Our Schools Arizona, Chandler and Dr. Sharon Kirsch, Research Director, Save Our Schools Arizona, Phoenix**

---

Judicial retention elections are a critical tool of democracy. They protect the people’s right to hold judges accountable through regular elections. We learn in high school civics that appointed officials who must seek re-election regularly are less likely to abuse their power. This measure would greatly limit voters’ ability to hold judges accountable through retention elections. It would allow judges, once appointed, to run their own extremist agendas while leaning into special-interest dollars.

Elections should be improved to boost civic engagement, a backbone to our democracy, not eliminated altogether. Long-term appointments through retirement age are detrimental to democratic development. Arizona voters did not ask for this. It is being supported by extremist lawmakers afraid of losing power and the judges who want the freedom of unchecked behavior.

Of course Arizona Judges have voiced their support for this measure. Who wouldn’t want a job for life without any feedback or penalty? Judges don’t just follow existing law; they make critical interpretations and life-altering decisions for Arizonans. We must be able to hold them accountable to the people they are wielding such power over.

I believe that this measure is being used to protect Arizona Supreme Court Judges Bolick and King from the consequences of their votes to reinstate the absolute abortion ban from 1864, which is an immediate threat to Arizonans who are pregnant or may become pregnant. These judges will be up for retention election, allowing the people of Arizona to decide for themselves if this is what they want for their state. Prop 137 allows for an unchecked court with judges who do not have to answer to people for their actions.

Vote NO on this measure.

Bob Sommer, Business for Democracy-AZ

**Bob Sommer, Tempe**

---

SCR 1044 is bad for Arizona. It makes appointed judges unaccountable to Arizona's citizens. These un-elected judges will be placed beyond the voters' right to remove a failing Supreme Court Justice or Court of Appeals Judge if this passes. The current system requires each appointed judge to stand for retention every 6 years. Voters have removed several non-performing appointed judges. In sum the current system works. To make un-elected judges unaccountable to Arizona's citizens makes no sense. Please vote NO on this proposition!

**Thomas Ryan, Attorney, Gilbert**

---

Planned Parenthood Advocates of Arizona (PPAA) is strongly opposed to Prop 137. PPAA is Planned Parenthood’s advocacy arm in Arizona and the state’s largest nonpartisan advocacy organization dedicated to protecting access to sexual and reproductive health care. We advocate for everyone in our community, no matter their race, gender, sexuality, disability, or immigration status, so we can ensure access to reproductive healthcare and bodily autonomy for everyone.

Arizona courts significantly impact issues affecting the lives of Arizonans, including reproductive rights. In April of 2024, the Arizona Supreme Court upheld the deeply unpopular and dangerous 1864 total abortion ban. While the legislature has repealed this ban and ensured it will not go into effect, the ban would have significantly impacted the health and lives of pregnant people across Arizona had it been implemented. Arizonans deserve to maintain their long-standing right to evaluate and, if warranted, remove the judges and justices that make these crucial legal decisions to ensure they don’t stray wildly from the will of the public.

Prop 137 would effectively eliminate the right to hold judges accountable for their inappropriate and hyper-partisan rulings. By getting rid of judicial term limits and only having judicial retention elections on recommendation by the Arizona

Commission on Judicial Conduct or when certain offenses have been committed, Prop 137 effectively cuts voters out of the process. Our judges have so much power over the lives of everyday Arizonans, so it is crucial to maintain this system of checks and balances to ensure that their decisions actually benefit the people they are meant to serve.

It is vital to maintain democracy and protect the rights and health of all Arizonans. Please join Planned Parenthood Advocates of Arizona in voting NO on Prop 137.

**Erika Mach, Chief External Affairs Officer, Planned Parenthood Advocates of Arizona, Phoenix**

---

I strongly urge my fellow Arizonans to vote NO on Proposition 137.

The cornerstone to an independent justice system is the ability of judges to set aside all ideological preferences and political pressures, while maintaining accountability to the public. This is what makes Arizona's merit-based system with judicial retention elections work so well, and this is what we stand to lose with Prop 137.

Thanks to foresight of then-state legislator Sandra Day O'Connor's proposal, the question of how judges remain accountable to their oath and independent from outside pressures was answered in 1974, when voters amended the Arizona constitution to adopt a hybrid merit-based appointment process coupled with a retention election at the end of the justices' and certain judges' 4-6 year terms. This system has proven to produce accountable judges with only six judges failing to earn retention.

Prop 137 would toss aside our successful voter retention system and replace it with lifetime appointments—eliminating accountability except for only the most egregious offenses. For anyone paying attention to the U.S. Supreme Court in recent history this should send shivers down your spine.

The flaws of Prop 137 go further, it would retroactively wipe out the results of the November 5, 2024, retention election of all justices and judges. People can vote to retain or oust a justice or judge on election day but if Prop 137 passes, the vote will be erased. The voice of the people will be silenced.

Voting NO on Prop 137 will protect our tried-and-true system of judicial accountability. This very system that was championed by Arizona's Supreme Court Justice Sandra Day O'Connor who understood the need for accountability to the people when she said: "The freedom to criticize judges and other public officials is necessary to a vibrant democracy."

**Felecia Rotellini, Former Prosecutor; Former Superintendent, AZ Dept. of Financial Institutions; Former Chair, AZ Democratic Party, Phoenix**

---

The Arizona Center for Women's Advancement supports Arizona's current judicial retention election system as an important check on the considerable power of the judicial branch of government. Judges need a measure of independence, but they must be answerable to the people. Proposition 137 upends this balance, putting a thumb on the scale and destroying accountability. Arizona voters should understand that Proposition 137 did not appear on their ballots by any effort of common citizens working with their neighbors to qualify a measure. Rather, it is a cynical effort of entrenched and extremist policymakers who doubt the intelligence of Arizona voters and think Arizonans can be tricked into approving this ill-advised and steamrolled scheme. These extremists are afraid that voters may remove Justices who voted to revive Arizona's draconian 1864 Abortion Ban. Yet, arguably that decision would not have been possible without prior packing of the court by former Governor Doug Ducey, who held funding hostage in exchange for an expansion of the Arizona Supreme Court by two seats. The extremists who referred Proposition 137 to the ballot want to insulate current and future Arizona Supreme Court justices from the consequences of their actions. It will eliminate term limits retroactively and confine accountability elections to narrowly circumscribed violations of "good behavior." How ironic. Voters should note that this "good behavior" measure was voted on by a member of the Legislature whose husband would directly benefit from the new system, a clear conflict of interest. Voters are tired of judges and their spouses abusing their positions of power. Judicial retention elections are a time-tested tool of democracy, shielding the citizenry from judicial abuse of power through regular retention elections. Tell partisan politicians to get out of judiciary and vote "no" on Proposition 137.

**Jodi Liggett, Founder, Arizona Center for Women's Advancement, Tempe**

---

This proposition seeks to protect anti-abortion Supreme Court justices Clint Bolick and Kathryn King. A NO VOTE on this proposition will protect abortion rights. If this passes, Bolick and King will be protected from being removed from their position as a Supreme Court justice, even if Arizona voters voted NO on retaining them. Bolick and King voted to keep the 1864 ban on abortion and this measure protects them and their extremism. Please vote NO on this proposition to defend the right to abortion for Arizonans and to ensure extremists like Bolick and King can be voted out by Arizonans.

**Julie Coburn, Phoenix**

This proposition seeks to eliminate judicial retention elections, threatening the accountability and transparency essential to Arizona's judiciary. These elections allow voters to hold judges accountable and ensure that the judiciary remains impartial and fair.

This proposition would end term limits for state supreme court judges and superior court judges, allowing lifetime appointments for judges. Additionally, it would terminate retention elections at the end of judicial terms. A large majority of U.S. Americans, across party lines, agree on the need for term limits to ensure accountability. Removing these elections would make it harder for people to hold judges accountable and reduce the transparency of judicial actions.

Judicial retention elections are critical for boosting civic engagement by involving the public in the judicial review process. They prevent the courts from becoming overly politicized and ensuring that judges make decisions based on law, not political pressure.

Eliminating this democratic tool would weaken the integrity of Arizona's judiciary. It is essential to preserve judicial retention elections to maintain the balance of power and uphold the principles of democracy.

**Tom Prezelski, Senior Political Advisor, Rural Arizona Action, Coolidge  
*Sponsored by Rural Arizona Action***

For more than 50 years, Arizona's constitution has protected our right as voters to hold judges accountable through judicial retention elections. These elections are a critical tool of democracy, helping to ensure that judges continue to serve the public interest as opposed to making decisions based on their own narrow personal or political agendas.

Unfortunately, there's now an effort underway to shield judges from accountability by eliminating judicial retention elections. Lawmakers afraid of the consequences of their own extreme positions are hoping to disempower voters and take away a critical component of our democracy.

The ability to vote to keep or dismiss judges is one of our constitutional rights, and it's up to us to defend it. As voters, we need to be able to replace judges who repeatedly issue rulings that are clearly at odds with the law and with the best interests of the people of Arizona. Help protect our democracy and vote NO on Proposition 137.

**Marisol Garcia, President, Arizona Education Association, Phoenix**

Vote NO. Removes our right of judicial review since 1974. Establishes lifetime appointments (to age 70 mandatory retirement) except for the rarest instance of retention judges only ballot listed if with felony, bankruptcy, mortgage foreclosure, or a Commission's Doesn't-Meet-Performance rating. Retroactive - all November 2024 retention judges would remain in office, nullifying results. A prime motive? The GOP attempt to prevent Supremes Bolick & King being voted out over their joining the 4-2 majority reestablishing the 1864 law criminalizing abortion. Voids the meticulous judicial rating system (e.g., lawyers, witnesses) in the voter guide. This so-called "The Judicial ACCOUNTABILITY Act of 2024" essentially eliminates ACCOUNTABILITY to voters. Reduces voter research time? It takes away voters' right to "research," however they choose, their same right when voting for props and candidates. Ref the Hon. Bolick 5/20 Op-Ed: Two highly qualified retention judges were ousted in '22? Not mentioned was a third ousted with a Commission unfit rating, nor (Axios 11/15/22) that all three had poor judicial ratings. Serious liberal/conservative commentators agreed the 1864 decision was

soundly grounded in law? Not mentioned was that more than a third of the 47-page 1864 decision contained a scorching dissent by conservative Supremes Timmer & Brutinel contesting a decision based on legislative intent, not the wording, absence of wording, in the law, reason why I will cast at least two NO retention votes in November. Arizonans have the right, whatever their reasons, to vote on props & candidates, why not on retention judges? Six ousted in fifty years (1/4 of 1%) suggests citizens have not abused the system. The independent judiciary, our merit system, under attack? Then, vote NO against political governors appointing lifelong judges. 40% in Maricopa don't vote for retention judges? Their right to not vote for whomever/whatever's on the ballot.

### **Thomas Sonandres, Cave Creek**

---

The National Council of Jewish Women Arizona opposes SCR 1044, now Proposition 137, which would eliminate judicial retention elections, as they are currently structured, and remove important safeguards that currently work to ensure a fair and impartial judiciary in Arizona. Voters should understand that this measure is on the ballot, not by any effort of citizens, but due to a maneuver by extremist legislators who want to protect the conservative majority they achieved through former Governor Doug Ducey's court-packing scheme, which added two conservative justices to the Arizona State Supreme Court. As intended, this new majority of justices later voted to reinstate Arizona's civil war-era 1864 abortion ban. Judicial retention elections are the sole check Arizona citizens have on this kind of political maneuver. Without accountability to voters, Judges will become increasingly disdainful of the will of the people. NCJWAZ believes we need to protect the people's right to hold judges accountable at the ballot box, especially judges with a clear social agenda who do not reflect the views of everyday Arizonans. Vote "no" on Proposition 137.

### **Civia Tamarkin, President, National Council of Jewish Women Arizona, Scottsdale**

---

S.C.R. 1044, which is to be designated Proposition 137, proposes the elimination of term limits and regular retention elections for state court judges. I oppose this proposition.

I have practiced law for 50 years. First as a state and federal prosecutor in New York City, then with a large firm in Kansas City, and, for the last 30+ years, in Arizona. Having had experience with the courts of two other states and the federal court, I have admired the high quality of Arizona state court judges, which the current system with term limits and regular retention elections has produced. This system should not be changed.

I believe SCR 1044 would encourage the appointment of judges based more on their political views, than solely on their qualifications for the bench, and reduce their accountability to the public. Freed from term limits and regular retention elections, they could feel enabled to ignore the needs of litigants and attorneys appearing before them and pursue their political agenda, whether conservative, liberal, or anywhere in between. This would be detrimental to the administration of justice and result in the erosion of public confidence in the courts.

As Justice Sandra Day O'Connor said in a 2008 Arizona Law Review article, "We further conclude that judges are best able to perform their constitutionally prescribed role in a hybrid merit-based system like Arizona now has, featuring both appointment and retention election." I concur.

### **Douglas Behm, Self, Scottsdale**

---

Judicial retention is good for democracy and for Arizonans. If this proposition passes, it will get rid of this process and diminish accountability for Arizona's Supreme Court justices. Please vote NO against this proposition to keep judicial retention elections in place. This proposition is for Republicans' political gain and agenda. Arizonans benefit from judicial retention elections because it allows us to have a VOTE and a voice in which judges represent Arizonans. VOTE NO on this proposition to keep judicial retention elections in place and to protect the voice of Arizona voters.

### **Chris Fernandez, Phoenix**

*Sponsored by Opportunity Arizona*

Arizonans have historically used their power at the polls to decide whether or not a judge gets to keep their job. Prop 137 rips that ability away from voters by making all Arizona judges lifetime judges that would face no consequences for their actions in office.

Voters know that sometimes judges get it wrong, and some judges have made decisions that have negatively impacted millions of voters for decades. This is why Arizonans should get to decide whether or not judges should continue representing them.

Everyday Arizonans deserve more of a say in politics, not less. Voters should keep the right to retain judges who reflect the values of their communities and replace those who do not. Prop 137 silences Arizona voices and strips the power from voters to decide when someone no longer serves their community.

Voting NO on Prop 137 ensures that, regardless of anyone's political view, they get to have a say in which judges should keep making decisions for them. Allowing heavy handed government officials to make harmful decisions without facing consequences from voters goes against Arizona's values. Vote NO on Prop 137 to protect the right to vote out judges.

**Jennifer Guzman, Program Director, Common Cause Arizona, Phoenix**

---

The ACLU of Arizona is a non-partisan, civil rights and liberties organization committed to protecting the rights of all Arizonans. The ACLU urges a NO vote on Proposition 137.

The ACLU of Arizona has long fought for accountability within our legal system. Proposition 137 threatens fundamental, democratic principles of judicial accountability and independence.

Justice Sandra Day O'Connor first identified a model for choosing, evaluating, and retaining judges that balances the need for fair and impartial courts with the need for public accountability and transparency. O'Connor believed that giving voters the power to retain judges would encourage them to remain independent, impartial, and accountable to the people of Arizona — not the politicians who appointed them to the court. This model, now known as Arizona's judicial retention system, was established by voters in 1974 through Proposition 107, a voter-led ballot initiative.

By contrast, Proposition 137 is a legislature-referred proposal that would eliminate the power held by voters for fifty years to assess and hold the judiciary accountable. Furthermore, the law would function retroactively, nullifying judicial retention results in the very same 2024 election cycle. This is a clear attempt to remove checks on our judiciary while stripping power from Arizona voters. Asking voters to undermine their own political power is simply undemocratic.

The people of Arizona deserve a judiciary, legislature, and political system that is accountable to the public, not special interests. A NO vote on Proposition 137 will ensure that Arizonans continue to have a say in which judges remain on the bench.

**137**  
**Scott Greenwood, Executive Director, ACLU of Arizona, Phoenix**  
*Sponsored by ACLU of Arizona*

---

As a retired Marine, I urge you to vote NO on Prop 137. This proposition threatens voters' crucial role in holding judges accountable and undermines our democratic system.

Our current system of voter-approved judicial retention works. It empowers us to ensure judges uphold the law and serve our communities justly. Prop 137 seeks to dismantle this by eliminating term limits for judges, granting them lifetime appointments. This change would place immense power in the hands of partisan elites, reducing transparency and accountability.

Prop 137 endangers our reproductive rights. The Arizona Supreme Court recently banned abortion, applying an archaic 1864 law. This decision, led by Justices Clint Bolick and Kathryn King, threatens our fundamental rights. Prop 137 shields these justices from accountability, making their terms indefinite and retroactively protecting them from voter decisions. Voting NO ensures we can hold these justices accountable and safeguard our reproductive rights.

Additionally, Prop 137 undermines voter decisions. This proposition is retroactive, meaning it could overturn previous voter decisions about judges. If passed, it would keep Justices Bolick and King in office even if voters choose to remove them in

the upcoming election. This attacks our democratic process and our right to decide who serves in our judiciary.

Prop 137 threatens Arizona's constitution by proposing changes that may violate our state's legal requirements by attempting to amend multiple constitutional provisions in one proposal. Upholding our constitution is vital for maintaining a fair and just legal system.

As a veteran who has fought to protect our freedoms, I know the importance of accountability and justice. We must stand together to protect our rights and ensure our judiciary remains accountable to the people it serves.

Vote NO on Prop 137 to preserve our democratic values and protect our rights.

#### **JoAnna Mendoza, Board Member, VetsForward, Red Rock**

---

I am strongly opposed to Proposition 137 and urge voters to vote no on this measure. This is an attempt to take away our ability to hold justices accountable for their decisions and silence our voice as Arizona voters. Our voice is more critical now than ever before, as Justices Bolick and King decided to ban abortion in Arizona, and they must be held accountable for this downright dangerous and out of touch decision. Medical decisions must be made by Arizona doctors and patients, not radical extremists serving a lifetime in our judiciary. Removing checks on judicial power from Arizona voters is not healthy for our democracy and is not a reflection of our values. Vote NO on Prop 137.

#### **Morgan Finkelstein, Patient, Phoenix**

---

Before our current system was put into place we elected our Judges. Sandra Day O'Connor helped to reform that system in a way that allowed the citizens some say in which judges should determine the law, giving us the opportunity to vote not to retain a judge. Since the reform, there has not been a Supreme Court Justice removed. There have been no instances of an undue or unfair decision made by the public that would have altered our laws in any significant way. Advocates can't point to any example of an undue removal and simply fear that one of their preferred justices might be removed. The only instance of political shenanigans with the Court we've seen was where the legislature and previous governor expand our Supreme Court unnecessarily from 5 to 7 seats, an expansion that allowed one Governor to tip the scale of justice by appointing two extra Supreme Court Justice. The same people who expanded the Court now want to take away the citizens' right to remove a judge when a majority of citizens agree that a judge should be removed. They argue lifetime appointments are necessary for independence... I'd argue that politics are already involved in the judiciary. These appointments are made by elected officials, elected officials campaign on the Courts all the time, and a sitting justice recently wrote an opinion piece in our local newspaper to advocate a position on whether or not to retain justices. Vote no. Make sure the citizens keep a check on our government that is rarely successfully used.

#### **Steven Jackson, Scottsdale**

---

Chispa Arizona is strongly opposed to Prop 137. Chispa Arizona works to empower Latinx communities to influence policy, protect natural resources, and fight climate change. Through grassroots advocacy and community engagement, we strive for clean air, safe water, and healthy neighborhoods for the communities most impacted by climate change.

Our democracy is based on the idea that our leaders serve the people, not their own interests. Prop 137 would get rid of the judicial retention system created by voters in 1974 to keep our courts balanced and connected to the people.

Voters must keep the right to hold judges accountable when they make extreme rulings. Our courts have a history of putting environmental protections at risk by making decisions that limit our ability to fight climate change and pollution.

It is vital to protect our ability to ensure a future with clean air and water for Arizona. Please join Chispa Arizona in voting NO on Prop 137.

#### **Jose Martinez Jr., Operations Director, Chispa AZ, Buckeye Sponsored by Chispa AZ**

I am an experienced educator who is very involved in civic education of both students and adults. Research and educated decisions matter when voting.

What justices do we ‘retain or remove’? The Judicial Performance Review is done by a panel who votes “after reviewing 14,000+ surveys from jurors, witnesses, litigants, attorneys...” They cannot remove anyone from office, but they see who meets performance standards. Voters then decide. (<https://ktar.com/story/5571995>)

Here is what the AZ Legislature is attempting to sneak through this time! They want to “take the burden off of us,” so we don’t have to do all that work.

The Legislature wants to have ALL JUSTICES AND JUDGES in office FOR LIFE instead of up for retention every 6 years. (That is scary job security!)

This law, if it passes, will be RETROACTIVE, so even if voters “remove” a justice on this ballot, it will NOT count; they stay in! (How is that for rewriting the rules of the game as you’re playing?)

One of the judges who is up for re-election happens to be married to an Arizona Senator who was one of the 47 who voted to put this proposition on the ballot. (How great would it be to only need 47 signatures to put an initiative up for a vote instead of the 384,000 that a “normal citizen” needs to put a constitutional initiative on the ballot?)

If this becomes a law, only a few people on a “board” will have a say on who gets to stay on the bench.

Please vote NO on PROP 137. Just because it’s a bit of work to research the judges, we STILL should have the ability to remove or retain those that we want to serve in our courts.

**Bonnie Hickman, Concerned Arizona Educator, MESA**

*Sponsored by Better Ballot Arizona*

---

On your ballot this year, you will be able to vote on Arizona Supreme Court justices, Arizona Court of Appeals judges, and Superior Court (trial) judges. The justices and appeals judges, and the trial judges in the bigger counties, were chosen through a non-partisan merit selection process that has been in the Arizona Constitution since 1974. Merit selection makes judges accountable by requiring them to stand for retention every four or six years, while also somewhat protecting them from partisan politics and pressure to favor the powerful.

I have had the privilege of serving as a Maricopa County Superior Court judge for nineteen years. You can find out about me and other judges on the ballot from the Arizona Commission on Judicial Performance Review, a citizen body that is part of merit selection. The JPR Commission collects and publishes information from court user surveys, public comments, and judge interviews. Favorable JPR recommendations reflect merit selection’s success. My colleagues are smart, thoughtful people who do their best to be fair and impartial and to follow the law as they understand it.

Proposition 137 would upend the time-tested merit selection process. It would cancel this year’s judicial retention elections after the fact. Most judges would effectively get unlimited terms of office. At the same time, Proposition 137 would change the JPR Commission from a neutral information source to a political actor, by including legislators for the first time. It would require the Commission to “investigate” a judge, at the request of any legislator, for “a pattern of judicial malfeasance.” Disfavored judges would be sent to the ballot for a retention vote with a “do not retain” recommendation. In short, judges would be made answerable to those who are loud and well-connected, instead of to the public.

Vote NO on Proposition 137.

**John Hannah, Judge of the Superior Court of Arizona in Maricopa County, Phoenix**

Vote No on Prop 137 and No on Retention for Justices Bolick and King. This will start the process of undoing the damage caused by extreme justices on the Arizona Supreme Court.

Arizona once had a system for selecting judges based on merit and quality. But in 2016, that all changed when then-Governor Ducey replaced the merit-based selection committee with hyper partisan allies. He went further, packing the court with two additional partisan judges. The result? A court so extreme that it resurrected a total ban on abortion based on a law written in 1864—before Arizona was a state, and before women had the right to vote.

The same anti-abortion extremists that packed the court have now put Prop 137 on the ballot to make sure that the partisan justices appointed last decade can stay for the rest of their lives with no accountability. Voting No on Prop 137 is a step toward accountability and protecting reproductive freedom.

However, a No vote on Prop 137 isn't enough. In this election, two of the judges that banned abortion are on the ballot for retention elections. Voting No on Retention for Justices Clint Bolick and Kathryn King would remove judges that are putting our ability to make our own decisions about our bodies, families, and futures at risk.

When extreme politicians rigged our courts for their benefit, they put our freedoms at risk. Voting No on Prop 137 and No on Retention for Bolick and King begins to change all of that.

**Athena Salman, Tempe**

*Sponsored by Reproductive Freedom for All*

137

ARGUMENTS “AGAINST” PROPOSITION 137

# BALLOT FORMAT

## PROPOSITION 137

### PROPOSED AMENDMENT TO THE ARIZONA CONSTITUTION BY THE LEGISLATURE RELATING TO THE JUDICIAL DEPARTMENT

**OFFICIAL TITLE**

AMENDING ARTICLE VI, SECTIONS 4, 9, 12, 37, 38, 39, 41 AND 42, CONSTITUTION OF ARIZONA; RELATING TO THE JUDICIAL DEPARTMENT.

**DESCRIPTIVE TITLE**

ELIMINATES JUDICIAL TERMS AND REGULAR RETENTION ELECTIONS AND NULLIFIES THE RESULTS OF THE 2024 JUDICIAL RETENTION ELECTIONS, FOR ARIZONA SUPREME COURT JUSTICES, COURT OF APPEALS JUDGES, AND SUPERIOR COURT JUDGES IN COUNTIES WITH OVER 250,000 PERSONS. ALLOWS SUCH JUSTICES AND JUDGES TO HOLD OFFICE DURING GOOD BEHAVIOR UNTIL AGE 70.

A “yes” vote shall have the effect of amending the Arizona Constitution to eliminate judicial terms for judges of the Arizona Supreme Court and Court of Appeals, and judges of the Superior Court in counties with more than 250,000 people. Voters will no longer have the ability to decide whether to retain those judges at the end of their judicial terms. Those judges would instead be subject to a retention election only if they were convicted of a felony or a crime involving fraud or dishonesty; were a debtor in a bankruptcy proceeding; held a mortgage under foreclosure; or did not meet performance standards according to the Commission on Judicial Performance Review. The House of Representatives and the Senate will each be able to appoint one member to the Commission. If any legislator asks the Commission to investigate whether a judge has engaged in misconduct, the Commission must investigate that allegation. If approved, these amendments will apply retroactively such that votes cast in the November 2024 election about whether to retain a judge will not be given effect.

**YES**

A “no” vote shall have the effect of maintaining the current system of voters deciding whether to retain a judge at the end of their judicial term.

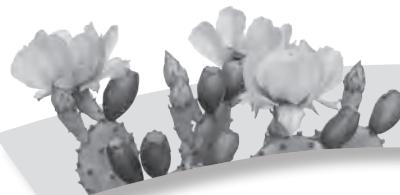
**NO**

137

BALLOT FORMAT PROPOSITION 137



The Great Horned Owl (*Bubo virginianus*) is the largest owl in the Sonoran Desert. Pairs of owls often call to each other at night – listen for a “who-WHO-who-who” with an answering call from another tree, lamp post or Saguaro cactus nearby.



Prickly Pear

# PROPOSITION 138

## SENATE CONCURRENT RESOLUTION 1040

### A CONCURRENT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA; AMENDING ARTICLE XVIII, CONSTITUTION OF ARIZONA, BY ADDING SECTION 11; RELATING TO WAGES.

Be it resolved by the Senate of the State of Arizona, the House of Representatives concurring:

1. Article XVIII, Constitution of Arizona, is proposed to be amended by adding section 11 as follows if approved by the voters and on proclamation of the Governor:

11. Tipped workers; wages

SECTION 11. FOR ANY EMPLOYEE WHO CUSTOMARILY AND REGULARLY RECEIVES TIPS OR GRATUITIES FROM PATRONS OR OTHERS, THE EMPLOYER MAY PAY A WAGE UP TO TWENTY-FIVE PERCENT PER HOUR LESS THAN THE MINIMUM WAGE ESTABLISHED BY STATUTE IF THE EMPLOYER CAN ESTABLISH BY THE EMPLOYER'S RECORDS OF CHARGED TIPS OR GRATUITIES OR BY THE EMPLOYEE'S DECLARATION FOR FEDERAL INSURANCE CONTRIBUTIONS ACT PURPOSES THAT FOR EACH WEEK, WHEN ADDING TIPS OR GRATUITIES RECEIVED TO WAGES PAID, THE EMPLOYEE RECEIVED NOT LESS THAN THE MINIMUM WAGE PLUS \$2 FOR ALL HOURS WORKED. COMPLIANCE WITH THIS SECTION IS DETERMINED BY AVERAGING TIPS OR GRATUITIES RECEIVED BY THE EMPLOYEE OVER THE COURSE OF THE EMPLOYER'S PAYROLL PERIOD OR ANY OTHER PERIOD SELECTED BY THE EMPLOYER THAT COMPLIES WITH LAWS ENACTED BY THE LEGISLATURE.

Sec. 2. Short title

This act may be cited as the "Tipped Workers Protection Act".

2. The Secretary of State shall submit this proposition to the voters at the next general election as provided by article XXI, Constitution of Arizona.

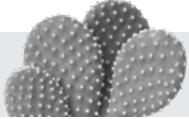
### ANALYSIS BY LEGISLATIVE COUNCIL

Current law provides that employers may pay tipped employees up to \$3.00 per hour less than the minimum wage if the employer's records or the employee's declaration for federal insurance contributions act (FICA) establishes that when adding tips or gratuities to wages the tipped employee was paid at least the minimum wage for all hours worked.

Proposition 138 would amend the Arizona Constitution to allow an employer, for any employee who customarily and regularly receives tips or gratuities, to pay up to 25% per hour less than the minimum wage, if the employer can establish that the employee is paid at least the minimum wage plus \$2.00 per hour for all hours worked. This calculation is determined by averaging the employee's tips or gratuities received and wages paid over the course of the employer's payroll period or any other period that complies with state law. The employer would be able to use the employer's records of charged tips or gratuities or the employee's FICA declaration to establish compliance.

138

PROPOSITION 138



## ARGUMENTS “FOR” PROPOSITION 138

Hello, my name is Ana Belle Rayzian and I have been a server/bartender in the service industry for 7 years now. The Tipped Workers Protection Act (TWPA) is crucial for all workers in this industry, specifically financial aspects. By warranting an additional \$2 per hour than the current law in place, this will secure financial stability amongst industry workers through the duration of time where there is a decreased volume in restaurants. The tip credit system actuates exceptional service due to household incomes being executed by the level of service given. If there were to be an elimination of tip credit, this would result in an overall decrease of performance levels at various workplaces and an immense financial burden on not only the staff, but the overall industry as well. This would result in loss of employment for numerous workers, while burdening service levels at restaurants due to staff shortages. The TWPA secures our potential to succeed in quality service along with having freedom from financial burdens upon us.

**Ana Belle Rayzian, Phoenix**  
*Sponsored by Save Our Tips AZ*

Becoming a single mom at 32 with two children and no work experience in the field of my degree, I was terrified. I was a stay home Mom for the last six years and now had to make a plan. I waitressed through college and really enjoyed it, so back to waitressing I go! Through the tip system I was able to support my children, keep our home and thrive. If I was making minimum wage I would have lost it all and my children would have suffered. Twenty years later I am still doing what I love and still thriving financially. Once again I’m terrified. Terrified that what I have grown to rely on will be taken away and what do I do now? I have no work experience so who would hire an inexperienced not young woman. Please don’t take away my livelihood. Please don’t punish my family who depends on me. Please don’t change what isn’t broken. It will harm servers and the restaurant owners will suffer greatly. And, ultimately, the public who will no longer be able to afford a night out. Keep things the way they are and pass this please.

**Lori Craig, Phoenix**  
*Sponsored by Save Our Tips AZ*

I’ve been in the restaurant industry since I was 15 and a half, balancing school with long shifts. This hard work has been rewarding, thanks to the financial cushion provided by tips. In my Iraqi culture, hospitality is paramount, and being able to share that with patrons through excellent service is reflected in the tips I receive. I see the same dedication in the restaurants I frequent in our district. Tips are more than just extra income; they are a recognition of our hard work and a major motivator for us to excel. The tip credit system directly ties our compensation to our performance, encouraging us to provide the best service possible. Eliminating this system in favor of a service charge model would undermine this incentive. It would lead to higher costs for customers and a decline in service quality, as the direct relationship between service and earnings would be lost. The Tipped Workers Protection Act is crucial for maintaining high standards in our industry. It ensures that restaurant workers can keep their tips and that patrons continue to receive excellent service. Thank you for considering this important matter.

**Fawaz Stipho, Tucson**  
*Sponsored by Save Our Tips AZ*

As a friend of many employees in the restaurant industry I have seen first hand the positive impact that tips have on these individuals lives. Seeing the excitement and joy they showcase after a successful day at work is almost always due to a day full of generous tips. In addition being able to reward those who provide restaurant goers with a positive experience has always been something I have prided myself on. Prop. 138, the Tipped Workers Protection Act is extremely important in the continued success of the restaurant industry. Food service tips motivates restaurant employees to provide the best experience they possibly can provide and allows them to be fairly compensated for doing so.

**Yazin Hindosh, Tucson**  
*Sponsored by Save Our Tips AZ*

As a young adult employed as a server in the restaurant industry, tipping culture has provided me with a sustainable income while also allowing for an avenue of opportunity and flexibility that has only been possible under the protection of the tip credit. I have used this structure of income as a “stepping-stone” as I work on accomplishing my future goals. It has allowed me to further my education, pay for my living expenses, and maintain a healthy physical and mental quality of life. Gratuity-based income is an incentive to provide the best possible service for my guests because I am paid based on my work ethic and the impact that I, as a server, have instilled in their dining experience. In addition to potentially negatively affecting the quality of service that consumers appreciate, eradicating the tip credit will also cause an increase in labor costs. This will force employers to take repercussions such as decreasing hours, or even worse, termination of employment. I fear for the progression of my future and the ability to financially provide for myself if we are no longer under the protection of the Tipped Workers Protection Act.

**Brooke Lander, Phoenix**

*Sponsored by Save Our Tips AZ*

As an individual who has become a part of the service industry, I have been accustomed to the importance of Tip Credit. I made my entire living based on my daily tips. The art of service has played a crucial role in the progression of my life. Taking away the tip credit is not just removing the value of service but the value of traditional dining experience. Servers, such as myself, make their entire wage based on customers tips. Many who are in this industry are Mothers, Fathers, College Students, Teachers, etc. The consequences of eliminating the tip credit potentially leave all these individuals, including myself, without a job or with hours not sufficient enough to provide. It's a relationship building commitment and most importantly it impacts the definition of creating an atmosphere in restaurants. Servers are trained to go beyond for the purpose of receiving a tip. Removing this will only cause a pause in proactive action in dining restaurants. Serving is the one job you can always come back to because of its benefits in tips no matter where you are at in life! The tip credit is a crucial factor in the success of my life and the lives of many others.

**Añdres Alfoñso, El Mirage**

*Sponsored by Save Our Tips AZ*

As a server, I rely solely on tips for my income. The tip credit creates a balance where my employer can maintain its practical business model while my wages come through the tips I receive. If this were to be taken away, it would destroy the future of the restaurant industry. Labor costs would skyrocket, hours would be reduced, and restaurants would be forced to lay off workers to accommodate increasing costs. Servers would be unmotivated to give exceptional service because there would be no reason, being forced to find other sources of income, leaving altogether. Every day, I look forward to the art that comes from working in the restaurant industry. Exceptional service, dynamic conversation, flexibility, job security, and just pure camaraderie through social interactions and flow with guests and coworkers. I believe if tips were to be taken away, there would be no more magic—just an unmotivated order-taker—or if we're really “lucky”, an electronic tablet.

**Daryn Viser, Tempe**

*Sponsored by Save Our Tips AZ*

I have been in the restaurant industry for over 20 years. It has put me through college, allowed me to support my family and pick up the slack when my husband's business is not doing great. All of us in the business understand that our income is not an hourly wage.

Our income is providing amazing service and building relationships with our guests. Our income is our tips.

The tip credit allows my restaurant owner to maintain expenses while I can continue to run my business under his roof. He has provided the venue and fantastic products and I get to sell them. This business model is amazing and needs to be preserved. The Tipped Workers Protection Act does this. The balance of business expenses and the employees making phenomenal money is covered in this act. We don't need to fix something that's not broken.

Without the tip credit, our income and jobs are no longer secure and customer service may no longer be a priority.

I love this business. I chose it over my degree that it paid for. Changing this could be a potential hardship to my family and especially to the restaurant business as a whole.

**Suzanne Pingree, Phoenix**

*Sponsored by Save Our Tips AZ*

---

Ever since I can remember my mother has been a waitress. And ever since I can remember she has always given her children the world. Everything she made went towards supporting our family. There was never a sport that I wanted to play that I couldn't, or a birthday party I couldn't attend because we couldn't afford a gift. We never went without. If tips were not a part of the equation we most likely would have been on food stamps and dependent on the charity of others to get by. Not only was the hard work of a waitress how I was supported as a child but as I grew to become a part of the workforce myself I too found myself waiting tables. As someone who battles with mental illness and has been in and out of hospitals during my young adult years waitressing was always my safe haven. If it weren't for the restaurant industry and the way it's wages are set up I would have fallen flat on my face and been at the mercy of a minimum wage job. Unfortunately in this economy minimum wage just isn't enough when you have doctors bills, medication, and therapy to keep up with. Waitressing afforded me the privilege of getting out exactly what I put in and it also allows its patrons to choose what they feel their server has earned. As a waitress I rely on the kindness of others, and so I beg you for your kindness and understanding. Please don't take away our tips and in doing so please don't take away our livelihood.

**Megan McCosh, Phoenix**

*Sponsored by Save Our Tips AZ*

---

My name is Sarah Dutchover, and I am a single mother working as a server to support my child. Prop. 138, the Tipped Workers Protection Act (TWPA) is essential for our survival. It guarantees an additional \$2 per hour above the minimum wage, offering a crucial financial cushion. The flexibility of my job allows me to be there for my child while earning enough to support us. If the tip credit is eliminated, my income would drop significantly, forcing me to find multiple jobs and spend less time with my child. The TWPA protects my ability to provide for my family without sacrificing the time I can spend with them, ensuring our financial and emotional well-being.

**Sarah Dutchover, Phoenix**

*Sponsored by Save Our Tips AZ*

---

Hello, my name is Brevyn, and I have several people I know who work as servers in the restaurant industry. For many servers, tips amount to well over half their income. Therefore, passing a bill to get rid of TWPA is detrimental towards the restaurant industry. As this bill proposes servers make \$13/hr while not having the opportunity to receive tips, this will completely hinder the server's motivation to provide optimal service. On top of this, an increase in servers hourly rate would directly cut into a restaurant's profit, ultimately leading to increased menu prices. I am in full support of maintaining the current system under TWPA's standards that ensures financial stability for servers and restaurants as well.

**Brevyn Fisch, Tucson**

*Sponsored by Save Our Tips AZ*

---

I have been in the restaurant industry for over 20 years. It has put me through college, allowed me to support my family and pick up the slack when my husband's business is not doing great. All of us in the business understand that our income is not an hourly wage.

Our income is providing amazing service and building relationships with our guests. Our income is our tips. The tip credit allows my restaurant owner to maintain expenses while I can continue to run my business under his roof. He has provided the venue and fantastic products and I get to sell them. This business model is amazing and needs to be preserved. The Tipped Workers Protection Act does this. The balance of business expenses and the employees making phenomenal money is covered in this act. We don't need to fix something that's not broken.

Without the tip credit, our income and jobs are no longer secure and customer service may no longer be a priority. I love this business. I chose it over my degree that it paid for. Changing this could be a potential hardship to my family and especially to the restaurant business as a whole.

**Suzanne Pingree, Phoenix**

*Sponsored by Save Our Tips AZ*

---

Hi, my name is Tikhon and I work for the White Chocolate Grill. If I'm being blunt, it is simply and only because of the TWPA that I continue to work 6, if not 7 days a week in this industry. This tip credit allows the customers to supplement my income, which I've only seen as a benefit in my restaurant. Servers are able to earn considerably more than if their income was being provided from a flat service charge, resulting in the restaurant only being required to supplement a fraction of this income. This results in ownership being able to pay the cooks, food runners, hostesses, and managers much more fairly. It also induces an incentive for us to provide great service, as we are almost commission-based employees. Should the TWPA be removed, menu prices would go up, service standards would fall off, and everyone would make less money. The TWPA results in consistent, reliable income for everybody, and just as equally incentivizes everyone to go above and beyond for their customers. I frankly believe that the removal of the TWPA would be a detriment to the industry as a whole, and more specifically the hundreds of thousands here in the valley that use this industry to provide for our families. Please take into consideration the impact this would have on not just employees, but the patrons dining experience.

**Tikhon Smalley, Scottsdale**

*Sponsored by Save our Tips AZ*

My name's Ethan Johnson, and I am a server in Camelback. The TWPA is essential for someone like me to continue following my passion of taking care of others. This act ensures that tipping remains in the hands of customers, enabling them to reward us for our efforts directly without the additional cost of sales tax, which consumers must pay on their bill. I work hard to provide an exceptional experience for my guests and it is only right I am compensated accordingly. Without the protections provided by the TWPA, increased labor costs could result in higher menu prices for patrons (and higher taxes) and fewer tips for us, jeopardizing our financial security. The TWPA not only preserves the tipping system but also guarantees an extra \$2 per hour above the current minimum wage. This boost helps ensure a reliable income, even on slower nights. Supporting the TWPA ensures I can continue to provide you with excellent service. Without the TWPA, everyone involved will suffer for a multitude of reasons. 1. Customers will get a worse experience since servers will not be incentivized to go above and beyond. 2. Customers will pay more for their worse experience. 3. Current servers will be forced to find new jobs to make the money they once were. 4. Restaurants will be strained by all of the above plus the extra costs they will be forced to deal with. There are many more reasons but it should be clear by now that how things work currently in the restaurant industry should be the best for everyone involved. Please do the right thing and keep the TWPA.

**Ethan Johnson, Tempe**

*Sponsored by Save our tips AZ*

As a current college student, working as a server allows me to pay my tuition and living expenses without accumulating excessive debt. The tip credit plays a crucial role in this, allowing my employer to hire me at a lower base wage while I make the difference through tips. This system rewards my hard work and time spent, which helps provide a significant income boost. If the tip credit is eliminated, the increased labor costs might force my employer to cut back on staff or hours, which can lead to my job and financial stability being jeopardized. The Tipped Workers Protection Act is essential for preserving this opportunity, allowing me to continue funding my education through honest work.

138

**Samantha Saenz, Phoenix**

*Sponsored by Save our tips AZ*

Hi, I'm Anthony Vo, and I have family and friends who work as servers across the industry. The TWPA is crucial for them because it safeguards the tipping system, allowing customers to directly recognize their hard work without having to pay additional sales tax on top of their bills. Without the TWPA's protections, increased labor costs could force restaurants to raise menu prices and increase taxes, while reducing the tips that servers rely on, potentially jeopardizing their financial stability. Moreover, the TWPA guarantees servers an additional \$2 per hour above the minimum wage, providing much-needed stability even during slower shifts. Supporting the TWPA ensures that my loved ones can continue to provide excellent service without worrying about their livelihoods.

**Anthony Vo, Tucson**

*Sponsored by Save our tips Az*

Hi I'm David Pimlott, as someone with family and friends in the service industry, the TWPA is incredibly important. It protects the tipping system, letting customers reward good service directly without extra sales tax. Without these safeguards, restaurants might:

- Raise menu prices: This hurts both diners and servers, as higher prices could deter customers.
- Increase taxes: This puts a bigger burden on everyone.
- Reduce tips: Servers rely on tips to make ends meet. Lower tips could threaten their financial security.

Thankfully, the TWPA guarantees servers an extra \$2 per hour on top of minimum wage. This provides crucial stability, especially during slow periods. By supporting the TWPA, we ensure servers like my loved ones can continue providing excellent service without constant worry about their well-being.

**David Pimlott, Phoenix***Sponsored by Save Our Tips AZ*

My wife has been in the restaurant industry longer than I've known her. I've never worked in the business, but I frequent many restaurants and have obviously benefited financially from my wife's income.

I understand they are proposing to take away the tip credit. I do understand this as a business owner. Businesses need to keep expenses down so they can offer the best product to their client.

If expenses suddenly rise, they need to decide what to cut or if they can even stay in business. From my understanding, per my wife, servers are like commission sales.

They are given a set hourly wage and if they don't achieve it, tip credit fills in the gap. No one is losing anything. If this changes, the losing will begin. Restaurants will go to a cheaper model, if they can even stay open, and service is bound to decline. It sounds like a big mess.

Personally, we have depended on my wife's income and it would be an enormous hardship if it was no longer there. We have two beautiful boys with two enormous tuition fees.

Let's be smart and protect The Tipped Workers Protection Act.

**David Baker, Phoenix***Sponsored by Save Our Tips AZ*

Hello, my name is David, and I have dedicated the early years of my working career to serving in the hospitality industry. The Tipped Workers Protection Act (TWPA) stands as a vital lifeline for us all. By guaranteeing an additional \$2 per hour above current wage laws, it provides essential stability to our income, particularly during slower shifts when tips may be less predictable. This financial certainty not only supports our livelihoods but also allows us to focus on delivering exceptional service without the stress of financial instability.

The TWPA's implementation of the tip credit system is equally crucial. This system not only motivates us to provide top-notch service but also ensures that our earnings reflect our performance and effort. It fosters a direct link between our service quality and our financial compensation, which ultimately benefits both workers and customers alike.

However, the prospect of eliminating the tip credit system poses significant challenges. Without it, restaurants could face increased financial strain, potentially leading to job cuts and reduced hours for workers like us who rely on tips as a substantial part of our income. The TWPA safeguards against these risks by maintaining the integrity of the tip credit system, thereby preserving jobs and ensuring that we can continue to earn a sustainable income.

In essence, the TWPA is not just beneficial; it is essential for the well-being of workers in the service industry. It provides the stability and incentive needed to deliver outstanding service consistently while protecting against the economic uncertainties that could otherwise jeopardize our livelihoods. As someone who has experienced firsthand the positive impact of this legislation, I wholeheartedly support its continuation and urge others to recognize its importance in maintaining a fair and thriving hospitality sector.

**David Monero, Phoenix***Sponsored by Save Our Tips AZ*

Hi, I'm Reyn Patton, and I have family and friends who work as servers across the industry. The TWPA is crucial for them because it safeguards the tipping system, allowing customers to directly recognize their hard work without having to pay additional sales tax on top of their bills. Without the TWPA's protections, increased labor costs could force restaurants to raise menu prices and increase taxes, while reducing the tips that servers rely on, potentially jeopardizing their financial stability. Moreover, the TWPA guarantees servers an additional \$2 per hour above the minimum wage, providing much-needed stability even during slower shifts. Supporting the TWPA ensures that my loved ones can continue to provide excellent service without worrying about their livelihoods.

**Reyn Patton, Phoenix**  
*Sponsored by Save Our Tips AZ*

I am a server who has been working in the restaurant industry for 3 years now. The tips that I make from serving have helped me pay for my education as well as my rent. I am so grateful for the amount of people I have met through serving that have been gracious enough to spend their extra few dollars on my future. This is at risk to be limited because employers will be forced to reduce hours due to increased labor costs. I have plans to finish my education in Michigan, but if this bill (Prop. 138) isn't implemented, I won't be able to accomplish that, let alone continue to have a shelter over my head. I always adored going out to eat with my family growing up because having a friendly server made it such a memorable and fun time with my family and I know that is the energy I try to give every single person that sits in my section. I fear quality of service will reduce if this tip credit gets removed. Not only will I lose motivation to provide my best service but I will be constantly stressed about affording to just properly take care of myself. The only hope I have of reaching my dreams for my future and maintaining such a beautiful relationship with customers lies within the protection of my tips.

**Bridgette Smith, Flagstaff**  
*Sponsored by Save Our Tips AZ*

Hi, I'm Henri, a server at North Italia in Arizona. Prop. 138, the Tipped Workers Protection Act (TWPA) is vital for maintaining the conditions that allow servers like me to excel. This act ensures that tipping remains in the hands of customers, enabling them to reward us for our efforts directly without the additional cost of sales tax, which consumers must pay on their bill. Without the protections provided by the TWPA, increased labor costs could result in higher menu prices for patrons (and higher taxes) and fewer tips for us, jeopardizing our financial security. The TWPA not only preserves the tipping system but also guarantees an extra \$2 per hour above the current minimum wage. This boost helps ensure a reliable income, even on slower nights. Supporting the TWPA ensures I can continue to provide you with excellent service.

**Henri Doku, Phoenix**  
*Sponsored by Save Our Tips AZ*

Hi, my name is Daaiim and I've been serving for over 10 years. The Tipped Workers Protection Act (TWPA) is a lifeline for almost all of us in the service and hospitality industry. By guaranteeing \$2 more per hour than the current law, it makes sure that we have a more stable income, even during slower shifts. The tip credit system motivates us to provide excellent and memorable service since our earnings are directly linked to our performance. If the tip credit is eliminated, the financial strain on restaurants could lead to loss of employment and reduced hours for many of us. The TWPA ensures we maintain our ability to earn a sustainable income, allowing us to continue delivering excellent service without fear of financial instability, hardship or jeopardizing our livelihoods.

**Daaiim Brown, Phoenix**  
*Sponsored by Save Our Tips AZ*

My name is Kyler Hurlock, a server in Tempe, AZ. Like many people, the service industry work has gotten me through college, solely due to the many generous tips I received along the way. For this reason, I am very in favor of Prop. 138, the Tipped Workers Protection Act (TWPA).

The TWPA would act as a lifeline for those of us serving as a profession. By guaranteeing just \$2 more per hour than what is required by state law, we would be provided more stable income in a highly unpredictable job. The tip credit system incentivizes me to provide exemplary service to my guests since my performance is directly correlated with my income.

Spelling, grammar and punctuation were reproduced as submitted in the "for" and "against" arguments.

Without it, I would be deprived of my entire incentive to work to give my guests the night out they deserve.

The result would not only be harmful to me and my job security, but it would also negatively affect the customer. To compensate for higher hourly wages, restaurants would inevitably increase prices of menu items. At the same time, service staff would have little incentive to go out of their way to provide a top-tier experience. The outcome for you, the customer, would be a more expensive meal with low quality of service.

**Kyler Hurlock, Tempe**

*Sponsored by Save Our Tips AZ*

---

Hi, I'm Omar. I have family and friends who work as servers in the industry, and Prop. 138, the Tipped Workers Protection Act (TWPA) is essential for them. It safeguards the tipping system, allowing customers to acknowledge their hard work without additional sales tax on their bills. Without TWPA protections, higher labor costs could push restaurants to increase menu prices and taxes, while reducing the tips servers depend on, threatening their financial stability. Additionally, the TWPA guarantees servers an extra \$2 per hour above the minimum wage, providing stability even during slow shifts. Supporting the TWPA ensures that my loved ones can continue delivering excellent service without worrying about their livelihoods.

**Omar Hindosh, Paradise Valley**

*Sponsored by Save Our Tips AZ*

---

Prop 138, the Tipped Workers Protection Act (TWPA) is essential for protecting the livelihood of servers like me. The current tipping system rewards hard work and excellent service, allowing us to earn more than the minimum wage. The TWPA not only maintains the tip credit but also increases our guaranteed wage by \$2 per hour. This higher base wage provides additional security on slower shifts. Eliminating the tip credit would lead to increased labor costs, resulting in higher menu prices and reduced tips. The TWPA ensures that we can continue to thrive in this industry, providing financial stability and job security while maintaining high-quality service for our customers.

**Alana Jimena, Mesa**

*Sponsored by Save Our Tips AZ*

---

My name is Gaozhongsia Aleiya Vue, and I am currently a student at Grand Canyon University. I am currently employed as a server to fund my tuition and living expenses. The enactment of Prop. 138, the Tipped Workers Protection Act (TWPA) is indispensable for students like myself. By guaranteeing an additional \$2 per hour above the current minimum wage, it provides a reliable income, particularly during periods when tips are insufficient. The inherent flexibility of my position allows me to balance my work schedule with my academic commitments, ensuring I can attend lectures and study effectively while maintaining a sustainable income.

**138**

The elimination of the tip credit would precipitate a substantial increase in labor costs, likely resulting in higher menu prices or the imposition of service charges, both of which would diminish my tip income. The TWPA upholds my educational objectives and ensures I can continue to pursue a promising future.

**Gaozhongsia Vue, Phoenix**

*Sponsored by Save Our Tips AZ*

---

I am reaching out to express how important the Tipped Workers Protection Act is to myself and to my fellow colleagues. Tipping allows us to make competitive wages to support ourselves, and without it, our income would be negatively impacted for several reasons.

Firstly, in many service industries, the base pay is often lower than the standard minimum wage because it is assumed that tips will make up the difference. Without tips, we would be earning significantly less, making it difficult to cover basic living expenses.

Secondly, tips act as an incentive for providing excellent service. They reward employees who go above and beyond in their roles, creating a direct link between the quality of service and compensation. This not only benefits workers but also enhances the overall customer experience.

Thirdly, the nature of service industry jobs often means that hours and shifts can vary greatly from week to week. Tips provide a crucial financial buffer that helps smooth out these fluctuations, offering a more stable and reliable income. Tipping also generates demand for more employees, thereby creating additional job opportunities.

Without tipping, many of us would struggle to earn a livable wage, maintain our motivation for high-quality service, and would increase the cost of dining out for customers due to having to match labor costs. Therefore, tipping is not just a bonus—it's a vital component of our livelihood.

**Lisa Vo, Phoenix**

*Sponsored by Save Our Tips AZ*

---

Hi, my name is Stephanie, and I am a single mother who relies on tips to support my Family. I've Been Serving For 20+Years and this has provided the income I've needed to take care of us. Prop. 138, the Tipped Workers Protection Act (TWPA) is crucial for our well-being. This act guarantees an additional \$2 per hour above the minimum wage, providing a vital financial safety net. The flexibility of my job allows me to work around my Daughters schedules, ensuring I can be there for Her. If the tip credit is removed, my income would significantly decrease, forcing me to find additional jobs and reducing the time I can spend with my Family. The TWPA ensures that I can continue to provide for my family without sacrificing our quality of life.

**Stephanie McQuaid, Phoenix**

*Sponsored by Save Our Tips AZ*

---

On behalf of the Tempe Chamber of Commerce, our 700+ restaurants, and over 80,000 employees, I am writing to express our strong support for Prop. 138, the Tipped Workers Protection Act. The City of Tempe enjoys a vibrant tourism ecosystem encompassing various stakeholders from the tech, manufacturing, education, hospitality, lodging, dining, and entertainment industries. The preservation of the current tipping model is vital to our continued success in Tempe, which is home to a significant dining population between the over 100,000 people who work here, 189,000 who live here, and roughly 63,000 who go to school here.

The City of Tempe attracts scholars, employees, local travelers, and tourists due to our proximity in the East Valley, abundant amenities, and slew of activities. The one commonality amongst all of them is the desire to patronize our culinary scene. It is significantly enhanced by the exceptional service provided by our dedicated restaurant and hospitality workers. These individuals are the backbone of our tourism industry, creating memorable experiences that encourage repeat visits and positive word-of-mouth recommendations. This is made possible by the unlimited earning potential the tipping system gives workers. Having this potential go away, would yield a significant blow to an industry with small margins that already fights others for consistent labor.

We urge you to support the Tipped Workers Protection Act and save tipping for both workers, employers, and customers. Together, we can ensure that Arizona's tourism industry continues to thrive.

**Colin Diaz, President & CEO, Tempe Chamber of Commerce, Tempe**

*Sponsored by Save Our Tips AZ*

---

The Arizona Restaurant Association stands firmly behind the Tipped Workers Protection Act (TWPA). Our mission is to empower our members to become community leaders by building customer loyalty, promoting food safety, supporting a thriving industry, and ensuring financial success. The TWPA is crucial for achieving these goals.

The restaurant industry is a cornerstone of Arizona's economy. With over 260,000 Arizonans employed and more than \$21 million paid out daily in payroll, our restaurants are not just places to eat but vital community hubs. The average restaurant operates on a slim 5% profit margin, making it essential to keep operational costs manageable.

The TWPA preserves the tip credit and increases the base pay an additional \$2 per hour for tipped employees, helping keep costs under control while increasing the guaranteed pay for our workers. Without the tip credit, restaurants would be forced to raise prices or add service charges, which would fuel inflation and discourage dining out. This scenario would hurt our local economy and jeopardize the livelihoods of thousands of hardworking Arizonans.

Moreover, the TWPA incentivizes restaurants to create environments that maximize tip potential for employees. When customers directly reward service staff, it fosters a culture of excellence and motivates our workforce. Happy, motivated employees deliver better service, leading to increased customer satisfaction and loyalty.

Supporting the TWPA means supporting a vibrant, growing restaurant industry in Arizona. It ensures that our restaurants can continue to provide good jobs, contribute to the local economy, and offer excellent dining experiences without the burden of inflated costs. By voting for the TWPA, you are voting for a stable and prosperous future for Arizona's restaurant community.

Thank you for your support.

**Steve Chucri, President & CEO, Arizona Restaurant Association, Paradise Valley**  
*Sponsored by Arizona Restaurant Association*

---

Inflation has wreaked havoc on businesses across Arizona. This is particularly true of the restaurant industry, which has seen substantial layoffs and closures over the past few years. The Tipped Workers Protection Act helps alleviate this problem by lowering costs for Arizona restaurants, while ensuring that restaurant servers still make more than the state's minimum wage. This will help make dining more affordable for families and promote job creation in the restaurant industry.

Vote YES on Prop 138.

**Victor Riches, President & CEO, Goldwater Institute, Phoenix**

---

On behalf of Visit Mesa, I am writing to express our strong support for Prop 138, the Tipped Workers Protection Act. Mesa's vibrant tourism ecosystem encompasses various stakeholders from the hospitality, lodging, dining, and entertainment industries. The preservation of the tipping model is vital to our success. Mesa's allure as a top travel destination is not solely the product of our stunning landscapes, great weather and world class sporting experiences. It is significantly enhanced by the exceptional service provided by our dedicated restaurant and hospitality workers. These individuals are the backbone of our tourism industry, creating memorable experiences that encourage repeat visits and positive word-of-mouth recommendations. This is made possible by the unlimited earning potential the tipping system gives workers.

This Act preserves the tipping system by setting the tip credit to 25% of the minimum wage to solidify its benefits for decades to come, while also guaranteeing tipped employees a higher base wage of \$2 over the minimum wage. This recognizes the need for fair employee compensation with the economic constraints faced by employers, particularly in the tourism and service sectors. Contrary to the concerns raised by some, this is a pro-worker and pro-business measure. It offers a pragmatic approach that protects workers' tips and helps businesses manage labor costs effectively. Without such a measure, the alternative—increased labor costs and lower tips for workers—will force businesses to make tough decisions that negatively impact service quality and employment levels. A reduction in the service quality our residents and visitors have come to crave, coupled with the significant increase in costs associated with the elimination of the tip credit will significantly impact our ability to attract and retain visitors and residents.

We urge you to support and save tipping for both workers, employers and customers.

**Marc Garcia, President & CEO, Visit Mesa, Mesa**  
*Sponsored by Save Our Tips AZ*

---

The Arizona Chamber of Commerce & Industry strongly supports Proposition 138, Tipped Workers Protection Act. This measure provides a balanced approach to wage management that protects tipped workers income, ensures fair compensation for employees while supporting the economic health of our local businesses.

Prop. 138 ensures that employees who regularly receive tips are guaranteed to earn at least the minimum wage plus an additional \$2 per hour, while holding onto the tips they've earned. This measure provides a clear framework for fair compensation, giving tipped workers financial stability and recognizing the significant role that tips play in their earnings.

The proposal is good for our small businesses, too. By allowing employers to count tips as part of the wage calculation,

Prop. 138 helps businesses manage labor costs effectively, promoting job retention and growth. The hospitality and service industries, which heavily rely on tipped employees, can better sustain their operations and continue providing jobs that are vital to our local economy.

This measure strikes the right balance between fair wages for employees and economic viability for businesses. Voting YES on this measure will ensure that tipped workers receive fair compensation while supporting the continued growth and success of our local economy.

In testimony before a legislative committee earlier this year, a local server, Sultan Stipho, said earning tips is his profession's "upside," allowing service workers to earn a significant paycheck in a short period of time. "I urge you all to think about the people here who are actually working in the industry," he told lawmakers.

By approving Prop. 138, we can protect the tip earnings of Mr. Stipho and other employees who rely on this important source of income. Join us in voting YES to support tipped workers, promote fair wages, protect jobs, and sustain our vital service industry.

**Danny Seiden, President & CEO, Arizona Chamber of Commerce and Industry, Phoenix**

---

My name is Grant Krueger and I've been working in the restaurant business my entire life. I have worked every position in the industry from dishwasher, server, manager and finally owner. In 2011, I was able to realize my dream and opened Union Public House. I've seen the highs and lows of this industry, from bustling nights to the lean days during the pandemic. The Tipped Workers Protection Act (TWPA) is essential for keeping our heads above water and for protecting our employees' incomes. By preserving the tip credit and adding an extra \$2 per hour in guarantees for tipped employees, the TWPA helps us manage costs effectively and provide great customer service. Without this, we'd be forced to raise prices or add service charges, which not only affects customer turnout but also drives inflation.

In the unlikely event that our employees don't earn enough in tips, we must make up the difference to meet the new higher guarantee. This incentivizes us to create a welcoming atmosphere that attracts customers and generates tips. This is great for business—providing better service, great food, and a fun atmosphere, not only what customers want, but it is what allows our employees to earn significant tips. Ultimately, TWPA helps businesses like mine grow by fostering a stable, motivated workforce and keeping prices fair for everyone.

**Grant Krueger, Tucson**

---

My name is George Vasquez and my family and I have been the proud owner of Poncho's Mexican Food since 1972. Our restaurant is located in the South Phoenix community where I grew up and where we employ a large number of tipped employees who mostly live in the area and rely heavily on tipping to increase their income to provide for their families.

Tipping is generally a reflection of the quality of service given to the customer and is an important motivational tool for tipped employees to give the best service possible. Besides quality of food and reasonable prices, excellent service results in return customers to keep our restaurant in operation. Therefore TWPA is a huge asset in assisting a restaurant to keep our already slim margins manageable without having to raise prices, reduce the quality of our product or reduce staffing. At a time of many economic challenges, elimination of the TWPA would have a devastating effect on restaurants such as ours with a large number of tipped employees. This would result in a huge increase in payroll expenses due to the loss of the tip credit.

Our mission as a restaurant employer is to create and maintain the very best working environment possible in order for our staff to provide the most efficient and pleasant dining experience to ensure many return visits from our customers. These return visits are what allow restaurant owners to grow our business, hire more staff and on a bigger scale, benefit the Arizona economy.

**George Vasquez, President and CEO, Poncho's Mexican Food, Chandler**

---

I have owned and operated Harold's Corral in Cave Creek, Arizona, for the past 30 years. In that time, I have experienced many ups and downs, from COVID-19 mandates shutting my business down and putting my employees out of work. I love the hospitality business, but it comes with its challenges, and maintaining profitability is a constant struggle. That is why the Tipped Workers Protection ACT (TWPA) is so critical for the health of the restaurant industry. We have seen over the

last few years a great number of restaurants close due to higher inflation created by higher costs of goods and labor. By preserving the tip credit and guaranteeing an additional \$2 per hour for tipped employees, the TWPA keeps our operational costs manageable. Without the tip credit, we'd be forced to increase prices or add service charges to stay in business, fueling inflation and discouraging customers from dining out.

TWPA system incentivizes restaurant owners to create an environment that maximizes tip potential for our employees. We focus on great service, an enjoyable dining experiences, to ensure our staff earns generous tips. Our employees earn a much higher income than minimum wage through tips, and they are motivated and provide better service. That is good business! The TWPA will help Arizona's restaurant businesses keep jobs and provide a higher income for those in the industry. It will help us to continue to support our local charities and community while reinvesting money into our business and employees. Restaurants are a big part of communities providing jobs and tax revenue. The TWPA strikes a balance that benefits everyone, employees earn more, customers enjoy fair prices, and businesses have the stability to grow and succeed. Supporting the TWPA means supporting a robust restaurant industry in Arizona.

**Daniel Piacquadio, Phoenix**

---

My name is John Conley and I have owned and operated Salsa Brava since 1988. In that time, I have seen many ups and downs, from COVID-19 mandates shutting my business down and putting my employees out of work, to seeing someone propose to their future wife or celebrate graduation. I love the hospitality business, but it is not easy, and the margins are razor thin (4% on average). That is why the Tipped Workers Protection ACT (TWPA) is so critical for the health and growth of the restaurant industry. By preserving the tip credit and guaranteeing an additional \$2 per hour for tipped employees, the TWPA keeps our operational costs manageable. Without the tip credit, we'd be forced to increase prices or add service charges to stay in business, fueling inflation and discouraging customers from dining out.

The TWPA protects the current tipping system, which allows customers to directly reward our hardworking staff without the added burden of sales tax. This system incentivizes us restaurant owners, to create an environment that maximizes tip potential for our employees. We focus on excellent service, dining experiences, and efficient operations to ensure our staff earn generous tips. Happy employees who earn well through tips are more motivated and provide better service. That is good business!

The TWPA will foster growth among Arizona's businesses. We can invest more in expanding our operations, hiring more staff, and improving our services without the constant fear of unpredictable costs. Thriving restaurants boosts local economies through job creation and increased economic activity. The TWPA strikes a balance that benefits everyone—employees earn more, customers enjoy fair prices, and businesses have the stability to grow and succeed. Supporting the TWPA means supporting a robust and dynamic restaurant industry in Arizona, paving the way for future growth.

**John Conley, owner, Salsa Brava, Flagstaff**

---

Being a server is so much more than ringing in orders and bringing food to the table. Many of the skills it takes are learned and allow us to earn more in tips. Tips are a major incentive to do a great job. They are a direct indicator of how well I am meeting and exceeding guest expectations. When guests leave generous tips, it shows appreciation for exceptional service—from attentiveness to knowledge of the menu and genuine hospitality.

I have been a server for many years now and one of the most rewarding aspects of that is of course the tips. For many of us servers, tips constitute a significant portion of our income. Ensuring consistent, fair, and generous tipping practices helps us maintain financial stability and supports our livelihood. My wife and I as servers have been able to save up and purchase our home, our cars, and support our family.

As we continue to uphold our standards of excellence in service, let's remember the impact that tips have on servers and guests. By consistently delivering outstanding service, we not only enhance our guests' dining experience but also ensure that servers are rewarded for their hard work and dedication.

By supporting Prop. 138, the Tipped Workers Protection Act, we can ensure stories like mine won't be the anomaly, and more of the majority for others in the service industry.

**Cody Kloppenburg, Cave Creek  
Sponsored by Save Our Tips AZ**

My name is Lorrie Glaeser, and I've been running Streets of New York Pizza since 1976. Over the years, I've seen my staff become like family. Many of my employees have been with me for over a decade, and I care deeply about their well-being and success. Prop. 138, the Tipped Workers Protection ACT (TWPA) is crucial because it directly impacts their livelihoods. By preserving the tip credit and adding an extra \$2 per hour for tipped workers, the TWPA helps ensure they earn a stable income.

Without the tip credit, I'd be forced to raise prices and add service charges just to keep the doors open, which would make it harder for my staff to earn tips. Prop. 138 keeps tipping in the hands of customers, allowing them to directly reward my hardworking team without the burden of sales tax. This system motivates us to create a positive, tip-generating environment, which in turn benefits everyone.

I want my employees to succeed and feel secure in their jobs. They've stuck with me through thick and thin and Prop. 138 helps provide the financial stability they deserve. Supporting this act means supporting my staff, our customers, and the future of our business in Arizona.

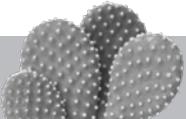
**Lorrie Glaeser, Owner, Streets of New York Pizza, Phoenix**  
*Sponsored by Save Our Tips AZ*

As a bartender, my income depends heavily on tips. The tip credit allows my employer to maintain a viable business model while I earn a substantial portion of my wages through the tips I receive. Without the tip credit, the increased labor costs could lead to layoffs or reduced hours, significantly impacting my livelihood. The Tipped Workers Protection Act is vital for preserving this balance. It allows bartenders like me to continue thriving in our roles, motivated by the potential to earn more through exceptional service. This act ensures that we can maintain our income levels and job security, which are both threatened by the proposed elimination of the tip credit.

**Meaghan Coffield, Bartender, Union Hospitality Group, Tucson**

138

# ARGUMENTS “AGAINST” PROPOSITION 138



Tips are optional; a salary is not, which is why some restaurant owners continue to try to avoid paying a living wage to their employees. This measure is yet another attempt by the Arizona Restaurant Association to undermine the Fair Wages and Healthy Families Initiative passed by nearly 60% of voters in 2016. It asks voters to amend the Arizona Constitution to create an even lower sub-minimum hourly wage for tipped employees that is up to 25% lower than statutory minimum wage.

By law, tipped workers can already be paid \$3 less than the minimum wage, but this measure would increase that gap significantly. Similar measures have been pushed by Trump-affiliated or conservative groups in other states and appear to be driven by “astroturf” organizations such as “Save Our Tips AZ,” which is entirely funded by the Arizona Restaurant Association. An investigation conducted by journalists at the AZ Mirror revealed that “workers” who testified in support of the measure were actually high-level employees of restaurants owned by members of the ARA Board. This type of pretense during the lawmaking process is inappropriate and reprehensible.

Reducing the already sub-minimum wage for tipped employees would further diminish their ability to afford rent or support a family in a state with skyrocketing cost of living. Restaurant workers struggle to afford basic health care and often work multiple jobs to make ends meet. They deserve a living wage in order to afford to put food on their own tables as well as ours.

We strongly urge a “No” vote on this insidious measure.

**Catherine Sigmon, Co-Founder, Civic Engagement Beyond Voting, Tempe and Melinda Iyer, Co-Founder and Policy Director, Civic Engagement Beyond Voting, Phoenix**

I am an Independent-minded young man of 26, who has worked in many different blue-collar workplaces ranging from Aviation Maintenance, to Machining, and Veterinary Technologies. I stand firmly against this measure and urge you to VOTE NO. I have worked on multi-million dollar projects before and after COVID-19 and see how little certified workers like myself are paid, and recognize that tipped workers and minimum wage workers work just as hard as myself and struggle more to make ends meet. In our great state of Arizona prices have been rising astronomically in all departments and are squeezing working class people trying to survive. All employers and companies should want their loyal workers to be able to afford basic necessities, such as housing, healthcare, healthy groceries, or even an annual vacation. Mega Corporations continue to report earth-shattering profits across all boards, and are not showing their gratitude and loyalty to the employee-shareholders putting their minds and bodies on the line every day to help make a difference and serve their companies and communities. The Massachusetts Institute of Technology (MIT) has calculated that a living wage in Arizona equals out to \$23.40 per hour, or \$48,672 salary. Under this bill, tipped workers would receive 25% less pay than their untipped counterparts, totaling out to a whopping \$11.25 per hour, or \$23,400.00 per year. This confusing bill is anything but a “Tipped Workers Protection Act” It does nothing to help tipped workers provide for their families, nor keep full time workers from slipping into homelessness. This is a way for corporations to raise their profits by avoiding paying people enough to be comfortable, and is being used as a red herring to say higher minimum wage = bad for businesses. For these reasons I urge you to VOTE NO.

**Eric Stafford, State Senate Candidate Legislative District 29, Stafford4AZ, Goodyear**

Vote NO on Prop 138! In the House of Representatives Commerce Committee hearing at our State Capitol where this legislation was debated, some of our legislators said that they want to help the guy at the bottom; “the small business owner”-- but isn’t the guy at the bottom the worker who has three jobs to stay get by instead? We, the people of Arizona, passed Prop. 206 the Fair Wages and Healthy Families Act in 2016 by nearly 60% of the vote. It was so all Arizonans could receive a living wage and grow our economy, and it’s been effective at doing that. Data shows that when communities increase worker’s wages the economy of the surrounding area improves. When workers at the bottom get an increase in wages they spend it in their local communities, the small businesses, experience an uptick in volume, and the area as a whole; benefits. Removing any amount of

their pay is counterproductive. Our economy works, not from the top-down, but from the bottom-up. Please join me and vote NO on Prop 138 to protect hardworking Arizona workers!

### Kerry Jackson, Phoenix

The Restaurant Association is at it again. For decades, hardworking Arizonans in the service industry, the hospitality industry, the 21st-century alternate delivery, and personal services industries have labored under sub-living wages and reliance on the graciousness of those they serve. Gratuity, commonly referred to as tipping is not a uniquely American cultural phenomenon, and it is a generally accepted form of recognizing the quality of a service performed by the one receiving it. Whether a valet returns your car in the same condition they received it, or a delivery was made with the proper product or the deliverer went beyond leaving the package on the stoop because they felt the recipient deserved an extra effort. No matter the quality of the service, the gratuity itself is the accepted form of acknowledgment, good, bad, or indifferent.

The government has seen fit to increase the minimum wage to an almost living wage level. Those who have the added benefit of gratuity should not be punished for this benefit. The Restaurant Association and their cohorts have seen fit to demand that Arizona do exactly that. Reduce the minimum wage to allegedly offset gratuities by a pre-determined 25%. Where that percentage came from is anyone's guess. The Bureau of Labor Statistics has no such determinate. this is without foundation and takes away from an already unstable economic sector.

Proposition 138, sponsored by the Restaurant Association and their cohorts, aptly numbered to reflect the economic burden we all face, is unfair on its face and an effort to undermine the very livelihoods of the people they desperately need to show up every day and make their business profitable. Vote no on Proposition 138.

### Ruthee Goldkorn, Peoria

*Sponsored by Opportunity Arizona*

While tipping culture is common in the world, the United States is the most severe. Because of this, it is normalized to pay people in the service industry less wages, with the assumption that they will receive at least a 10-15% tip per customer interaction. The onus is left to the individual server to rely on the customer's honoring of this expectation, regardless of any other

extenuating circumstances. Prop 138 would make this "honor system" a state constitutionally protected right and void any future attempts to raise wages for all workers, including servers or "tipped workers." Setting aside issues like racism, classism, and rudeness, servers must also contend with the challenges presented from falling ill, getting injured, childcare availability, and schooling. When someone makes the subminimum wage, a missed shift means losing half a day's wages, even with paid time off (PTO). This is negated by lobbying groups who represent employers of this system, and have a vested interest in keeping the status quo to not ensure their employees have a livable wage. In areas where tipped workers' wages were raised to be in line with other minimum wage earners, job availability and location flexibility have not had a significant change. In fact, job tenures have been strengthened and employees are experiencing more safety on and off the job site. Prop 138 would make these types of improvements impossible and would relegate servers to even more unfair and unequal working conditions. It may even lessen positive customer service outcomes because of the duress that this mandate will put on people in the service industry. Every worker deserves a livable wage and Prop 138 will actively prevent that for tens of thousands of hardworking Arizonans.

### Jolie Amaya, Mesa

VOTE NO on Proposition 1040 to stop corporations and their lobbyists from reducing the wages of tipped workers even more. Currently, the minimum wage for tipped workers is 79% of the state minimum wage, or \$11.35/hr vs. \$14.35/hr. Prop 1040 will add a provision to our State Constitution that will allow employers to reduce the hourly pay of tip-earning workers to 75% of the state minimum wage, or \$10.76/hr. This is a direct attack on low-income workers during a time in which inflation, prices, and the cost of living in Arizona are at record highs. Legislators in the pockets of big corporations actually have the audacity to call this the "Tipped Workers Protection Act," but what it should really be called is the "Corporate

Earnings Protection Act." Unless you want to see the poverty rate in Arizona go up even more, VOTE NO on Proposition 1040 to protect hardworking tipped workers and their families.

**Chester Bokich, Phoenix**

---

SCR1040

1. Please vote NO on this proposition that will cut wages for tipped workers, because decreasing the minimum wage for tipped workers by 25% harms their quality of life and only benefits greedy business corporations looking to pocket more profits. Tipped workers, and actually, all workers, have a right to a living wage in our advanced society, a society that now supports more billionaires than ever, while many struggle daily just to make ends meet. Tips are just that, a bonus for services rendered, and should not be an excuse for businesses not to provide a base living wage to our workers, regardless of tips that may or may not be earned by the workers. This measure is being pushed by self-interested restaurant lobbyists who work against efforts to pay fair wages to tipped workers. Tipped workers already get paid less than the state's minimum wage and this measure will further decrease their earnings by another 25% less. It's shameful that our laws would align with corporate greed that could force tipped workers to earn less than a fair, livable wage. So please vote NO against this Proposition 138, as it clearly values profit over a living wage, which only continues to oppress the working class.

J. Marshall Newbern, DO

**James Newbern, D.O., Phoenix**

---

Proposition 138 reduces the minimum wage for tipped workers to even lower than it currently is, and this time by 25%! Arizona law already allows corporations to pay tipped workers less than the minimum wage. If Prop 138 were to pass today, they could pay workers \$3.58 less than the current minimum wage, and that amount would continue to grow!

The audacity of corrupt politicians working with restaurant mega-corporations and their lobbyists to reduce tipped worker's wages while trying to dub this as the "Tipped Worker Protection Act" is appalling! As if Arizonans aren't already struggling enough just to get by, our elected representatives aren't making the job any easier by stabbing us in the back. Vote NO on Prop 138 to actually protect tipped workers!

**Denise Previte, Scottsdale**

---

VOTE NO on Prop 138. This ballot referral is disguised as "protecting" tipped workers when in reality it would allow companies to pay 25% less than minimum wage to their tipped workers. These predatory corporations want you to foot the bill for their labor costs while their corporate executives continue to have record-breaking profits year after year— and during a time when many are having to work two to three jobs just to make ends meet! All hardworking Arizonans deserve a basic living wage, and if these companies had their way, they would pay us pennies on the dollar. This proposition is inhumane, and it shows how arrogant these corporations have gotten that they think they deserve to take from their hardworking staff. Instead, they would have you do their work for them, all so they can fill their own pockets. This proposition would also disproportionately harm both women and people of color, as they are frequently tipped far less than average, and make up the majority of tipped workers. Employment laws should not be protective of employers and harmful to workers. This toxic culture of forcing the customer to ensure that the employee has enough money to survive is a drain on everyone. Not only do tipped workers make less, but you have to give more of your hard-earned money away to make up for their lack of pay. Corporations are directly stealing money out of your pockets to keep their shareholders happy. VOTE NO on Prop138 and send a message to greedy corporations that you won't do their job for them; and that you won't tolerate their inhumanity.

**Nicholas Mink, Scottsdale**

Vote no on Proposition 138 because if passed, it will take MORE money out of the pockets of tipped workers in Arizona. This proposal would pay tipped workers, who are already paid \$3 less than minimum wage, even LESS money. Everyone who works should be paid equitably for the jobs they are performing, including tipped workers. Support workers and workers' rights by voting no on Prop 138.

**Karlyn Bradley, Phoenix**  
*Sponsored by Opportunity Arizona*

Vote NO!

Proposition 138 exists because of corrupt lobbying from corporate interests. It was created by the National Restaurant Association, also called "The Other NRA," which is a restaurant lobbyist group that influences labor laws to keep wages low and restrict worker protections. Their priorities lie in serving the interests of businesses, maximizing shareholder profits, and prioritizing the CEO, Dan Bogert's pay, over ensuring fair compensation and rights for restaurant workers. Vote NO! The National Restaurant Association's claim that restaurants cannot afford to pay livable wages indicates a flawed and unsustainable business model. Relying on worker exploitation as a solution only perpetuates the problem and shifts the burden onto customers and taxpayers.

Holding companies accountable and promoting fair treatment of employees is essential for a just and equitable society. We must prioritize the rights and needs of workers, ensuring that they receive the compensation and respect they deserve. Tipped workers are often exploited and underpaid, just like my younger self. It's common for us to work off the clock to increase our workable hours and potential earnings. The low wages in the restaurant industry allow them to overstaff because they can underpay.

Still relying on exploiting employees is a clear indication that something is wrong with our economic system. They are proving that it's not the fault of individual workers that they can't make ends meet but rather the result of policies and practices that prioritize corporate profits over the well-being of workers. Communities must address this problem we need to acknowledge the role that corporations play in perpetuating economic inequality and work toward policies that support fair wages benefits and working conditions only then can we create an economy that works for everyone. Vote no on Proposition 138 to stop corporate greed and protect tipped workers from being exploited.

**Jessica Staggers, Community Engagement Strategist, Maricopa County Young Democrats Event Director, Surprise**

Credit allows my employer to maintain a viable business model; while I earn a substantial portion of my wages through the tips I receive. Without the tip credit, the increased labor costs could lead to layoffs or reduced hours, significantly impacting my livelihood. The Tipped Workers Protection Act is vital for preserving this balance. It allows bartenders like me to continue thriving in our roles, motivated by the potential to earn more through exceptional service. This act ensures that we can maintain our income levels and job security, which are both threatened by the proposed elimination of the tip credit. The hardship of losing the tip credit would not only affect the vast diversity of people that work in restaurants, but also locally owned businesses. Please consider the ramifications on the hard working employees this ballot measure could have.

**Alexis Reinacher, Tucson**

Vote NO on Prop 138. Prop 138 proposes to enshrine in the Arizona Constitution employers' right to pay tipped workers a lower minimum wage than they do today. Tipped workers already experience a high rate of wage theft, increased sexual harassment directly tied to their dependence on tips, and racial and gender discrimination that disproportionately impacts women, people of color, and immigrants.

In Flagstaff, voters passed a local minimum wage law, eliminating the exploitative subminimum tipped wage. Prop 138 would repeal those local tipped wage provisions and cut the wages of working families by many thousands of dollars each year. I urge all to VOTE NO on Prop 138.

Arizona workers deserve a living wage and protection of their earnings. Instead, Prop 138 is a proposal by big corporations and their allies designed to increase their profits at the expense of restaurant workers. Say NO to corporate greed; vote NO on Prop 138.

**Eva Putzova, Former Flagstaff City Councilmember, Flagstaff**

Spelling, grammar and punctuation were reproduced as submitted in the "for" and "against" arguments.

The practice of paying tipped employees less than the standard minimum wage is outdated and exploitative, yet our lawmakers want to enshrine it in the Arizona Constitution. Vote NO on Prop 138.

This constitutional amendment would lower the current tipped wage, exacerbating the precarious economic conditions of essential workers and their families. Tipped workers are already some of the most vulnerable, facing significant income instability. Their earnings depend heavily on customer tips, which fluctuate based on numerous factors, including seasonality, economic conditions, and customer generosity. This unpredictability makes it challenging for workers to budget and plan for their financial future.

Flagstaff voters took action in 2016 and passed a law that phases out the exploitative subminimum tipped wage. The constitutional amendment Prop 138 would undo the will of the voters, leading to permanent pay cuts for thousands of Flagstaff workers. I urge you to vote NO on Prop 138.

Outside Flagstaff, tipped workers would also see a wage decline—growing over time—as Prop 138 would allow employers to pay tipped employees a sub-minimum wage of 25% less than the state minimum wage. Vote NO on Prop 138.

**Eric Descheenie, Former Arizona State Representative, Catch Fire Movement, Flagstaff**

Vote NO on Prop 138. Prop 138. If passed Prop 138 will permanently continue the exploitation of tipped workers through a drastic cut in their base minimum wage. The minimum wage is not a livable wage and not all tips are guaranteed or equal depending on the venue of employment. Reducing the minimum wage by 25% for tipped workers will exacerbate the financial insecurity of these workers and contribute to the existing racial and gender discrimination that tipped service jobs come with.

Do not believe that a lower minimum wage is a benefit for the employees of the service industry that is promoting this constitutional change. This is another attempt to mislabel a trickle-down economics theory that is designed to lower costs for employers at the economic and social expense of employees.

Already, minimum wage workers at \$14.45 are subject to the difficulties of poverty in a state where an average living wage is over \$23/hour according to the MIT Living Wage Calculator. Imagine working in an inexpensive chain restaurant at \$10.83/hour and hoping your tips for the day on \$15-\$20 meals add up to a substantial part of your hourly wage. Could you live on that? Could you feed your children, manage your healthcare, reliably get yourself to your job, and prepare for any financial emergencies that come up? If your answer is no, vote NO.

**Eric Souders, Flagstaff**

Proposition 138 is a slap in the face to hardworking Arizonans. While disguised as “protecting” tipped workers, it is reducing their minimum wage. Vote No on Proposition 138! Tipped workers already don’t make minimum wage, and while tips are supposed to make up the shortfall, those of us who’ve worked in the restaurant industry know that the reliability of customers tipping is non-existent. If passed, Proposition 138 will harm tipped workers by allowing employers to pay tipped employees a sub-minimum wage of 25% less than the state minimum wage. From the Valley, to Tucson, to Flagstaff, individuals and families are often forced to work two or three jobs to make ends meet. The cost of living in Arizona is approximately \$44,875 per year and in some communities, such as Flagstaff where I live, it can be substantially higher. Since I moved to Flagstaff in summer 2010, my rent has increased approximately 190 percent. There was even a time, about eight years ago, that I (a college professor) drove for Uber on the side to help make ends meet. Imagine if this wasn’t me, but a single mother, or a first-generation college student having to live and pay for rent, food, and college on their own. At a time of rising costs, Proposition 138 is lowering Arizonans’ income. All workers deserve a living wage and tipped employees are not an exception to this rule.

Since the minimum wage increase was approved by voters in 2016, restaurant industry lobbyists and politicians at the State Capitol have worked hard to undermine the will of the voters. At a time when the cost of living continues to go up, the will of the voters should be respected, and I respectfully urge you to Vote No on Proposition 138.

**Paul Lenze Jr., Flagstaff**

Employment laws should protect workers from exploitation by corporations, not harm them. Opportunity Arizona urges all Arizonans to VOTE NO on Proposition 138 which will decrease the minimum wage for tipped workers to 25% below the

current state minimum wage. Hard work should earn a living wage and tipped workers are no exception. Allowing employers to pay tipped workers a subminimum wage perpetuates economic inequality and makes it difficult for workers to meet basic living standards. The pay structure for tipped workers already maximizes discretion as their income is determined by many different potentially biased individuals, and proposition 138 makes that worse by decreasing their pay as the cost of living continues to skyrocket.

As women and people of color are overrepresented among tipped workers, this proposition worsens existing income inequality and systemic poverty by targeting these groups. This proposition does not represent the interest of hardworking Arizonans. It is a handout from corrupt politicians to the same greedy and powerful restaurant industry lobbyists who crusaded against fair pay and healthcare for tipped workers and led the opposition to the minimum wage increase passed by voters in 2016. This attack on tipped workers is an attack on all workers. VOTE NO on Proposition 138 and protect fair pay for tipped workers.

**Ben Scheel, Executive Director, Opportunity Arizona, Phoenix**

*Sponsored by Opportunity Arizona*

My name is Tamar, and I am a Northern Arizona University student who relies on a tipped wage. SCR 1040 is a measure that will negatively impact tipped workers by allowing employers to pay them 25% less than the state minimum wage. Tips are optional and reflect the quality of service provided, but they are not guaranteed. All workers, including those who rely on tips, deserve a living wage.

Tipped jobs often attract individuals seeking flexible part-time work. Even with tips, these positions are often still under livable wage standards. Tipped wages are not guaranteed, and these workers are rarely offered full-time employment or access to healthcare and other benefits. With rising housing costs, many tipped workers live paycheck-to-paycheck and face housing insecurity.

This measure is backed by the Arizona Restaurant Association and the lobbyists who oppose fair pay and healthcare for restaurant workers. They led the opposition to the minimum wage increase passed by voters in 2016. Employment laws should protect workers, not harm them. SCR 1040 will reduce tipped employees' income while increasing employers' profits.

Vote NO on SCR 1040 to ensure tipped workers receive fair compensation.

**Tamar Stern, Arizona Students' Association, Flagstaff**

*Sponsored by Arizona Students' Association*

The giant restaurant chains lobbied our lawmakers to refer to the voters constitutional amendment, Prop 138, that would lower the wages paid to tipped workers by 25%.

VOTE NO ON Prop 138!

Like all workers, tipped workers have suffered from the inflation of the past few years. Their rent has gone up, their food and transportation costs have increased, as have the cost of child care and health care out of pocket expenses. Their wages should be increasing, not decreasing!

Arizona voters support raising the tipped wage to the full minimum wage. In Flagstaff, we enacted a minimum wage ordinance that not only increased the minimum wage but eliminated the tipped wage, guaranteeing tipped workers the full minimum wage. They will now see a 25% pay cut if Prop 138 prevails.

This unconscionable attack on the livelihood of Arizona workers must stop. Corporate profits should never take precedence over the needs of the very workers who do the work that earns them those profits. Enough is enough. I urge you to vote NO on Prop 138.

**Marilyn Weissman, Community Organizer, Flagstaff**

Arizonans should vote NO on Proposition 138 to protect tipped workers and their hard-earned wages. Decreasing the minimum wage for tipped workers by 25% harms their quality of life and only benefits greedy business corporations looking to pocket more profits. I know this nearly as well as anyone, considering I have spent the majority of my career as and continue to be a tipped worker. This proposition is being pushed by greedy restaurant lobbyists who work against efforts to pay fair wages to tipped workers. Tipped workers already get paid less than the state's minimum wage and this measure will further decrease their earnings by 25%. It is shameful that corporate greed would allow tipped workers to earn less than a fair, livable wage. Please vote NO against Proposition 138, which will only hurt tipped workers by paying them less than they deserve.

**Mike Johnston, Phoenix**  
*Sponsored by Opportunity Arizona*

Please vote NO on this proposition that will cut wages for tipped workers. This measure does the opposite of protecting tipped workers by decreasing their minimum wage earnings by 25%. The cost of living is so expensive for many and this measure only harms tipped workers, many who are living paycheck to paycheck. Cutting the minimum wage for tipped workers by 25% would make managing daily expenses much more difficult. Tipped workers have a right to a living wage and this measure will get us much further from accomplishing that. Please protect tipped workers and their earnings by voting NO on this measure.

**Julie Coburn, Phoenix**

More Arizonans than ever are struggling because of inflation and the rising prices of food and housing. Wages have not kept up with the skyrocketing cost of living. All the while corporations and billionaires are seeing record profits. The Arizona Restaurant Association, who has projected \$23 billion in sales by the end of 2024 is seeking to line their pockets further with Prop 138, which amends the Arizona Constitution to decrease the minimum wage for tipped workers.

Prop 138 would allow for employers to pay tipped employees up to 25 percent less than the minimum wage, lowering the current tipped minimum wage from \$11.35 to \$10.77. This would significantly reduce the take-home pay for the majority of tipped workers, making it harder for our fellow Arizonans who work in the service industry to make ends meet in our economy.

Under Prop 138, greedy corporations also shift more cost to the consumer to pay worker's salaries to compensate for the prioritization of their billions in profits over paying employees fair wages. Additionally, under this proposed constitutional amendment, employers can suspend worker protection laws, which could potentially expose workers to unsafe or unfair working conditions.

Prop 138 is a shameful attack on workers and insulting to the countless Arizonans who are struggling to afford a roof over their heads and food on the table. Every year, bought-and-paid-for politicians in Arizona attempt to cut wages to bolster the profits of their corporate donors. We, the People, can fight back against corporate greed by voting 'No' on Prop 138.

**Alejandra Gomez, Executive Director, Living United for Change in Arizona (LUCHA), Phoenix**  
*Sponsored by Living United for Change in Arizona (LUCHA)*

Prop 138 is an anti-employee proposal, supported by organizations that have kept wages low for decades. The Chamber of Council supports it. So does the Arizona Restaurant Association. Why? Because they care more about their profits than about their employees.

Vote No on Prop 138. It is part of the ongoing effort by corporations to keep wages low—and to keep the public on the hook for making up for those low wages. We must not allow Prop 138 to further erode the current wage for tipped workers.

It is time to ensure that tipped workers are paid the full minimum wage. No worker should have to depend for their income on hand-outs from customers. Prop 138 continues the pernicious practice of shifting responsibility for wages from business

owners to customers. It is a practice that most negatively effects women and people of color and it makes all tipped workers lives precarious.

Vote No on Prop 138 to protect tipped employees from pay cuts.

### **Sandra Lubarsky, Flagstaff**

---

Please vote NO on Proposition 138, which will cut wages for tipped workers. This measure does nothing to protect tipped workers and will decrease their subminimum wage earnings to 25% less than the minimum wage. With the cost of living being so expensive, this measure would harm tipped workers, many of who are living paycheck to paycheck. Cutting the minimum wage for tipped workers even further would make managing daily expenses much more difficult. Tipped workers have a right to a living wage and this measure will get us much further from accomplishing that. Please protect tipped workers and their earnings by voting NO on Proposition 138.

### **John Stahl, Phoenix**

---

Prop 138 seeks to allow employers to pay tipped employees a sub-minimum wage 25% less than the state minimum wage, directly harming hardworking Arizonans who rely on tips as a significant part of their income. All workers deserve a living wage to sustain themselves and their families, especially given the substantial increase in the cost of living. If Prop 138 passes, it will exacerbate financial instability among tipped workers, pushing them further to the edge. Prop 138 is supported by restaurant industry lobbyists who have a history of opposing fair pay and healthcare benefits for restaurant workers, as evidenced by their opposition to the minimum wage increase approved by voters in 2016. This measure not only perpetuates a system that disadvantages tipped employees but also exacerbates racial and gender inequities inherent in the tipping system. Women and people of color are disproportionately represented among tipped workers, with over two-thirds being women, exacerbating vulnerabilities and marginalization. Prop 138 would further entrench these inequities by leaving workers' pay at the mercy of potentially biased customer discretion rather than ensuring fair and equitable compensation mandated by law.

Employment laws should protect workers' rights and ensure fair treatment, not bolster employer profits at the expense of vulnerable employees. Prop 138 fundamentally undermines efforts towards economic justice and perpetuates systemic inequalities. As such, I urge legislators and voters to reject Prop 138 to uphold fairness, dignity, and financial security for all workers in Arizona. Our state must strive for policies that promote equality and protect the rights of every worker, regardless of industry or occupation.

Vote NO.

Bridget Sharpe, Director of Human Rights Campaign AZ

### **Bridget Sharpe, Phoenix**

---

This ballot measure if passed will lower wages for tipped workers. This legislation is being pushed by the Arizona Restaurant Association to pay workers less money. Multiple times this year, the Arizona Restaurant Association has been in the Arizona House Commerce Committee trying to pass legislation that would lower working people's wages. In a time when people barely make enough to get by, they continue to try to lower hard-working Arizonans' pay. In Arizona today we currently have over 51,000 waiters and waitresses, according to the Bureau of Labor Statistics. In Arizona, the Median pay for a waiter is \$18.52/Hr and the average is \$21.86/Hr which makes the Yearly Average pay \$46,000/Year including tips. Tips for waiters are not making them rich. \$46,000 is not considered middle class in Arizona. Most Tipped workers do not have healthcare, live paycheck to paycheck, and are most likely experiencing housing insecurity. Please Vote NO on HCR1040. This is a direct attack on hardworking Arizonans. All workers deserve a livable wage, and tipped employees are no exception.

### **Cesar Aguilar, Arizona House of Representatives- Ranking Democrat of Commerce, Self, Phoenix**

Many Arizona workers are currently struggling to make a living wage, and this is especially true for tipped workers. This measure would significantly worsen the economic well-being of tipped workers and their families by further reducing their wages under a convoluted tiered system.

Arizona has a two-tiered minimum wage system: one wage for nontipped workers and one for tipped workers. The minimum wage for tipped workers is \$3 less than minimum wage for nontipped workers. Proposition 138 will lower this tipped minimum wage and over time increase the gap between these two minimum wages. This will require workers to rely more on tips for their income.

Data tells us that when there is a gap between these two systems, poverty rates for tipped workers are higher than nontipped workers. Increasing this gap contributes to even higher poverty rates for tipped workers. In fact, tipped workers in states with larger wage gaps experience poverty at double the rate of nontipped workers with waitstaff and bartenders at triple the rate.

Under current law, tipped workers have a 9.8 percent poverty rate compared to 5.5 percent for nontipped workers in Arizona. Tipped workers who are women experience even more poverty at 10.8 percent. Proposition 138 will significantly contribute to increasing an already high poverty rate for tipped workers. This will especially impact women who make up almost 70 percent of tipped workers.

**Joseph Palomino, Director, Arizona Center for Economic Progress, Tempe**  
*Sponsored by Arizona Center for Economic Progress*

---

Prop 138 is inaccurately named the “Tipped Worker Protection Act”. It does NOTHING to help tipped workers. Rather, research indicates that it will HARM tipped workers.

This referred amendment is backed by restaurant industry lobbyists whose interests lie in lowering the minimum amount employers must pay their tipped workers.

Prop 138 proposes to set Arizona’s tipped worker wage penalty (the difference between tipped and non-tipped minimum wage rates) at 25% of the minimum wage, versus the current flat rate. From the outset, this would cause a reduction in the minimum amount an employer can pay a tipped worker, from \$11.35/hr to only \$10.76/hr.

The tipped minimum wage is currently set, by law, as a flat \$3.00 less than the non-tipped minimum wage. Currently, that means the tipped minimum wage is at \$11.35 per hour, but since the non-tipped minimum wage is indexed to inflation, this number goes up every year. The difference between tipped and non-tipped minimum rates remains the same even as the overall minimum wage goes up.

Prop 138, in tying the tipped worker wage penalty to a percentage of the minimum wage, would cause the wage gap between tipped and non-tipped employees to widen each time the minimum wage increases.

If this measure passes, it will lower the income of many hardworking Arizonans, putting them on the edge of financial instability. Research from the Center for American Progress shows that states with a large gap between tipped and non-tipped minimum wages have higher poverty rates than states with more moderate tipped worker wage penalties like Arizona.

Prop 138 is a direct attack on hardworking Arizonans. All workers deserve to make a living wage, and tipped employees are no exception.

We urge you to VOTE NO on Prop 138. This amendment will HURT tipped workers.

**Brendan Walsh, Executive Director, Worker Power, Phoenix**  
*Sponsored by Worker Power*

---

I am a soon-to-be retiring teacher with 37 years in a classroom. I have not worked at a “tipped job” since I was 16. However, this proposition is another of those “let’s sneak this in and see if we can get people to vote for it” situations presented to us by our AZ Legislature. I am paying \$75 to submit each of these AGAINST statements because I feel voters in Arizona MUST know what is going on!

I am certain that however they choose to “word” the proposition is going to make it seem like they are doing us a favor and we should approve it.

Currently, the law in Arizona is that minimum wage is \$14.35 per hour. According to the Dept of Labor, Arizona pays \$3 per hour less to tipped employees. The Proposition that is being put forward by the Legislature is to reduce this \$11.35 by an additional 25%. (That would make the minimum tipped wage \$8.51 per hour.)

I guess they believe that customers should be making up that difference?

Why should an employer pay an employee their full wage? If they can cut wages by 25%, it then becomes the customer’s responsibility to pay the workers.

It would be very interesting to know what special interest groups “encouraged” legislators to put this initiative on the ballot? Or maybe we should ask how many Legislators own businesses that employ workers who earn tips?

Please join me in VOTING NO on PROP 138. We are all having a tough enough time financially right now without making it even harder on those who earn the least.

**Bonnie Hickman, Concerned Arizona Educator, MESA**

138

# BALLOT FORMAT

## PROPOSITION 138

### PROPOSED AMENDMENT TO THE ARIZONA CONSTITUTION BY THE LEGISLATURE RELATING TO WAGES

#### OFFICIAL TITLE

AMENDING ARTICLE XVIII, CONSTITUTION OF ARIZONA, BY ADDING SECTION 11;  
RELATING TO WAGES.

#### DESCRIPTIVE TITLE

PERMITS EMPLOYERS TO PAY UP TO 25% LESS THAN THE MINIMUM HOURLY WAGE FOR  
EMPLOYEES WHOSE COMPENSATION INCLUDES TIPS OR GRATUITIES FROM PATRONS,  
BUT ONLY IF THE EMPLOYER CAN ESTABLISH THAT THE EMPLOYEE ULTIMATELY  
RECEIVED THE MINIMUM WAGE PLUS \$2 FOR EVERY HOUR WORKED.

A “yes” vote shall have the effect of amending the Arizona Constitution to allow employers to pay employees up to 25% less than the minimum hourly wage if the employer can establish that the employee’s wage plus tips or gratuities is at least \$2 more than the minimum wage for every hour worked.	<b>YES</b> <input type="checkbox"/>
A “no” vote shall have the effect of maintaining the current laws regarding minimum wage.	<b>NO</b> <input type="checkbox"/>

138



An abundant variety of Prickly Pear (*Opuntia*) thrive in Arizona. Both its fruit and pads are an important food source for animals and people alike, yielding delicious ruby-red juice for jams and candies, and tasty green nopales for grilling.



Hummingbird

# PROPOSITION 139

## OFFICIAL TITLE

### A CONSTITUTIONAL AMENDMENT

AMENDING ARTICLE II, CONSTITUTION OF ARIZONA, BY ADDING SECTION 8.1; RELATING TO THE FUNDAMENTAL RIGHT TO ABORTION.

### TEXT OF PROPOSED AMENDMENT

Be it enacted by the People of the State of Arizona:

**Sec. 1.** Short title

This constitutional amendment shall be known as, and may be referred to as, the “Arizona Abortion Access Act”.

**Sec. 2.** Findings and declaration of purpose

The People of the State of Arizona find and declare as follows:

A. Arizonans believe strongly in individual autonomy, which includes the right of each individual to make personal decisions about their own health care without overbearing and unnecessary government interference.

B. When the United States Supreme Court overturned *Roe v. Wade* and deprived Arizonans of their longstanding individual right to abortion, Arizonans’ autonomy over their own health care decisions was immediately threatened by efforts to enforce a law first enacted in the 19th Century that made almost all abortions illegal.

C. To protect Arizonans’ rights and ensure access to reproductive health care, the Arizona Constitution must be amended to establish a fundamental right to abortion as provided in this act.

D. This act should be liberally construed in furtherance of the fundamental right it establishes.

**Sec. 3.** Article II, Constitution of Arizona, is amended by adding section 8.1, to read:

8.1. Fundamental right to abortion; definitions

A. EVERY INDIVIDUAL HAS A FUNDAMENTAL RIGHT TO ABORTION, AND THE STATE SHALL NOT ENACT, ADOPT OR ENFORCE ANY LAW, REGULATION, POLICY OR PRACTICE THAT DOES ANY OF THE FOLLOWING:

1. DENIES, RESTRICTS OR INTERFERES WITH THAT RIGHT BEFORE FETAL VIABILITY UNLESS JUSTIFIED BY A COMPELLING STATE INTEREST THAT IS ACHIEVED BY THE LEAST RESTRICTIVE MEANS.

2. DENIES, RESTRICTS OR INTERFERES WITH AN ABORTION AFTER FETAL VIABILITY THAT, IN THE GOOD FAITH JUDGMENT OF A TREATING HEALTH CARE PROFESSIONAL, IS NECESSARY TO PROTECT THE LIFE OR PHYSICAL OR MENTAL HEALTH OF THE PREGNANT INDIVIDUAL.

3. PENALIZES ANY INDIVIDUAL OR ENTITY FOR AIDING OR ASSISTING A PREGNANT INDIVIDUAL IN EXERCISING THE INDIVIDUAL’S RIGHT TO ABORTION AS PROVIDED IN THIS SECTION.

B. FOR THE PURPOSES OF THIS SECTION:

1. “COMPELLING STATE INTEREST” MEANS A LAW, REGULATION, POLICY OR PRACTICE THAT MEETS BOTH OF THE FOLLOWING:

(a) IS ENACTED OR ADOPTED FOR THE LIMITED PURPOSE OF IMPROVING OR MAINTAINING THE HEALTH OF AN INDIVIDUAL SEEKING ABORTION CARE, CONSISTENT WITH ACCEPTED CLINICAL STANDARDS OF PRACTICE AND EVIDENCE-BASED MEDICINE.

(b) DOES NOT INFRINGE ON THAT INDIVIDUAL’S AUTONOMOUS DECISION MAKING.

2. “FETAL VIABILITY” MEANS THE POINT IN PREGNANCY WHEN, IN THE GOOD FAITH JUDGMENT OF A TREATING HEALTH CARE PROFESSIONAL AND BASED ON THE PARTICULAR FACTS OF THE CASE, THERE IS A SIGNIFICANT LIKELIHOOD OF THE FETUS’S SUSTAINED SURVIVAL OUTSIDE THE UTERUS WITHOUT THE APPLICATION OF EXTRAORDINARY MEDICAL MEASURES.

3. “STATE” MEANS THIS STATE, ANY AGENCY OF THIS STATE OR ANY POLITICAL SUBDIVISION

139

PROPOSITION 139

OF THIS STATE.

**Sec. 4. Severability**

If any provision of this measure or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the measure that can be given effect without the invalid provision or application, and to this end the provisions of this measure are severable.

**Sec. 5. Submission to the electorate**

The Secretary of State shall submit this measure to the qualified electors of the State of Arizona at the next general election as provided by article IV, part 1, section 1, Arizona Constitution.

**Sec. 6. Standing**

The People of the State of Arizona desire that this measure, if approved by the voters and thereafter challenged in court, be defended by the State of Arizona. The political action committee that sponsored this measure (or its designee) shall have standing to initiate or intervene in any action or proceeding to enforce defend this measure.

**ANALYSIS BY LEGISLATIVE COUNCIL**

Current state law prohibits a physician from performing an abortion if the probable gestational age of the unborn human being is more than 15 weeks, except when a pregnant woman's medical condition necessitates an immediate abortion to avert the pregnant woman's death or for which a delay creates a serious risk of substantial and irreversible impairment of a major bodily function.

Proposition 139 would amend the Arizona Constitution to:

1. Expressly state that every individual has a fundamental right to abortion.
2. Prohibit this state, any agency of this state or any political subdivision of this state from enacting, adopting or enforcing any law, regulation, policy or practice that would do any of the following:

(a) Deny, restrict or interfere with the fundamental right to abortion before fetal viability (the point in pregnancy when, in the good faith judgment of a treating health care professional and based on the particular facts of the case, there is a significant likelihood of the fetus's sustained survival outside the uterus without the use of extraordinary medical measures) unless justified by a compelling state interest that is achieved by the least restrictive means. The measure defines "compelling state interest" as a law, regulation, policy or practice that is enacted or adopted for the limited purpose of improving or maintaining the health of an individual seeking an abortion consistent with clinical practice standards and evidence-based medicine and that does not infringe on that individual's autonomous decision-making.

(b) Deny, restrict or interfere with an abortion after fetal viability that, in the good faith judgment of a treating health care professional, is necessary to protect the life or physical or mental health of the pregnant individual.

(c) Penalize any individual or entity for aiding or assisting a pregnant individual in exercising the pregnant individual's right to abortion as provided in the measure.

**JOINT LEGISLATIVE BUDGET COMMITTEE FISCAL ANALYSIS**

A.R.S. § 19-123E requires JLBC Staff to prepare a summary of 300 words or less on the fiscal impact of voter-initiated ballot measures for publication in the Secretary of State publicity pamphlet. Proposition 139 would establish a fundamental right to abortion in the Arizona State Constitution. We estimate that the initiative would not have a direct fiscal impact on state or local government. Under current law, the state and local governments are prohibited from expending public monies on health insurance policies that provide coverage, benefits, or services related to the performance of any abortion unless the abortion is necessary to save the life of the woman having the abortion or is necessary to avert substantial and irreversible impairment of a major bodily function of the woman having the abortion. That policy would not be changed by the initiative. As a result, we estimate the initiative would not directly impact state or local expenditures.

Compared with current law, the initiative may impact the number of abortions that are performed in Arizona. We cannot determine in advance whether such impacts would generate any indirect effects on state revenues and spending.

**139**

**PROPOSITION 139**



## ARGUMENTS “FOR” PROPOSITION 139

As a doctor who has spent more than 40 years working with patients in the field of reproductive and maternal health, I’m urging you to join me in voting YES on Prop. 139.

When a patient enters my exam room, they expect me to provide healthcare – to put them on a path to a healthy pregnancy, to help them through a difficult miscarriage, to put them first. Arizona healthcare providers and patients need Prop. 139 to ensure we can do just that.

Across this country, politicians are taking healthcare out of the hands of doctors and patients and putting the lives of real people in danger for political gain. Here in Arizona, extreme politicians have tried time and again to pass a total abortion ban. That isn’t just unsafe, it’s unjust.

Where politicians have successfully banned access to abortion, we’ve seen dangerous results. Bans mean doctors may not have the ability to help women through miscarriage, complex difficulties of pregnancy, and serious medical and psychological problems. This can leave patients with life-threatening complications, taking away the opportunity for them to have a child in the future, or worse.

Bans on abortion leave patients without access to the care they need and deserve. Ongoing attempts to outlaw abortion by Arizona politicians leave doctors and patients living with uncertainty and fear. That’s no way to practice medicine.

Political debates have no place in the exam room. When it comes to my duty as a physician and my commitment to the health and wellbeing of Arizonans, it’s simple:

As a doctor, I trust my patients.

As a doctor, those patients trust me to keep them safe and healthy.

As an Arizonan, I am voting YES on Prop. 139 to guarantee healthcare decisions stay in the hands of doctors and patients, not politicians.

**Candace Lew, Physician and Chairperson of Arizona for Abortion Access, Arizona for Abortion Access, Tempe  
Sponsored by Arizona for Abortion Access**

As a Family Physician, I know that making available all healthcare services for every individual is crucial. All medical decisions, especially those regarding pregnancy and abortion should be between patients, their families, and their trusted physicians. There are many reasons why an abortion may be necessary for a patient.

My wife and I suffered a miscarriage with our second pregnancy. She was severely hemorrhaging and went suddenly unconscious in the Emergency Room due to rapid blood loss. She had to have an emergency D&C in order to save her life. Any kind of delay, especially those proposed by those opposed to full-scope maternal care, would’ve deprived me of the woman I adore and our son of his loving mother.

Anti-abortion politicians are intent on creating barriers to full scope maternal care, which includes the ability of a woman to choose an abortion for themselves when it may be necessary. Without a citizen ballot initiative which will supersede any legislative attempts at removing a woman’s right to make decisions about what happens to their own bodies, our legislators will continue to create laws meant to impede a woman’s very personal and often difficult choice.

That’s why it’s so important that we ensure patients, providers, and families are in control of their own health care decisions, once and for all, by passing the Arizona Abortion Access Act.

**Andrew Carroll, MD, Chandler and Theresa Carroll, RN BSN, Chandler**

Valerie Sorkin-Wells MD, retired Phoenix/Scottsdale Ob/Gyn, Principal Researcher Womens' Health, Associate Clinical Professor Ob/Gyn:

I'm a physician voting "yes" on the Arizona Abortion Access Act to restore the protections my patients, and all Arizonans had under Roe v. Wade. The Arizona Abortion Access Act is based on Arizona values, and the idea that Arizonans have the right to individual autonomy, including the right to make their own health care decisions, without unnecessary government interference.

As a doctor, I have the privilege of knowing my patients very well, working to establish trust in the exam room and learning about their concerns, hopes, and goals for their futures and their families. Keeping their intimate information private is of the utmost importance. Decisions in pregnancy such as treating an ectopic pregnancy, to ending a much-wanted pregnancy due to fetal abnormalities that are incompatible with life, to premature induction of a pregnancy due to severe hypertension of the mother, are complex, challenging physical and emotional medical issues that require the skill of qualified medical providers that place the health of the mother as a priority, and require years of training and expertise.

Politicians simply shouldn't be involved in these decisions, nor should they have more control over patients' health care decisions than patients themselves. Every individual, regardless of their political affiliation, background, or income, deserves the right to decide what's best for their body, their family and their health.

Valerie Sorkin-Wells MD

**Valerie Sorkin-Wells, Ob/Gyn Physician, Scottsdale**

As a Native Arizonan and a board-certified OBGYN, I support the Arizona Abortion Access Act to ensure that private, personal decisions around abortion can be made by patients, their families, and their trusted healthcare providers — not politicians. As an OBGYN, I've been privy to incredible moments in people's lives, but I've also had the difficult privilege of guiding many through complicated, nuanced, and often devastating decisions.

People who oppose abortion rights have falsely been claiming this initiative would allow any person to have an abortion "up until birth" on a whim. This simply isn't true. Abortions later in pregnancy are extremely rare and only occur because something has gone horribly wrong. These decisions are only undertaken after enormous consideration by the patient, her family, and knowledgeable physicians.

Another lie I hear is that the Act removes safety protections for patients. Again, this is simply false. The Act does not change the requirements that abortion care must be provided by licensed, qualified medical professionals, and still within the guardrails under which all healthcare is regulated. It simply removes the additional political barriers created to shame people for their decisions and to make it harder to access abortion care.

These lies have been used in other states to justify extreme bans, and we've seen the harm they've caused. In Idaho, nearly 1 in 4 OBGYNs has left the state, and at least two hospital systems have closed maternity services. Women have been left to suffer and bleed on their own because doctors have been threatened with prison time if they cross arbitrary, and often ambiguous, legal lines not based in science.

The Arizona Abortion Access Act prevents harmful political interference in health care and simply puts private, personal health decisions back where they belong — between patients, families, and trusted doctors.

**Misha Pangasa, MD, Phoenix**

We support the Arizona Abortion Access Act because without it, pregnant people receive substandard and delayed care, which can lead to severe long-term health problems and sometimes, death. Arizona's abortion bans have only vague medical emergency exceptions. These bans force doctors to ask — is this patient close enough to death to intervene? How sick must a patient become before taking actions, including abortions, known to help save the patient's health, future fertility, and life?

If a blood transfusion or stabilizing medication is provided, will the patient become less close to death, and then be unable to have a life-saving abortion? There are countless examples of emergency abortion care saving patients' lives, such as a patient who has had a premature rupture of membranes (PPROM) at 17 weeks of pregnancy, exhibiting signs of severe infection. Patients with PPROM are at high risk of becoming septic, a life-threatening infection, which can lead to kidney failure, losing their uterus and future fertility, and death.

In addition to emergent medical reasons for an abortion, there are a myriad of reasons someone may make the deeply personal decision to have an abortion. For all Arizonans, this is an issue of personal freedom and privacy. Arizonans should be able to get the care they need without delays or restrictions that put their health, fertility, and lives at risk. Politicians with no medical training or expertise shouldn't be interfering in emergency departments or exam rooms. The Arizona Abortion Access Act allows pregnant people to make personal healthcare decisions in consultation with their family and physician, protects the health and life of pregnant people, and enables physicians to practice medicine without government interference.

### **Gabrielle Goodrick, MD, Owner, Camelback Family Planning, Phoenix**

---

The Arizona Abortion Access Act will ensure that patients like ours have the freedom to make their own health care decisions, with guidance from their family and trusted health care providers, instead of having those decisions made by politicians.

As a pediatrician and family physician, we've gotten to know many patients of all ages, and seen their unique circumstances, including a variety of different pregnancies. We've seen many instances in which an abortion was the right decision for a patient. We have seen teens unprepared to have children and young women who were victims of rape.

In all of these cases, patients sought the care they needed from trusted health care providers. The Arizona Abortion Access Act will ensure abortion is accessible while also continuing to regulate it just like any other health care procedure. Contrary to disinformation about it, the Act doesn't remove any safety precautions. Doctors take the health and safety of our patients extremely seriously, and would never support removing needed precautions.

Every patient is different, and every pregnancy is different. Whatever their circumstances, they deserve the freedom to make their own decisions about their health care, with trusted medical professionals and proper safety precautions in place. The Arizona Abortion Access Act will protect this freedom for our patients and for all Arizonans.

### **Eve Shapiro, MD, MPH, Tucson and Paul Gordon, MD, MPH, Tucson**

---

Arizona List has been a member of the Arizona for Abortion Access coalition since the beginning because we believe that as Americans, we should have the freedom to make our own healthcare decisions without political interference.

This act will amend our state's constitution to restore Roe and remove politicians from these decisions. It will allow patients with their families and medical professionals to make the best decision in each unique circumstance. No group of strangers should be making this personal and private decision.

We are proud of the thousands of volunteers who have walked through our doors to turn in petitions from Nogales to Flagstaff, from Yuma to Portal, to Mohave and Yavapai Counties. From every corner of our state, women and men have collected thousands of signatures by talking to their neighbors about the need to restore rights to average Arizonans.

Citizen initiatives are a method to fix problems in our democracy. Across the political spectrum, we have heard that people are with us. We all want the privacy to make these decisions without government interference.

Voting yes on the Arizona for Abortion Access Act restores the protections we had under Roe. It protects Arizonans, especially those suffering from pregnancy complications and survivors of violence, from the legislature changing and challenging our rights at every turn.

Let's take our rights back. Join Arizona List, a grassroots organization committed to electing pro-choice women to public office, and vote YES on the Arizona for Abortion Access Act.

### **Catherine Nichols, Executive Director, Arizona List, Tucson**

As an U.S. Marine Corps veteran, my priorities have been fighting for this country, which also includes my family. At 23, with three children under 5, I sought a tubal ligation and my husband sought a vasectomy, but military doctors believed we were too young to make these decisions, so they denied us.

Post 9/11 and with another deployment looming, I found myself pregnant again but this time my family and I knew there was no way we could afford an additional child. We made the decision to terminate the pregnancy in order to serve my country and provide for our three small children. Upon my return from deployment, I became pregnant again, which unfortunately resulted in an unviable ectopic pregnancy that threatened my health and my ability to care for my existing family, forcing me to seek another abortion.

These two healthcare decisions allowed me to be the best mother I could be to my three amazing children, while also continuing to serve my country as a Marine and protect my own health. Most importantly, these were my decisions to make, with my husband and with my doctors.

My story is a testament to the various ways women come to the decision to have an abortion. Arizona politicians have been playing games with women's reproductive freedom for far too long, and it is dangerous. I fought for rights and freedom around the world, and I am proud to stand with the Arizona for Abortion Access today to fight for the rights and freedoms of women in Arizona. It is the right thing to do.

I urge everyone to vote YES on the Arizona Abortion Access Act.

**Joanna Sweatt, Veteran and mother, Chandler**

Planned Parenthood Arizona has been a trusted provider of reproductive health care for nearly eighty years, serving generations of Arizona families. Our mission is to promote and protect the freedom and right to sexual health and well-being, reproductive choices, and the building of healthy families.

We are driven by the belief that sexual health and bodily autonomy are essential. This commitment compels us to support and lead the Arizona for Abortion Access Act, a citizen's initiative to establish a constitutional amendment protecting the right to access abortion care. Every Arizonan deserves to make their own healthcare decisions without political interference. As a native Arizonan and leader of the state's largest sexual and reproductive healthcare provider, I understand the importance of the freedom to decide whether and when to start a family. Partnering with communities throughout the state ensures that Arizonans from all corners have provided input into this initiative.

Arizonans recognize the urgent need to protect abortion access. Planned Parenthood Arizona volunteers have been gathering signatures to get the Arizona for Abortion Access Act on the ballot. We have partnered with a coalition of diverse organizations across the state, understanding that restricting access to care harms health and safety.

The widespread support for this initiative has been inspiring, revealing that Arizonans want politicians out of reproductive healthcare decisions. This year is crucial for abortion access in Arizona.

Planned Parenthood Arizona proudly supports Arizona for Abortion Access. Please vote YES to protect our right to abortion care in Arizona for good.

**Angela Florez, President and CEO, Planned Parenthood Arizona, Inc., Phoenix**

As an OB/GYN physician who has settled into Arizona over the last two years and plans to continue practicing here for the remainder of my career, I strongly support the Arizona Abortion Access Act. We need to end the state's arbitrary, dangerous abortion ban and ensure that patients can make their own decisions around pregnancy with their families and their doctors. The need for this amendment has never been greater. Earlier this year, the Arizona Supreme Court ruled that a 160-year-old, near-total abortion ban still on the books could go back into effect. This ban was enacted before Arizona even gained statehood, and is extreme, without any exceptions — even for rape or incest. The only exception is an ambiguous one to save a woman's life.

While the Arizona Legislature voted to repeal this 1864 ban, the repeal didn't take effect immediately. And, unfortunately,

Arizona still has the dangerous 15-week ban on the books. Like the 1864 ban, the 15-week ban has no exceptions for survivors of rape or incest, or the health of the pregnant person.

Bans like these prevent pregnant patients from being able to access abortion care, forcing them to flee the state for care (if they have the financial ability to do so), take time off work, find childcare, etc. If they cannot make those sacrifices, they're forced to remain pregnant, even if they are suffering complications putting their lives at risk, or are survivors of rape, incest, or human trafficking. Arizonans don't deserve either of these fates, and they don't deserve to have politicians playing games with their health, freedom, and livelihood.

That's why we must pass the Arizona for Abortion Access Act. Health decisions belong in the hands of patients, their trusted physicians, and their families — not politicians.

### **Danielle Allen-Herried, DO, MBA, Chandler**

---

Sexual and reproductive health care needs to be available to everyone, no matter who they are or where they come from. When politicians enact restrictions on reproductive health, including abortion bans, all aspects of people's sexual health care are affected. A recent Guttmacher Institute study found that Arizonans, especially young and poor Arizonans, have experienced an increase in difficulty accessing their preferred contraception since Roe vs. Wade was overturned.

Arizonans want and deserve fewer barriers to accessing reproductive healthcare, including abortion. Quality, medically based sexual and reproductive care is crucial to our overall health, the stability of our communities, and supports a future where everyone can build the life they dream of.

Deciding whether to continue a pregnancy is a deeply personal decision that is made for a variety of reasons. Arizonans deserve the freedom and dignity to make that choice with our trusted healthcare process and loved ones, not to have politicians making it for us.

The Arizona Abortion Access Act is our best shot to guarantee reproductive freedoms in Arizona in a way that cannot be easily undone by the legislature or the courts by enshrining it in our state constitution. I urge you to vote YES in November.

### **Bré Thomas, Sexual & Reproductive Health Expert, Mesa**

---

Vote for Access to Sexual & Reproductive Health

Vote YES on Proposition 139

This proposition supports access to evidence-based, fair reproductive healthcare.

Arizona's record of ensuring fair reproductive health policy is checkered. A.R.S. § 13-3603 – Arizona's 1864 law that criminalized abortion care has been repealed for now. The Arizona Public Health Association is grateful for the sensible repeal of that territorial-era law. But the reality is the state legislature could impose a similar restriction at any time unless we take action by voting YES.

In fact, a revival of that territorial era abortion ban may be just a couple of legislative sessions away unless we change our state constitution to protect reproductive health by voting YES on the Arizona Right to Abortion Initiative - Proposition 139.

A large body of published evidence shows that policy restrictions on sexual and reproductive healthcare result in harmful health outcomes. Unreasonable restrictions on access to abortion harm access to a variety of reproductive care services, reduce the availability of patient-centered healthcare and negatively affect reproductive autonomy.

Policy solutions that center and promote sexual and reproductive health equity like Proposition 139 are essential for building fair reproductive healthcare and preventing bad health outcomes.

We hope you'll join us by voting YES on Proposition 139, and continue to help us strive for other rational and evidence-based reproductive rights like:

- Ensuring reproductive healthcare programs provide person-centered care;
- Requiring health insurance plans to provide comprehensive coverage for all contraceptive options;
- Ensuring patients have multiple options for accessing reproductive health care;
- Preventing state officials from punishing healthcare providers who administer abortion care services; and
- Strengthening federal support for family planning.

Access to evidence-based healthcare, including abortion care, is a core element of reproductive healthcare fairness.

Please vote YES on Proposition 139.

**Will Humble, Executive Director, Arizona Public Health Association, Phoenix**

---

I practiced as a nurse practitioner in women's health for four decades, including over 20 years here in Arizona. Nurse practitioners focus heavily on providing for the health and well-being of our patients. During my whole nursing career, I spoke freely with my patients, informing and educating them fully with evidence-based options, and providing appropriate referrals when needed. I didn't try to persuade or push them one direction or another, merely state the facts, explain the options, and support my patients in making the decisions that they determined were best for their situation. That's exactly how health care should be provided.

But Arizona's abortion bans get between nurses, doctors, and our patients. They prevent clinicians from being able to provide all the information and options that our patients deserve. In the 40 years I practiced, I never saw the level of political interference in health care that I'm seeing today. This interference is dangerous for patients' health and freedom, and for healthcare delivery for all of us.

By voting yes on the Arizona Abortion Access Act, we can restore the protections that patients had under Roe v. Wade and ensure that health care providers are able to give patients all the correct information and options available to them. We can protect Arizonans from the extreme abortion bans and restrictions we've seen in other states — bans which infringe on patients' personal freedoms and put their health at risk. We must pass this act to ensure patients can make informed decisions that are right for them, with guidance from health care providers, not politicians.

**Denise Link, Nurse Practitioner, Phoenix**

*Sponsored by Candace Lew, MD*

---

As a physician and an Arizona voter, I am grateful for the opportunity to vote YES on the Arizona Abortion Access Act to prevent politicians from forcing their abortion bans on our state, and to prevent them from forcing their decisions on Arizona women. Just as all patients deserve to make their own health care choices about their bodies, we, as voters, deserve to have a say in protecting our personal freedoms.

No matter how one feels personally about abortion, decisions about pregnancy are deeply personal, and they should be left to patients, their families, and to their health care providers, without government interference. There are many reasons someone may decide not to carry a pregnancy to term. The pregnancy may have a fatal anomaly or abnormality. A patient may have life threatening health conditions that may make it too risky to proceed with the pregnancy. A woman may have been a victim of rape, incest or human trafficking with a resulting pregnancy that could further traumatize her. Whatever the reason, no Arizonan should be forced to carry a pregnancy to term or flee the State to get the care that they need. The Arizona Abortion Access Act will restore the protections we have under Roe vs. Wade and restore Arizonans freedom to make their own health care decisions. Without this amendment, extreme

politicians will continue to force their beliefs onto Arizona women and continue to try to completely ban abortion, under any circumstances. We must all vote YES to support the Arizona Abortion Access Act

**Dr. Barbara H Warren, Tucson**

---

Women in Arizona want to be free to make our own decisions about our bodies. The Arizona Legislature should not interfere with personal healthcare decisions. These decisions must be left to patients and their chosen medical provider. Politicians have no place in a clinic or doctor's office. That's why we, the undersigned, support the Arizona Abortion Access (AAA)

amendment to the state Constitution.

There are many reasons why someone may make the deeply personal decision to seek an abortion. Pregnancies can be complicated and dangerous. This is especially true for those with lower incomes and women of color. The right to bodily autonomy means making our own decisions with qualified healthcare providers and those we trust.

Laws restricting abortion access have devastating consequences. Women's lives are put at risk. Medical professionals are leaving states where they risk criminal charges. Women denied care often suffer harm in ways that precludes them ever being able to have children in the future.

This ballot measure is simple. It is about trusting Arizonans to make decisions about their pregnancy, treating miscarriages, and accessing abortion-related care. The AAA amendment establishes the freedom for women to get the care they need without delays or restrictions that risk their health, fertility, and their very lives. There is no legislation that will prevent abortions - only safe ones. The AZGOP is attempting to submit multiple competing ballot measures, not to protect women but to confuse them. Only the AAA amendment provides the protections women need and deserve.

#### **Shelly Burgoyne, Tucson; Eric Robbins, Tucson; and Gail Kamaras, Tucson**

---

As a practicing physician for over 32 years, I have seen many situations where patients had to choose abortion to save their lives, avoid economic catastrophe, or other dire life-changing circumstances for their families.

No patient should be penalized for accessing necessary medical care, and no healthcare provider or patient should be put in jail for accessing or providing that necessary medical care. Physicians are trained over many years to provide the full range of medical care, and those physicians who are specifically trained in reproductive healthcare should be allowed to provide all options for appropriate reproductive care in consultation with their patients, and that includes abortion, should the patient so decide, in private consultation with the healthcare provider.

Just like our patients, physicians take decisions around pregnancy and abortion very seriously. The primary goal is always what is best for the patient. But medicine isn't always black and white. Some patients have special circumstances with possible complications that can be life-threatening, including unviable fetuses, unexpected pregnancy due to cases of incest and rape, pregnancy in girls that are barely old enough to take care of themselves or have challenges related to physical or mental disability are just a very few of situations that might lead a patient to privately discuss termination of pregnancy with their physicians.

That's why we must be able to work with our patients in their unique circumstances, with their unique health concerns, to make the decisions that are best for them.

The Arizona Abortion Access Act will allow physicians and patients to do that, without dangerous interference from politicians.

I hope Arizonans will join physicians like me to pass the Arizona Abortion Access Act and put decision-making power back in the hands of patients, their physicians, and their families.

#### **Devin Mikles, Medical Doctor, Sedona**

*Sponsored by Candace Lew, MD*

---

As a lifelong Arizonan, I have spent countless years witnessing politicians and judges abuse the privilege of their office to interfere in our reproductive freedom. I firmly support Prop. 139 because we need the legal right to abortion locked into our state constitution so we can make our own decisions about our bodies, families, and futures.

Like many of you, I was devastated when the U.S. Supreme Court ended the federal right to abortion. This ruling also harmed our ability to make personal decisions around pregnancy, miscarriage, and emergency care. Having been pregnant following the overturning of Roe v. Wade, I experienced the anxiety and uncertainty that my physician would not be able to provide lifesaving healthcare if I experienced complications along the way due to state laws banning abortion. I want a future where my daughters know their reproductive freedom is protected and that these deeply personal decisions stay between a patient

and their healthcare provider.

Reproductive Freedom for All Arizona is proud to be a founding member of the only citizen initiative on the ballot to protect the legal right to abortion. The overwhelming majority of Arizonans support the right to abortion. The Arizona Abortion Access Act is the only grassroots effort that will build a future where all of us have true reproductive freedom. Vote YES on Prop. 139.

**Athena Salman, Director of Arizona Campaigns, Reproductive Freedom For All, Tempe**  
*Sponsored by Reproductive Freedom For All*

---

The government should never play a role in anybody's fundamental right to make personal decisions for themselves and their families. The decision to bring a child into the world is a deeply personal one and the only people who should have any say in that decision are the parents and medical professionals. This is not a Republican or a Democrat issue. It is a matter of personal freedom and privacy.

This citizen-initiated Abortion Access Amendment will amend the Arizona constitution to guarantee reproductive rights free from political interference. Without these protections, Arizona women would be forced to face the very real health threats that can arise from pregnancy and legal punishment for making their own healthcare decisions. Outlawing abortions will put millions of women's health and well-being at risk.

The majority of Arizonans support abortion rights because this is not a partisan issue. They know that this is an issue of personal freedom, one that should not be taken away.

**Dana Offerman, Chair, Indivisible Tucson Action Alliance, Tucson**

---

I consider myself a strong supporter of free speech, but I acknowledge that the First Amendment doesn't give me the right to shout fire in a crowded theater, defame a private citizen, or leak government secrets. Free speech is a right that is enshrined in the Constitution, and while the government is allowed to regulate it, those regulations must meet a high burden to justify violating one of our fundamental rights. I'd never support a law that unjustly took away someone's right to free speech, the same way I'd never support a campaign that sought to take a woman's right to make deeply personal medical decisions like terminating a pregnancy.

Those decisions are a matter of individual liberty and are between a woman, her doctor, and, if she's religious, her God. I don't like the idea of spineless politicians having a say in an American's personal life like that. In his first inaugural address, Ronald Reagan put it best: "Government has no power except that granted it by the people." Sometimes, voters need to remind the government that they work for us. And that means voting to enshrine certain rights - like the right to reproductive freedom - in the Constitution.

As a long-time Mohave County resident, I'm voting for the Abortion Access Act because I don't want to grant the government the power to regulate what anybody - man, woman, or child - does with their personal medical choices. When I'm faced with a question of adding a right to the Constitution or taking it away, I'm going to always err on the side of adding it.

**Karen Moscato, Group Leader, Mohave County Indivisible, Bullhead City**  
*Sponsored by Georgiana Stacey*

---

YES: Amend the AZ Constitution for Women's Rights to Abortion Access

Vote Yes on Proposition 139

For over 95 years, the League of United Latin American Citizens (LULAC) has advocated for CIVIL RIGHTS for the Hispanic population in the USA.

LULAC is committed to the PRINCIPLE THAT ALL WOMEN HAVE EQUAL ACCESS TO HEALTHCARE.

IN COMPLETE ALIGNMENT WITH NATIONAL LULAC resolutions and National Women's Platform, LULAC of

Arizona Inc. unanimously passed a resolution IN SUPPORT OF THE “ARIZONA FOR ABORTION ACCESS” Initiative to Amend the Arizona Constitution on April 17, 2024 at the District 1 convention, and at the May 4, 2024 LULAC of Arizona, Inc. Convention.

LULAC resolves to support equity and protection for women’s reproductive right to choose what is best for her and her family.

Vote YES on Proposition 139 to amend the Arizona constitution for women to make personal decisions about their own healthcare, access to the full spectrum of healthcare options, and establish a fundamental right to abortion.

Annette Sexton-Ruiz, President Council #1083  
 Jana Lynn Granillo, Vice President Council #1083

**Annette Sexton-Ruiz, President Council #1083, LULAC of Arizona Inc., Phoenix and Jana Lynn Granillo, Vice President Council #1083, LULAC of Arizona Inc., Tempe**  
*Sponsored by LULAC of Arizona Inc.*

---

As a medical student dedicated to becoming a physician and providing the highest quality of care to patients, I wholeheartedly support the Arizona for Abortion Access Act. This legislation is crucial in preventing harmful government interference in reproductive health care, particularly concerning access to abortion services. Abortion is a fundamental and essential aspect of healthcare, sometimes necessary to safeguard a patient's health, life, and future fertility. Research has shown that a significant number of individuals seeking abortions are already parents, underscoring the importance of ensuring access to this vital healthcare option.

For aspiring healthcare professionals like myself, comprehensive training which includes providing abortion is essential to offer patient-centered care and support individuals in making informed decisions about their bodies, health, and families. The implications extend beyond Obstetrics and Gynecology, affecting specialties like Internal Medicine, Family Medicine, Emergency Medicine, and Surgery. For the second year in a row, since Roe v. Wade was overturned, students graduating from medical schools were less likely to apply for residency positions in states with abortion bans. The fear of restricted training opportunities due to abortion bans is leading many of my classmates to reconsider training and practicing in Arizona, potentially exacerbating the state's healthcare workforce shortage.

The repercussions of abortion restrictions go beyond access to abortion services. They impact healthcare access, including routine medical care, maternity services, and critical care. Arizona's high maternal mortality rates further underscore the urgent need to protect and expand healthcare services. By passing the Arizona for Abortion Access Act, we can safeguard healthcare access and address the broader implications of restrictive reproductive health policies. It is imperative to prioritize patient well-being, medical training, and healthcare access by supporting legislation that protects reproductive rights and ensures comprehensive care for all individuals.

**Fatouma Tall, Medical Student, Tucson**

*Sponsored by Gayle Shanks*

139

---

Arizonians should have the freedom to control our own bodies according to our own beliefs. After all, isn't physical liberty the essence of being a free person? It's our legislature's job to protect that right – not violate it. But our legislature is trying to force women to involuntarily remain pregnant in accordance with THEIR beliefs. Even before Roe vs Wade was overturned, our legislature enacted dozens of laws that make it harder to access reproductive health care, including abortion care, which is a special burden for women in rural communities. That's why citizens need to take matters into their own hands and vote to keep politicians out of our deeply private healthcare decisions.

**Susan Shapiro, Director, Indivisible Northern AZ, Flagstaff**

---

When I moved to Arizona, I admired its brand of “leave people alone” politics. I felt like I was in a state where politicians actually embraced personal freedom and liberty for all. But in the past several years, politicians changed that mantra to “personal freedom and liberty for people who agree with us.” That belief is spreading, and it's not good for our state.

A lot of people choose to move to Arizona for the weather and the personal and business opportunities that are available. But, if we become a state that abandons that basic principle – personal freedom and liberty for all - we risk losing more than our own personal liberty. We risk corporate investment drying up, economic opportunity dwindling and our highly qualified workforce needed for economic growth moving away. We're already seeing this dilemma in states with restrictive abortion laws.

I'm neither in favor of nor against abortion as a medical procedure – but I AM in favor of a return to Arizona's old-school political style where the government stayed out of people's personal and medical decisions, their faith-based beliefs and their doctor's offices. The kind of political style that developed national leaders like Barry Goldwater, John McCain, and Mark Kelly. The kind of politics that pulls people and money into the state, not pushes them away. That's why I'm voting for the citizen initiative Abortion for Access Act.

Everyone's beliefs and rights are important, not just a select few. We should all vote to add personal liberty and freedom to the AZ Constitution, not vote to take them away.

**Gail Prestera, Scottsdale**

---

Healthcare Rising is a fast-growing membership organization of everyday Arizonans — patients and caregivers; family, friends, and neighbors — dedicated to improving the standard of health and living in our state. Our 2,000+ contributing members include students, retirees, veterans, healthcare workers, teachers, patients with chronic conditions, and more.

We support Prop 139 because abortion is essential healthcare, and everyone should have the right to decide what happens to their body. The current bans in place today prevent Arizona women from getting necessary reproductive care, and have no exceptions for rape, incest, or health — meaning women could face lifelong physical and mental consequences and could even die as a result.

When passed, Prop 139 will enshrine the fundamental right to abortion in Arizona's constitution, saving women's lives for generations to come. We know Arizonans enthusiastically support this issue, as our members collected a record-number of signatures to qualify Prop 139 for the ballot.

As a member-driven organization, Healthcare Rising depends on the participation of everyday Arizonans to make real, substantive changes to fix our broken healthcare system and improve Arizonans' quality of life. Across the state we have talked to countless ordinary Arizonans who want to restore our freedom to choose. We can't let the government continue to mess around with our rights — our reproductive healthcare decisions should be made by regular people like us, not politicians.

**The Members of Healthcare Rising Arizona, Phoenix**

*Sponsored by Arizonans Fed Up with Failing Healthcare (Healthcare Rising AZ)*

---

**139**

The ACLU of Arizona has long been at the forefront of fighting for reproductive freedom and abortion access – from taking the state to court and advocating at the legislature, to standing with communities across the state to demand our rights. Now, the ACLU of Arizona is proud to endorse Proposition 139.

After decades of relentless attacks against reproductive freedom, including reviving a total abortion ban from Arizona's territorial era, voters are now faced with the opportunity to reclaim our rights and ensure that our loved ones and neighbors can get essential abortion care when they need it.

The Arizona for Abortion Access Act would enshrine the right to abortion in the state constitution. This proposition gives people the power to make their own important, personal healthcare decisions without political interference, prevents abortion providers from being thrown in jail, and protects those who offer support to someone who is seeking abortion care.

Everyone deserves the freedom to make their own healthcare decisions, including whether or when to start or grow their family. Not only do abortion restrictions go against this shared value, but they create dangerous situations when people are turned away from the care they need. Furthermore, these laws are deeply inequitable and most harm the same people who

have always faced systemic barriers to care — communities of color, people with low incomes, immigrants, indigenous people, people in rural communities, young people, the LGBTQ+ community, and people with disabilities.

A yes vote on Proposition 139 will stop overzealous, extremist politicians from interfering with people's most personal and private reproductive healthcare decisions, safeguarding our rights once and for all. Most importantly, it will restore and protect access to safe, reliable abortion care that our communities need and deserve.

**Victoria Lopez, Director of Program and Strategy, ACLU of Arizona, Phoenix**

*Sponsored by ACLU of Arizona*

I am a trauma surgeon, a husband, a father to an amazing daughter, and a Republican. I have many reasons to speak up in support of the AAA but it is my role as a surgeon that compels me the most. The AAA is essential for protecting the sacred bond between medical professionals and their patients. As medical professionals, we are bound by an ancient oath to provide the best care possible. Limiting access to healthcare prevents us from fulfilling this duty.

As a trauma surgeon, pregnancy and the unfortunate situations resulting in the possible loss of a pregnancy are a very small percentage of my work. Nevertheless, I cannot stay silent about the injustices my colleagues face in providing substandard care. The patient-physician bond and our guiding principles are the cornerstone of healthcare in our country and should not be influenced by emotional discord, religious beliefs, or political maneuvering.

As a father, I advocate for the life and future of my daughter. As a Republican, I stand strongly for personal freedom and bodily autonomy in ALL stages of life. And as a physician, I prioritize the health of my patients above all else.

Medical care, in all its complexities, should ALWAYS be a private matter between a patient and their physician, not something to be decided by insurance companies or on the floor of legislative buildings. We have treaded down a dangerous path in the field of medicine and bodily autonomy. I urge you to vote yes on the AAA.

Dr. Kaveh Najafi, DO FACS

**Dr. Kaveh Najafi, Scottsdale**

As a lifetime advocate of protecting women's rights and a fighter against the trafficking of women and girls, I can't encourage my fellow voters enough to vote YES on the Arizona Abortion Access Act. Women's rights are fundamental to society's well being and our welfare affects not only our own bodies and minds but those of our families and of the state as well. Please make your voice heard by voting YES on the Arizona Abortion Access Act!!!

**Marilyn Seymann, Phoenix**

The government should not play a role in anybody's fundamental right to make personal decisions for themselves and for their future. The choice to bring a child into the world is one of those deeply personal decisions, and the only people who should have any say in that decision are the parents and medical professionals. This is not a Republican or Democrat issue: it's a matter of personal freedom and privacy.

The citizen initiated Abortion Access Amendment will amend the Arizona constitution to guarantee reproductive rights free from political interference. Without these protections, Arizona women would be forced to face the very real health threats that can arise from being pregnant and legal punishment for making their own healthcare decisions.

Outlawing abortions will not stop them and will put millions of women's health and well-being at risk. The fact is that over 90% of Arizonans support abortion rights: it's not a partisan issue. It's a personal freedom issue, and voters should always err on the side of enshrining a right, not on taking it away.

**Cristal Lewis, Prescott Indivisible, Prescott**

**Sierra Club Grand Canyon Chapter - Vote YES on Arizona for Abortion Access (AAA)**

The Sierra Club is a United States grassroots environmental organization dedicated to defending everyone's right to a healthy world. The Grand Canyon (Arizona) Chapter has been active in Arizona for nearly 60 years and has members and supporters throughout the state. We support every person's right to self-determination and bodily autonomy. We believe that every individual deserves the freedom to make their own healthcare decisions without unnecessary interference.

The Arizona for Abortion Access Act establishes a right to abortion in our state. The Act will restore protections we had before the repeal of Roe v. Wade stripped Arizonans of our rights to access reproductive care. This Act will prevent extreme bans, such as those enacted in states including Mississippi, Arkansas, and Alabama, and the one that was allowed by Arizona's extreme right Supreme Court. These bans serve to limit our freedom to access necessary healthcare. The Act will also prevent penalizing people who assist another person in exercising their right to access reproductive healthcare.

Arizona's Chapter of the Sierra Club recommends voting YES on the Arizona for Abortion Access Act because Arizonans should have the right to make our own healthcare decisions! Reproductive health rights are inalienable human rights that should be guaranteed for all individuals.

**Cyndi Tuell, Chair, Sierra Club - Grand Canyon Chapter, Tucson and Jim Vaaler, Vice-chair, Sierra Club - Grand Canyon Chapter, Phoenix**

I'm a lifelong Goldwater Republican, and like Goldwater himself, I believe in women's rights and hold freedom as a central value.

Back in 1979, I had a lucrative job offer that required that I enlist in the Army Reserves. It was a fantastic opportunity to make life better for my family. After taking all the written and physical tests, the Army doctor informed me that I had met all the criteria to enlist, except for the fact that I was pregnant with my third child. Army rules at the time limited the number of dependents an enlistee could have. I could give up legal custody of my children or I could turn down the job. Because of Roe vs. Wade, I had a third option.

I chose to turn down the job offer and have my baby. But it was my decision to make. I got to choose for myself what I wanted for my future. Now, 45 years later, my daughter, granddaughter, and great-granddaughter don't have the right to choose for themselves. What other rights will they lose because they are women?

Women choose to have abortions when it is a necessity, for economic or medical reasons, or because they have been victims of sexual violence. The complexity of these decisions cannot be accounted for by abortion bans: women know what is best for themselves and should be trusted to make their own decisions.

Republicans are supposed to prioritize freedom. I am appalled that the private religious beliefs of Arizona politicians have become more important than what voters want. This is why it is critical that we vote YES on the Arizona Abortion Access Act. Let's take abortion out of the hands of extreme politicians and give decision-making back to women and their medical providers.

**Sandra Mitsis, Tempe**

*Sponsored by Kelly Vega, MSN, APRN, CNM*

Opponents of the citizen-initiated Abortion Access Amendment say it goes too far – that it would permit Arizona women to have late-term abortions. While the amendment does carve out an exception for post-viability abortions for cases when the life of the mother is in immediate danger, those instances are exceedingly rare, and it does not permit abortions after about 20 weeks unless a licensed medical professional deems it necessary for health reasons.

Medical complications occur, making an abortion necessary and heartbreaking. Women should never risk being sent to jail for protecting their health or when knowing that a child will not survive.

This amendment doesn't go too far. It does exactly what the majority of Americans support: establishes a right to reproductive freedom and offers a safety net for parents who face the unfathomable choice to either end their pregnancy or risk their own health.

For the health of pregnant women everywhere, vote yes.

**Maria Lynam, Democratic Women of the Prescott Area, Prescott**

Abortion access is often discussed only through a moral or ethical lens, but it should also be considered as an economic issue on both a personal and societal level. Janet Yellen, Secretary of the Treasury noted, “Eliminating the right of women to make decisions about when and whether to have children would have very damaging effects on the economy and would set women back decades.”

States that restrict or don’t allow abortion access suffer from:

- >> Lower wages
- >> Less health insurance security
- >> Lower unemployment benefits
- >> Higher levels of incarceration

Abortion access is not just a woman’s issue. It impacts the economy of our state and country and will continue to do so for future generations. As the owner of a business in Arizona for 50 years, I know that women must have the right to decide when to have children without sacrificing their career and ability to support their families. Women’s educational attainment is highly correlated with earnings, so deciding when to have children affects their lifetime income and economic security.

Unplanned births make it harder for women to work, especially when children are young. Women already face barriers to full-time work due to the lack of support that caregivers need to successfully meet both work and family responsibilities—support like a living wage, paid family and medical leave, high-quality affordable child care, and predictable yet flexible schedules.

The current push to take away women’s reproductive autonomy while simultaneously cutting social benefit programs will leave women with no social, political, or economic support. We must actively resist the attempt to control women’s bodies and expect them to willingly sacrifice their right to live productive lives.

Take a big step in the right direction – vote YES on this amendment.

#### **Gayle Shanks, Founder and Co-owner, Changing Hands Bookstore, Tempe**

The 14th Amendment and the Due Process Clause of the U.S. Constitution guarantee women privacy, liberty and agency.

After the Human Genome Project was declared complete in April 2003, scientists in all fields, including medicine, finally understood the complexities of all that has to happen to take a fertilized egg to birth. So much can go wrong, and according to experts, 47%-80% of all fertilized eggs/embryos (normal and abnormal) are naturally aborted, due to random genetic errors. About 75% of all human conceptions fail to survive. This is nature’s way of “preventing something gone wrong.” Sometimes, nature does not do the job. This is where medical health care is needed. Then, you can add in rape, incest, mental and physical health or well-being of the mother, and you realize how important it is to leave those health care decisions to the mother and her doctor/s. No politician is qualified to make those decisions for others; nor are they qualified to determine what happens in the various stages of pre-embryonic development, fertilization, implantation, embryogenesis, and fetal development and functional milestones that lead to life; only science can do that. It is also only science that can determine “this is when life begins.”

Since Roe v. Wade was decided on January 24, 1973, it has been settled law that a woman had the right to choose an abortion until a fetus becomes viable. But it has never acknowledged the many things that can go wrong, from conception right up until the birth.

It is time to give all women the right to determine their own personal medical and reproductive decisions, including the right to an abortion!

As a registered Democrat and a registered Republican, we urge a YES vote on the Arizona Abortion Access Act!

Lisa Glenn and Lloyd Glenn  
Willcox, Arizona

**Lisa Glenn, Willcox and Lloyd Glenn, Willcox**  
*Sponsored by Candace Lew, MD*

Ballot Measure Argument for Proposition 139, AAA Arizona for Abortion Access – Jodi Liggett, Arizona Center for Women's Advancement (ACWA)

The overwhelming majority of Arizonans support women and families in making their own decisions about abortion care, without government interference. In 1992 Arizona voters soundly rejected a measure (69%-31%) to ban most abortions. Having lost at the ballot, extremist politicians turned their efforts to legislation. Over the last three decades 40 or more restrictions have been enacted on abortion clinics, doctors, even patients themselves. These regulations were not proposed or supported by medical professionals or public health experts. Rather, they are a result of a coordinated, cynical effort by ultra-conservative activists and politicians to use abortion as a “hot button” issue for selfish political ends. The effects have been devastating for Arizona women. Mandatory in-person physician visits, 24-hour waiting periods, invasive ultrasound examinations and other medically unnecessary requirements mean that residents in vast swaths of our state have no effective access to abortion care- no matter how dire their situation may be.

Arizonans in 1992 understood that medical decisions about care like abortion belong with patients, families, and their medical providers. That hasn't changed. What Arizonans understand now is that politicians cannot be trusted on this issue. Left to their own devices, they will continue to turn abortion into a political football and patients will suffer, or even die as a result. Without this Constitutional amendment, extremists in Arizona, like those in other states, will never stop pushing for a total ban on abortion. But voters CAN put an end to this dangerous nonsense, for good. By voting YES on Proposition 139, the Arizona for Abortion Access measure, voters will ensure that every Arizonan can make their own healthcare decisions, free from government interference.

**Jodi Liggett, Founder, Arizona Center for Women's Advancement, Tempe**

As advocates for equity and justice in rural Arizona, we recognize the importance of ensuring that all individuals, regardless of their location, have access to comprehensive healthcare services, including reproductive care.

Prop 139 is a critical step towards creating a more equitable and just healthcare system in our communities.

In rural areas, accessing healthcare can be challenging due to limited resources and infrastructure. It is essential that rural Arizonans are included in the conversation to ensure our unique healthcare needs and challenges are addressed in our policies and solutions. The lack of accessible reproductive healthcare options, including abortion services, disproportionately affects rural residents, particularly those who are low-income or marginalized.

By supporting this amendment, we can address these disparities and ensure that everyone in our communities has access to the care they need.

**139**

For Rural Arizona Action, supporting this amendment is about advancing equity and justice in our communities. It's about advocating for policies that promote access to healthcare and protect the rights of all individuals, regardless of where they live.

By voting yes on Prop 139, we can create a more inclusive and compassionate healthcare system that serves the needs of rural Arizonans and upholds our shared values of dignity, autonomy, and justice.

Please join me and the Rural Arizona Action community in voting YES on Prop 139

Pablo Correa  
Executive Director  
Rural Arizona Action

**Pablo Correa, Executive Director, Rural Arizona Action, Casa Grande**  
*Sponsored by Rural Arizona Action*

---

Proposition 139

Though the 1864 law is repealed, it is still necessary to ensure that women's rights to health and proper medical care are in the state Constitution. A statute can be changed in any legislative session. A Constitutional amendment cannot.

Twenty-five percent of pregnancies end in miscarriage; 8% of pregnancies have complications dangerous to the health of the mother or fetus. The state law still has a 15-week-ban with no consideration for these medical complications. As in the TX decision, women's health and even life is of no concern under the law. We object. Women must be ensured access to quality medical care based on their individual situation.

The failure to treat women as individual citizens with rights has resulted in a maternal mortality rate in the U.S. that increased 40% in 2021. Black mortality is extremely high in the U.S. with Black women nearly three times more likely to die during pregnancy. Our Black mortality rates fall below those of poverty-stricken third-world countries. The rate of prenatal care needed to keep the mother and infant healthy has declined by 2% every year since 2014.

The damage caused by the Dobbs decision has resulted in doctors being attacked for helping a 10-year-old who was raped, in women having to flee a state as they nearly bled to death, in abusive men chasing their victims and suing their supporters, and in OBGYN centers in hospitals closing so women have no services at all. Ironically the U.S. birth rate has fallen as women choose not to get pregnant since they are denied adequate medical care. They can't put their lives on the line especially if they have other children. If your mother got you here safely, pass the Act so others can too.

**Dianne Post, President, Central Phoenix Inez Casiano NOW, Phoenix**

---

Proposition 139

On December 13, 1923, feminists introduced the Equal Rights Amendment (ERA) into Congress. In 1972, the ERA passed out of the House and Senate with the required two-thirds majority. On January 22, 2020, it received the thirty-eighth ratification (Virginia). On January 22, 2022, it went into effect. To date, the national archivist has not published the amendment in the official register. However, publication is not necessary for the 28th Amendment to be legally valid.

Some people claim that women do not need the 28th Amendment because we are protected by the 14th Amendment. A simple thought experiment proves that is not true – if the 14th Amendment gave us equal rights, why did we need the 19th Amendment to vote?

Women like enslaved people and Indigenous peoples had no rights in this country when it was founded. Corporations were covered by the equal protection and due process clauses of the Fourteenth Amendment in 1868. However, the court made it perfectly clear in 1874 that women were not covered under the Fourteenth Amendment.

Not until 1973 did women gain control over their own bodies. In 2022, the highly partisan Supreme Court struck down that principle in a case that will go down with Dred Scott and Plessy v. Ferguson as an example of the failures of the Supreme Court. Now that the ERA is the 28th Amendment, the regulation of women's bodies by the government is no longer allowed. The Arizona Access to Abortion Act should be passed to guarantee that women in AZ are included in "We the People."

**Dianne Post, Coordinator, ERA Task Force AZ, Phoenix**

---

Abortion care is health care. It is with this fundamental conviction that I urge you to vote YES for the Arizona Abortion Access Act, Prop 139.

Over my many decades working as a public health professional and advocate in Arizona, I have seen that punitive health policies have the greatest negative impact on our low-income residents and people living in rural and under-resourced areas. Passing the Arizona for Abortion Access Act, Prop 139 is an important step to protect public health in Arizona. Patients deserve our care, trust, and protection.

It is not enough that lawmakers recently repealed Arizona's 1864 total abortion ban. Patients and providers will continue to face legislative restrictions that criminalize the act of healthcare and our health will continue to be subject to the whim of

Arizona lawmakers. Unfortunately, we have seen politicians and judges here in Arizona seek to interfere in our personal and private healthcare decisions. These bans limit access to care for patients, despite the fact that every pregnancy is unique.

Abortion bans do not protect or advance public health. Instead, these bans create an ethical crisis for doctors and clinicians by forcing them to deny or delay abortion care for patients facing potentially life-threatening pregnancy complications and health conditions. Abortion bans can create a culture of confusion and fear, discouraging doctors from providing care because of threats of severe professional, civil, and criminal penalties.

The Arizona Abortion Access Act, Prop 139 is the only solution to stopping extreme bans from taking effect, and from negatively impacting public health in our state.

I encourage you to vote YES on Abortion Access Act, Prop 139.

Maia Ingram, MPH

**Maia Ingram, Tucson**

---

The Democrats of the Red Rocks supports this amendment. For months we have been gathering signatures to bring this measure to the ballot and people have been eager to lend their support.

Women should control what happens to their bodies. They should have the freedom to make decisions according to their own beliefs and never be forced to live or act according to someone else's beliefs. Personal freedoms should not be determined by politics. The role of government is to protect people from such intrusions.

Access to contraception and reproductive health care are fundamental freedoms that should be protected in the State Constitution. We urge voters to vote YES on the Amendment.

**Ellen Ferreira, President, Democrats of the Red Rocks, Sedona**

---

For the past thirty years, the Women's Foundation for the State of Arizona has been devoted to attacking the root causes of the barriers facing women and girls who seek full access to opportunities in our society.

One of the large barriers is the limited capability of Arizonans to elect when and how they choose to have a family. A lack of bodily autonomy, like Arizona's current limited abortion access, is a significant issue on that front. The unfortunate truth is that today, we live in an Arizona, where women and girls have fewer rights and face more barriers than their mothers and grandmothers.

Now more than ever, the Women's Foundation for the State of Arizona is determined to ensure women and girls of all identities in Arizona have the opportunity to thrive. This is why the Women's Foundation for the State of Arizona supports the Arizona for Abortion Access Act, Prop 139.

If we do not pass the Arizona for Abortion Access Act, We risk stronger limitations on bodily autonomy being enacted in the future. We are fully aware that extreme politicians continue to pursue a total abortion ban, and passing Prop 139 is the only solution to solidify an individual's right to full access to abortion care. Eliminating politicians and judges and allowing patients, their families, and healthcare providers to make these very personal decisions.

As an organization focused on creating social, political, and economic change that achieves equity for women and girls, the Women's Foundation for the State of Arizona whole-heartedly supports the Arizona for Abortion Access Act and urges you to vote YES on Prop 139.

Katia A. Jones  
Women's Foundation for the State of Arizona

**Katia Jones, Chief Executive Officer, Women's Foundation for the State of Arizona, Glendale**  
*Sponsored by Women's Foundation for the State of Arizona*

---

By voting for Prop 139 voters can restore to Arizona women the constitutional right to abortion that was taken from them by religious extremists on the U.S. Supreme Court in June 2022. The court overturned 50 years of precedent, paving the way for states to ban abortion. Current Arizona law, besides imposing an arbitrary 15-week ban, also includes many other restrictions on abortion, making the process to get care confusing, complicated and expensive.

For example, patients must undergo an unnecessary ultrasound, followed by a 24-hour waiting period, before receiving abortion care. In cases where the woman's life is in danger from medical complications caused by a non-viable pregnancy, Arizona law creates lengthy delays which can cause her to lose her life.

And abortion pills are banned from being prescribed remotely via telemedicine. Patients who require abortion later in pregnancy (after 15 weeks) are forced to travel out of state for care. And current Arizona law prohibits health insurance plans for state employees and health insurance providers on the state exchange to cover abortion care.

Arizonans understand that everyone deserves the freedom to make their own healthcare decisions, including when to start or grow their family, without the interference of politicians, government officials and bureaucrats. Now, more than ever, this is the time to enshrine the right to abortion in our state constitution.

### Larry Thomas, Surprise

The National Council of Jewish Women Arizona (NCJW AZ) is a grassroots social justice organization that has been advocating for 107 years in the state of Arizona to protect the rights and improve the lives of women, children and families. We are dedicated to ensuring equity and justice, especially for the most vulnerable among us, and our call to action is guided by Deuteronomy which says, "justice, justice shall you pursue."

For this and many other reasons, our organization strongly supports Prop. 139.

We know that extreme abortion bans - like what we have here in Arizona - always have the worst impact on the most vulnerable among us. That is why it is so critical for us to enshrine abortion rights in our state constitution.

Without access to legal abortion in Arizona, women are forced to leave the state to get the care they need - which we know not everyone has the means to do. This can put their health, fertility, and even their lives at risk.

Our social justice mission is framed by reproductive justice and bodily autonomy. We cannot stand by as the legislature and courts intervene in personal medical decisions and put women's health and lives at risk by dangerous abortion bans.

We need Prop. 139 to ensure that Arizonans are protected and that their deeply personal healthcare decisions are theirs to make with their healthcare providers, and not dictated by the government.

Please join me in supporting Arizona for Abortion Access. Join me in voting YES on Prop 139

Civia Tamarkin, President  
National Council of Jewish Women - Arizona

**Civia Tamarkin, President, National Council of Jewish Women – Arizona, Carefree**  
*Sponsored by National Council of Jewish Women - Arizona*

As the nation's largest LGBTQ+ civil rights organization dedicated to equality and liberation for all people, we know that women and LGBTQ+ are under attack. To fight back and reclaim our rights, we support the Arizona Abortion Access Act, which will protect the right to abortion in the state constitution.

LGBTQ+ people are disproportionately affected by abortion bans. Even prior to the Dobbs decision, lesbian, bisexual, and queer cisgender women reported higher rates of unwanted or mistimed pregnancies relative to heterosexual women, often due to the discrimination that they face in healthcare settings. In turn, lesbian, bisexual, and queer cisgender women are more likely to seek abortion care than their heterosexual counterparts.

Abortion bans take away control from the only person who should be making your personal decisions: We must fight back together and make our voices heard — we refuse to let a small group of radicals dictate control over our healthcare, family

planning, bodily autonomy and ultimately the right to make decisions about our own futures. Abortion is health care, and health care is a human right. Now is the time to fight for full bodily autonomy and reproductive freedom without exception. Vote YES on the Arizona Abortion Access Act in November.

Bridget Sharpe  
Arizona State Director  
Human Rights Campaign

**Bridget Sharpe, Arizona State Director, Human Rights Campaign, Phoenix**  
*Sponsored by Human Rights Campaign*

---

My name is Nilay Jones, and I am a Fellow with the Arizona Students' Association. Like many of us, I did not get involved with reproductive rights until I had a post Dobbs reality check. One of my family members got pregnant in Georgia, and when she went to get an abortion, the clinic told her they could not give her one because they heard a heartbeat, even though she had made it before Georgia's 10-week limit. She then had to travel out of state weeks later to get an abortion that was more traumatic than it should have been. Supporting her through this situation made me wonder what more I could have done to prevent this happening to her, or any person who could be pregnant against their will or need an emergency abortion. Through the Arizona Students' Association, I was able to plug into a group in Flagstaff circulating the Arizona Access to Abortion petition. Circulating the petition myself has made me feel empowered to protect the people I love, and vouch for my own bodily autonomy this November when I see our amendment on the ballot.

**Nilay Jones, Arizona Students' Association, Flagstaff**  
*Sponsored by Arizona Students' Association*

---

Yes, the Arizona Abortion Access Act is the right choice for personal freedom. But it's also the right choice to ensure that Arizona continues to grow and prosper economically. That's why I am voting YES on Prop 139.

I'm a mom who raised three kids in Arizona, and I'm a longtime business leader. I've spent much of my life and career working to serve our communities and help grow our state's economy. The research is clear that restrictive abortion laws don't just harm women and families—they also harm state economies. By one estimate, abortion restrictions cost each state an average of \$173 billion in reduced labor force participation and earnings levels every year.

Arizona is one of the fastest growing states in the country, for many wonderful and understandable reasons. Curbing access to abortion care will have lasting detrimental economic effects in Arizona, as companies and workers choose other states that empower them to thrive and shape their own futures. Employers are increasingly choosing to move to states that allow abortion care, in order to attract and retain top talent. Doctors and nurses are leaving states with abortion restrictions. Ob/gyn and emergency medicine residency applications have fallen notably in states with abortion restrictions. It's no surprise that the 10 states that suffered the greatest economic losses in 2022 also had the most restrictive abortion laws in the country. We can do better in and for Arizona.

To stay competitive and attractive to businesses and workers, Arizonans must make it clear that we value personal freedom. And that we trust families to make the best choices for themselves regarding reproductive healthcare. I am proud to vote yes on Prop 139. It's the right thing for Arizona families, and it's the right thing for Arizona's economic future.

**Ann Christine Becker, Fountain Hills**

---

United Food and Commercial Workers Local 99 supports a yes vote on Prop 139.

As a union worker in Arizona, I understand the importance of protecting our rights and freedoms, both in the workplace and beyond. Prop 139 is not just a matter of reproductive healthcare—it's a matter of fundamental rights and dignity for all Arizonans, including union members.

At its core, this amendment is about ensuring that every individual has the autonomy to make their own healthcare decisions,

free from interference by politicians and special interests. Just as we fight for fair wages, safe working conditions, and collective bargaining rights, we must also stand up for the right of every person to control their own bodies and futures.

As a union member, I know the importance of solidarity and standing together with my brothers and sisters in the face of attacks on our rights. The Arizona Abortion Access Act is a critical defense against extremist attempts to roll back reproductive rights and impose harmful restrictions on healthcare. By voting yes on Prop 139, we send a powerful message that in Arizona, we value freedom and autonomy for all, regardless of our occupation or economic status.

In the spirit of solidarity and justice, let us unite behind this amendment and ensure that every Arizonan has the freedom to make their own healthcare decisions, without fear or coercion. Our rights are non-negotiable, and together, we will defend them at the ballot box.

Please join me in voting YES on Prop 139

**Gayle Lutz, Union Member, UFCW Local 99, Mesa**  
*Sponsored by Arizona For Abortion Access*

---

For years, I organized alongside Arizona communities as the Executive Director of Living United For Change in Arizona (LUCHA) a membership-led organization, which fought to win an increase to Arizona's minimum wage and paid leave in 2016. We've gone further now and secured wins for housing affordability, education, and more via our fights at the ballot box and the legislature. Our organization puts people first, and fights for a better quality of life and future for everyday Arizonans.

LUCHA and its majority Latinx membership is lining up again on the front lines to protect our right to care. That's why we are wholeheartedly supporting the Arizona for Abortion Access citizen's initiative.

Please join me in voting YES on the Arizona for Abortion Access campaign.

Earlier this year, like many Arizonans, I was outraged - but not surprised - when the Arizona Supreme Court voted to uphold a ban on nearly all abortions. When that happened, our membership was devastated - a right had been taken away from them and they knew that their families would suffer. That is at the core of why LUCHA is supporting this initiative.

These private and personal decisions belong to families, women, trusted loved ones and healthcare providers. Not politicians.

That's why I urge a YES vote on the only citizen-led measure to enshrine abortion access into the Arizona Constitution, where it will be protected from politicians' reckless and often-intrusive hands.

No matter how you personally feel about abortion, most Arizonans agree these deeply personal choices should be decided by patients, our families, and our healthcare providers. Let's make this protection a part of our constitution, so we can uphold our rights for the next generation.

LUCHA supports Arizona For Abortion Access. Please join us in voting YES for Arizona for Abortion Access.

**Alejandra Gomez, Executive Director, Living United for Change in Arizona, Phoenix**

---

Bottom line: Arizonans deserve the freedom to make our own healthcare decisions and every opportunity to succeed. That's why I am voting YES on Prop 139.

Access to safe and legal abortion is an issue of bodily autonomy, and one of economic fairness.

I have had the opportunity to lead in a variety of roles over the course of fifty years calling Arizona home. From serving as Mayor of Tempe, to leading a national LGBTQ+ civil rights organization, to now shepherding a diverse coalition of Arizona business leaders for the greater good. Across these roles, I have been grounded in honoring the freedom and agency of all people, and the desire to create conditions that allow them to thrive.

The Arizona for Abortion Access Act will do the same. This citizen's initiative permits patients, their families, and healthcare providers to make deeply personal healthcare decisions. Every individual and every circumstance is different – I trust Arizonans to know their lives better than any politician, and to make the healthcare choices that are best for them.

I also appreciate that access to safe and legal abortion is an economic issue. As our state grows, we must consider how we welcome the workforce of the future. We should further a competitive landscape for employees, physicians, and healthcare providers. Educational attainment, increased earning potential, participation in the workforce, and poverty levels are all linked to access to care. Honoring the right of every Arizonan to determine their care is key to the success of our state. Finally, Prop 139 is not partisan. It restores the freedom and protection Americans have experienced for fifty years. Our next generation of Arizonans deserve to enjoy the same rights that we did. Please join me in voting YES on Prop 139.

Neil Giuliano

**Neil Giuliano, Tempe**

---

Arizona Asian American, Native Hawaiian, and Pacific Islander Advocates aims to give marginalized communities a voice in politics through outreach and education. We are fighting for our people to ensure a safe, healthy, and fair future for the next generation and beyond.

For this reason, AZ AANHPI Advocates supports the Arizona for Abortion Access Act.

All people should have the freedom to choose whether to have a child. This bodily autonomy is a fundamental human right.

Our Asian American, Pacific Islander, and Native Hawaiian community already faces decreased access to all types of healthcare, including reproductive, prenatal and abortion care.

Our communities make up nearly 5% of the electorate in Arizona, and we are almost 330,000 strong across the state. AAPI Data and The Associated Press-NORC Center for Public Affairs Research found that nearly 8 in 10 Asian Americans, Native Hawaiians, and Pacific Islanders think abortion should be legal in all or most cases. It is critical for us to uplift our voices by supporting this ballot initiative so that reproductive health is accessible to all of us.

Over 1.3 million AANHPI women of reproductive age nationwide live in a state with a partial or complete abortion ban. 66,100 Asian American women in Arizona and more than 3,000 Pacific Islander women are impacted by the state abortion restrictions.

It's time to put medical and healthcare decisions in the hands of doctors and patients, not politicians and judges. I am excited to vote yes on Proposition 139.

Please join AZ AANHPI Advocates in voting YES on Proposition 139.

Jennifer Chau  
Executive Director  
Arizona Asian American Native Hawaiian and Pacific Islander Advocates

Lan Hoang  
Operations Director  
Arizona Asian American Native Hawaiian and Pacific Islander Advocates

**Jennifer Chau, Executive Director, Arizona Asian American Native Hawaiian and Pacific Islander Advocates, Tempe and Lan Hoang, Operations Director, Arizona Asian American Native Hawaiian and Pacific Islander Advocates, Phoenix**

---

Arizona Coalition for Change is a Black-led organization focused on empowering everyday people to transform their community through building civic power, leadership development, and community collaboration.

Our organization is committed to amplifying marginalized voices, advocating for meaningful policy changes, and inspiring others to join the fight for a more just and equitable society.

It is because of this commitment that the Arizona Coalition for Change supports the Arizona Abortion Access Act.

The well documented disparities in healthcare and abortion care in underserved communities persisted long before the fall of Roe. Black women and women of color who have been disproportionately impacted by the costs and logistical challenges to accessing abortion care now face even more barriers, the disparity only increased with the efforts of extreme politicians who seek to interfere in what should be personal private decisions. This bodily autonomy, a fundamental human right, is only protected by the passage of the Arizona Abortion Access Act.

As we at the Arizona Coalition for Change work to develop and uplift voices in our communities to take on our nation's most pressing issues, we stand with the coalition, a proud partner in the fight to ensure that the Arizona Abortion Access Act, the only solution to amend our constitution and enshrine the right to abortion care in Arizona becomes law.

Join us in this work and in this coalition to restore and protect our freedoms, uplift the marginalized and vulnerable and create an Arizona that works for all of us.

Vote YES on the Arizona Abortion Access Act, Prop 139.

**Sena Mohammed, Executive Director, Arizona Coalition For Change, Laveen**  
*Sponsored by Arizona For Abortion Access*

**WHAT IS IN THE BEST INTEREST OF THE CHILD?** Opponents of abortion proclaim someone has to protect the unborn fetus who has no voice. Fetal viability is 24-28 weeks. Women have many reasons to terminate a pregnancy.

Consider the impact on an unwanted child? Suppose the fetus is the result of a woman raped who is now forced to relive a wound that has left an indelible traumatic mark resulting in emotional and psychological damage; a trauma that she is reminded of every day for nine months and beyond. Traumatic memories may become buried but not forgotten. These scars interfere with a parents' ability to love and nurture unconditionally.

Many infants are born to women who live with domestic violence, addictions, or mental illness. A woman too young to know how to care for an infant, or, she herself was abused and neglected having no positive role model for good parenting. Issues for which a woman chooses or unable to seek help; leaving her with few resources to care for an infant, getting no pre-natal care or very little.

This child had NO CHOICE and was exposed to excessive drugs and alcohol inter-uterus; often born premature, addicted and, IF he survives has compromised physical and irreparable cognitive development. Infants born addicted suffer the pain of withdrawal and need medicine, the same as prescribed to an adult.

In January 2024, the US department of children and family services reported that 558,899 children were victims of abuse and neglect. Of those, it is estimated that 1930 resulted in death; results likely under reported. Women know what they are able or unable to do. This is why women should have THE RIGHT TO CHOOSE when and if they need to terminate their pregnancy. A child carried to term has NO CHOICE OR VOICE.

**Ginger Marcus, Retired Clinical Social Worker, Tucson**

I have worn many hats over the course of my life and career. From husband, to father, to board member, to advocate, to Congressional aide and to U.S. Member of Congress.

I have been fortunate to have been involved with efforts to improve our community and support people who have been marginalized. One initiative I am particularly proud of is The Fund for Civility Respect and Understanding. This nonprofit was created following the tragic January 8, 2011 shootings at Congresswoman Giffords' constituent event.

Building this organization helped me heal and reach out to my fellow Americans. Across party identity, race, geography, and ideology, most of us support the same values.

This approach has served me well - I have a track record of working across the aisle and across differences to make positive

things happen in our community.

It is in this spirit that I whole heartedly endorse the Arizona for Abortion Access Act. Please join me in voting YES on PROP 139.

The Arizona for Abortion Access Act is supported by Republicans, Democrats, and Independents alike. This is an issue of personal freedom, and compassion for our fellow Arizonans.

We are parents of two daughters who grew up with the right to make their own reproductive health care decisions. I am alarmed that my three granddaughters have lost that freedom. We must act to restore this fundamental right.

We all have our own personal feelings about abortion. That doesn't mean our views should be imposed on others. The Arizona for Abortion Access act puts these decisions where they belong - in the hands of women and their healthcare providers.

Let's act with compassion, and restore to every woman the right to make her healthcare decisions for herself without interference from politicians and unaccountable Justices.

Vote YES on Proposition 139.

**Ron Barber, Consultant, Self, Tucson**

---

Abortion bans come with an increased risk of criminalization for communities of color. For this and many other reasons, we must pass the Arizona Abortion Access Act.

At Poder In Action, we work day in and day out alongside community members working to create a more healthy, safe, and fair future for Arizona. An important part of this work includes building power with people who have been harmed by systems built to prioritize the richest people, whitest communities, and greediest corporations.

Across the nation, abortion bans are leading to police interfering in the most intimate parts of people's lives.

A woman in Ohio experienced a miscarriage and was arrested and charged with "felony abuse of a corpse." Other people have been interrogated by police about their pregnancy loss. Doctors fear being handcuffed for providing life-saving care. This is the future that extremist politicians will create for Arizonans if we do not pass the Arizona Abortion Access Act.

For generations, communities of color have been disproportionately impacted by government interference in our reproductive healthcare choices. Our current healthcare system is already failing Black, Indigenous, and Latine women. Extreme abortion bans only make that worse.

We cannot allow this to continue, and we cannot allow politicians to make our most intimate and deeply personal healthcare decisions for us.

The people-led Arizona Abortion Access Act gets us closer to a world where all people have the freedom to control their own bodies and lives.

For this and many other reasons, I am voting YES on Prop 139.

Please join me in supporting this citizen's initiative to protect our care, our families, and our communities.

Viridiana Hernandez- Executive Director, Poder In Action, Phoenix

Ben Laughlin- Policy & Research Coordinator, Poder In Action, Phoenix

**Viridiana Hernandez, Executive Director, Poder In Action, Phoenix and Ben Laughlin, Policy & Research Coordinator, Poder In Action, Phoenix**

---

Arizonans deserve the freedom to make our own healthcare decisions. These private and personal choices belong in the hands of patients, their family and their provider—not the government. We must support the Abortion Access ballot initiative to protect Arizonans' reproductive freedoms from the extreme bans we've seen firsthand in our state. The initiative restores the rights women held for 50 years before Trump's Supreme Court repealed them. In Congress, I will fight to restore Roe v. Wade into law, and that starts by defeating Juan Ciscomani, who has voted again and again to restrict abortion access. As a woman and a mom of a teenage daughter, I want these fundamentally personal decisions made by those whose lives are impacted by them – and often saved by them – and not by politicians willing to sacrifice women's lives and health for campaign contributions. An abortion ban takes away rights and freedoms earned by generations of Arizona women, restricts access to contraceptives and IVF, and mandates prison time for anyone who helps a woman get an abortion; which could include

friends and family as well as medical professionals. Arizona's current abortion ban (illegal after 15-weeks, months earlier than viability, with NO exception for rape or incest) is impacting the most vulnerable women, especially those with late-term complications, not to mention chasing doctors and new residents away from Arizona. I encourage my fellow Arizonans to join me in voting yes on the Arizona Abortion Access initiative and the protection of women's health and rejecting harmful abortion bans in our great state of Arizona. - Kirsten Engel, Candidate for Arizona's 6th Congressional District.

#### **Kirsten Engel, Candidate, Arizona's 6th Congressional District, Tucson**

---

The Arizona Chapter of the American Academy of Pediatrics, which represents over 1,000 pediatricians and pediatric health care providers in Arizona, urges you to vote Yes on Proposition 139, the Arizona Abortion Access initiative. We believe that access to evidence-based, confidential and equitable reproductive healthcare should be available to all Arizonans. Lack of access to this care adversely affects the health and wellbeing of women and their families. Unfortunately, Arizona has a history of enacting harmful laws that limit reproductive health care. The Arizona Abortion Access initiative will ensure that Arizona families have the freedom to make their own reproductive healthcare decisions without government interference and protect Arizonans right to receive needed and timely evidence-based pregnancy care. Vote YES on Proposition 139.

#### **Mary Rimsza, AzAAP Advocacy Committee Chair, Arizona Chapter of the American Academy of Pediatrics, Tucson Sponsored by Arizona Chapter of the American Academy of Pediatrics**

---

Please join me in voting YES on Proposition 139.

As a civic engagement director with Mi Familia Vota Arizona, I work alongside my team to fight for my community's dignity, agency, and well-being. Our organization is pivotal in helping individuals apply for citizenship, develop their leadership skills, register to vote, and wholeheartedly engage in the political process.

We are dedicated to engaging and empowering Latinos throughout our state, as our community is often excluded from decision-making processes. Everyone, regardless of ethnicity, race, religion, zip code, or any other factor, should have the opportunity to influence and shape our democracy.

Latinos in Arizona are in favor of access to abortion care. Regardless of our personal feelings, we understand that each person and situation is unique. We should not expect politicians and judges to understand our lives better than we do. People should have the right to make these deeply personal decisions with their families and doctors.

When I look at my 10 year old sister, I see hope, courage, and a bright future where she can achieve any dream. I want to make sure my family enjoys the same rights I did and have limitless opportunities.

This November, I am voting "yes" on the Arizona Abortion Access Act for my younger sister and her future family, as well as for my community.

We must acknowledge that there are many valid reasons why individuals might need access to safe and legal abortion services. It is not the place of politicians to impose their beliefs on such personal and difficult decisions. We must trust in the healthcare professionals and women's voices. I urge you to stand with me in supporting this critical initiative for the betterment of our futures.

#### **Vanessa Perez, Civic Engagement Director, Mi Familia en Accion, Phoenix**

---

The November 2024 general election will see the largest Gen Z electorate in history. We have the power to shape our future by voting and speaking out about what matters to us. Rise believes in harnessing the extraordinary potential of young people, empowering them not only to aspire for change but to become the driving force behind it.

We are proud to support the Arizona for Abortion Access Act, along with these other incredible organizations:

Living United for Change in Arizona (LUCHA)  
Rural AZ Advocates (RAZA)

Spelling, grammar and punctuation were reproduced as submitted in the "for" and "against" arguments.

UFCW 99  
Human Rights Campaign  
Amnesty International USA  
National Council of Jewish Women - Arizona  
Indivisible  
Planned Parenthood Advocates of Arizona  
ACLU of AZ  
Reproductive Freedom for All  
Arizona List  
Healthcare Rising  
YWCA of Southern Arizona  
Vets Forward  
Unitarian Universalist Justice Arizona  
Arizona Center for Women's Advancement  
American Association for University Women Arizona  
Feminist Majority  
AZ Poder  
Opportunity Arizona  
Sierra Club - Grand Canyon Chapter  
Mi Familia Vota  
Progress Arizona  
League of Women Voters  
Our Voice Our Vote Arizona  
Arizona Students Association  
Chicanos Por La Causa  
Catholics for Choice  
Worker Power  
Fuerte Arts Movement  
Arizona Asian American Native Hawaiian Pacific Islander Advocates (AZ AANHPI Advocates)  
One Arizona  
Asian Pacific Community in Action  
Women's Foundation for the State of Arizona

This just goes to show - support for this effort is broad, deep, and diverse. This coalition continues to grow. We urge you to join us in voting YES on 139.

**Kieran Elia, Arizona State Director, Rise, Phoenix**

**139**

---

According to Pew, 68% of Catholics did not want to see Roe v. Wade overturned. These Catholics, like me, are pro-choice because we value conscience, social justice, and religious freedom.

There are many reasons women who are pregnant might seek an abortion. These reasons are private and personal and different in every case.

In some instances, it is the loss of a deeply wanted child who would not survive birth. In other situations, carrying a pregnancy to term would mean lifelong health problems, or even death, for the mother. In other cases, the circumstances simply are not right for the pregnant person and their family.

As a pro-choice Catholic, I value the primacy of conscience as the ultimate arbiter of a person's moral decision-making.

My commitment to social justice teaches that all people should be treated with compassion and dignity.

I also value religious freedom. Because different religions have different opinions on when life begins, I believe we should not legislate theological ideas into law. Regardless of your opinion on abortion, we should never impose our views on others.

That's why I support the Arizona Abortion Access Act. Prop 139 would create a constitutional amendment to protect the right to abortion and, with it, the compassion, dignity, and privacy of the women and families of Arizona. Not only do I plan on voting yes on this citizen's initiative, but I have also been training volunteers and gathering signatures from fellow Catholic family and friends to advance this effort.

Women, their families, and their healthcare professionals should make decisions about abortion for themselves. Women should use their conscience, values, beliefs, and faith as their guide, not the dictates of politicians or judges or the views of anyone not walking alongside them.

Please join me in voting YES for Amendment 139.

**Cathy Perez, Catholics for Choice Advocate, Catholics for Choice, Phoenix**  
*Sponsored by Catholics for Choice*

---

Any infringement on reproductive rights disproportionately affects marginalized communities. A UCLA study in late 2022 found that the percentage of Latinas of child-bearing age is significantly higher than non-Latina whites – 60% vs 34%, respectively.

Meanwhile, Latinos have one of the highest uninsured rates in the nation for healthcare. The closure of clinics that offer abortions further compounds existing inequities, with such clinics serving as the sole source or entry point for healthcare for many Latinos. Denying individuals and families reproductive healthcare options is denying them healthcare. It's that simple.

Chicanos Por La Causa was established in 1969 to fight against inequities and injustice. We did so by securing avenues for our community to pursue economic and political empowerment – and we continue to do so today. We provide advocacy and direct services, including healthcare services, in accordance with our vision of empowered lives and lives of dignity.

As we stated before Roe v Wade was overturned, Chicanos Por La Causa is steadfast in its stance and belief of reproductive freedoms for all, as previously had been the law since 1973. Young Latina women should not have fewer rights today than their mothers or grandmothers. And the Latino community should not be adversely affected by any antiquated law, including this one. We have fought too hard for too long to turn back the clock now and recoil in retreat.

Make no mistake: This is both a healthcare issue and a civil rights issue. Individual decisions should be decided by individuals according to their individual situation, not by the government and not by a backward law. We urge voters to secure reproductive rights for all Arizonans by voting YES on Arizona for Abortion Access.

**Alicia Nunez, President and CEO, Chicanos Por La Causa, Phoenix**

---

The Alliance for Retired Americans is a grassroots advocacy organization with 4.4 million members across the nation and more than 50,000 here in Arizona. Our retirees are from all occupations. We are former teachers, federal, state, municipal government workers, communications workers, and community leaders united in the belief that every American deserves a secure and dignified retirement after a lifetime of work.

Most of us have been around a long time, and many of us remember what life was like before Roe v. Wade. Women endangering themselves to end their pregnancies, and the shame and secrecy surrounding the whole thing. Girls being forced out of school and into unwanted marriages because abortion was not available. We should not have to live like that again. Abortion is healthcare and the government has no business interfering and making women's lives more difficult and more dangerous.

The Arizona Abortion Access Act would restore the protections that Arizonans had for nearly 50 years under Roe. It would protect the right to abortion in the state constitution so that patients and their families can make their own decisions about pregnancy. We have seen the deadly consequences of abortion bans all across the country since Roe was overturned. The AAA will give women back their rights and dignity and keep politicians out of the doctor's office. Life was better for women under Roe. In the year 2024, Arizona women should have the rights we had in the 1970s - the right to make a private and personal decision with our doctors and loved ones, not to have politicians from either party telling us how to live our lives and dictating what happens in our exam rooms.

Spelling, grammar and punctuation were reproduced as submitted in the "for" and "against" arguments.

Let us ensure Arizona women today have those rights again by voting yes on the Arizona Abortion Access Act.

**Dora Vasquez, Executive Director, Arizona Alliance for Retired Americans, Phoenix**  
*Sponsored by Arizona Alliance for Retired Americans*

---

As people of faith, we believe in loving our neighbors and treating one another as we would like to be treated — with compassion, dignity, and respect. Arizona Unitarian Universalists are committed to the fight for reproductive justice, including the right to abortion. We support the Arizona Abortion Access Act because all people should have the freedom to make our own reproductive healthcare decisions without interference from the government.

As Unitarian Universalists, we believe that all bodies are sacred. Every person has the right to determine if, when, and how they want to have children. As people of faith, this commitment is part of our sincerest religious values: Unitarian Universalism emphasizes the inherent worth and dignity of all people and the right of conscience in discerning our choices. In other words, we believe that every individual is endowed with the ability to make the best choices for themselves about their own sacred body. Collectively, our faith calls us to work for a society in which everyone has true autonomy and self-determination, which includes having abundant access to affirming, supportive reproductive care throughout their lives.

With bodily autonomy under attack by the state government, we must ensure our rights by enshrining them in the state constitution. Vote YES on the Arizona Abortion Access Act to ensure the right to abortion as a critical part of the fight for reproductive justice.

**Sky Williams-Tao, Director, Unitarian Universalist Justice Arizona, Tempe; Ren Manning, Co-Chair of the Board, Unitarian Universalist Justice Arizona, Tucson; and Elena Perez, Co-Chair of the Board, Unitarian Universalist Justice Arizona, Phoenix**

---

We undersigned members of Chalice Christian Church (Disciples of Christ) submit our ballot argument in support of Prop 139.

According to the Pew Research Center, 60 % of mainline Protestants support the right to choose, more than the population at large. This position held by so many people of faith is because of, not in opposition to, the teachings of Jesus.

As Dr. Willie Parker makes clear in his book “Life’s Work: A Moral Argument for Choice,” supporting abortion access supports healthcare for pregnant people. Because access to this care is threatened by delays and expenses that cannot be easily handled by the least of these, Christ compels us to interrupt that system of injustice. Matthew 25: 31-46.

Jesus cared for women who the patriarchy of his day tried to silence. Matthew 15:21-28 (Syrophoenician woman); John 4 (woman at the well); Luke 7:36-50 (woman washing His feet). Jesus rejected worldly hierarchies, including patriarchy and systems to suppress and shame women. Luke 10:38-42 (teaching Mary); John 8: 7-11 (the adulteress woman); Matthew 5:32 (prohibiting men from divorcing their wives). Jesus compels our support of women against patriarchy set on controlling them. As mother Mary sang, “He has brought down rulers from their thrones, but has lifted up the humble.” Luke 1:52.

Finally, unlike some contemporary texts, nothing in the Hebrew or Christian Bible condemns terminating a pregnancy. According to the Bible, life begins at breath. Gen. 2:7 (not when he was formed, but when God breathed into him did Adam become a living being). Even when a woman’s pregnancy is terminated without her consent, according to Hebrew law, it is not murder. Ex. 21:22 (causing a miscarriage is not punishable by death); Num. 5:11-31 (potentially inducing a miscarriage to test marital fidelity).

Our faith inspires our support of Prop 139.

**Cecilia Johnson, Moderator, Chalice Christian Church (Disciples of Christ), Apache Junction; David Cubbage, Vice Moderator, Chalice Christian Church (Disciples of Christ), Mesa; Jim Barton II, Treasurer / Elder, Chalice Christian Church (Disciples of Christ), Mesa; Kelly Pearson, Financial Secretary / Music Director, Chalice Christian Church (Disciples of Christ), Gilbert; Tami Smull, Bookkeeper / Elder, Chalice Christian Church (Disciples of Christ), Gilbert; Carla Turner, Recording Secretary, Chalice Christian Church (Disciples of Christ), Chandler; James Deskins, Pastor, Chalice Christian Church (Disciples of Christ), Tucson; Pat Barton, Elder, Chalice Christian Church (Disciples of Christ), Mesa; Rebekah Jongewaard, Elder, Chalice Christian Church (Disciples of Christ), Gilbert; Doris Frame, Elder, Chalice Christian Church (Disciples of Christ), Florence; Michelle Cubbage, Member, Chalice Christian Church (Disciples of Christ), Mesa; Kensie Smull, Member, Chalice Christian Church (Disciples of Christ), Gilbert; Robert Howard, Member, Chalice Christian Church (Disciples of Christ), Gilbert; Ellen Annala, Member,**

**Chalice Christian Church (Disciples of Christ), Mesa; Paul Hopkins, Member, Chalice Christian Church (Disciples of Christ), Mesa; Jerry Johnson, Member, Chalice Christian Church (Disciples of Christ), Apache Junction; and James Barton III, Member, Chalice Christian Church (Disciples of Christ), Mesa**

---

The Grand Canyon Institute (GCI) is a non-partisan think tank providing fact-based research and education to decision-makers and the public on policies affecting Arizona's economic, fiscal, and social future.

GCI was deeply concerned about the Arizona Supreme Court's decision to uphold a territorial-era law from 1864 banning all abortions. While the Arizona Legislature recently enacted a still-repressive 15-week limit, this ballot measure aims to expand protections for the rights of women and prevent further restrictions from becoming law. The ballot measure proposes a progressive alternative that not only safeguards human rights but also enhances healthcare access and supports economic stability far more effectively than the restrictive 15-week law currently in place.

The immediate harm will be experienced by women denied access to necessary healthcare. A January 2024 analysis by the Institute for Women's Policy Research (IWPR) highlights the broader impacts of abortion restrictions, noting their detrimental effects on economic prosperity and women's health. Women, being a significant segment of the workforce, are adversely affected by restrictions on healthcare access, which in turn impacts local economies.

Protecting women's reproductive rights could add nearly 16,480 women to the state's labor force each year, increase the state's GDP by \$4.5 billion, and boost annual earnings of employed women aged 15–44 by \$2.6 billion. As an organization committed to evidence-based policymaking, GCI emphasizes the importance of safeguarding reproductive rights to ensure equitable access to healthcare, enhance economic prosperity, and safeguard the well-being of Arizona's citizens. Upholding a woman's right to make decisions about her own body and health is fundamental to achieving these goals and promoting autonomy and dignity for all individuals.

**Rick DeGraw, Board Chair, Grand Canyon Institute, Phoenix**

---

The League of Women Voters of Arizona strongly supports the Arizona for Abortion Access citizen initiative, which protects every individual's fundamental right to an abortion. If the voters pass this proposition, women will have the right and freedom to make their own healthcare decisions, including reproductive choices. If this proposition is not passed, the government will continue interfering with these rights by passing laws overriding a person's inherent right to make personal decisions.

Government should have no say in personal decisions in an individual's decisions about pregnancy and abortion. Laws that restrict, dictate, or challenge the freedom to make choices that are best for that person's individual situation is overreaching and putting women's lives at risk.

If passed, this proposition will protect current and future generations of women from political decisions that are not in their best interests or those of their families by allowing everyone to follow their personal beliefs.

The League of Women Voters believes in women's rights to self-determination, including bodily autonomy, privacy, and reproductive health.

THE LEAGUE OF WOMEN VOTERS OF ARIZONA URGES YOU TO VOTE YES.

**Pinny Sheoran, President, League of Women Voters of Arizona, Scottsdale**

*Sponsored by League of Women Voters of Arizona*

---

As a first generation immigrant from India who moved to the United States in the mid-90s, I am disappointed that the rights of a woman to choose are now less in Arizona than the city of Pune where I was born. Although I am thankful for Attorney General Kris Mayes in defending a woman's right to choose, Prop 139 is the permanent constitutional answer to ensure that no woman has to live in fear while making one of the toughest choices in her life.

Roe v. Wade was good precedent, but the reality is that abortion is now a state decision so let's make the right decision and stop acting like this is about morality. Party leadership on both sides has lost focus of bettering the life of everyday Americans partly due to the hybridization of corporations and elected officials through regulatory capture. By codifying our basic rights into law, birthright and naturalized citizens have a chance to ensure that our interests are not being diluted while arguing about strangers who may not want to have a child that we are not going to raise.

The goal of state officials should be vibrant local economies, strong infrastructure, safe communities, and individual rights. Party leaders have to introspect on their luxury beliefs and make sure that theory is not trumping reality in any public sphere.

Vote YES on Prop 139 if you are an Arizona pragmatist and want to focus on what really matters.

**Mohit Asnani, Tucson**

---

Growing up in Arizona, I didn't expect to have fewer freedoms than my mother or live in a place that threatens to take us back to the 1800s. However, with the swipe of a pen the Supreme Court overturned Roe v Wade and took from us the hard fought, fundamental right to make decisions about our own bodies, health, and futures.

This is why the Arizona Abortion Access Act must pass in November.

Voting yes to Prop 139 will enable every Arizonan to make the best decision about our own lives. I knew at 16 when I spoke out to defend Planned Parenthood how important it was to have access to a full range of reproductive healthcare options and comprehensive sex education. Now as a 24-year-old, I want to decide for myself if and when to start a family, whether to use birth control, and to know I have access to abortion care if that becomes necessary for me right here in the state where I was born and raised.

I am the expert in my own experience. This is between providers and patients, not politicians.

I have traveled the country advocating for reproductive freedom. Now, I'm thinking about where I want to build my life. And let's be clear, I love Arizona. I want to bring my potential and passions home, but not having a guarantee that my right to abortion care will be protected is a major deciding factor. I know I'm not alone, this is top of mind for young people whose talent our state cannot afford to miss out on.

Arizona Abortion Access Act will establish the right to an abortion in the Constitution where extremist politicians and judges can't touch it.

Join me in voting YES on the Arizona Abortion Access Act.

**Deja Foxx, Tucson**

*Sponsored by Arizona For Abortion Access*

---

I am a proud Marine veteran, who served for 20 years, with several combat deployments to Iraq and Afghanistan. I joined the military to protect the freedoms that define America, ensuring they are preserved for everyone for all time.

**139**  
I never thought my personal freedom - my bodily autonomy - would be attacked by the government I took an oath to serve and protect. But that is precisely what happened in 2022 when the United States Supreme Court overturned Roe vs. Wade, opening the door for states, like my home of Arizona, to impose extreme abortion bans. The time to act is now, before more rights are taken away.

As Americans, we may not always see eye to eye, but there are certain values that unite us, especially as Arizonans. One of these is the right to make our own decisions about family planning, free from government interference. This fundamental freedom is what I fought for, and it's disheartening to see it threatened by politicians.

Veterans and active duty service members face unique challenges that most cannot comprehend. This is particularly true of those who are pregnant and especially those dealing with complications. Our government should not make things even more challenging by imposing restrictions that can risk our health, fertility, and lives. This is why veterans like me support the Arizona for Abortion Access ballot measure (I-05-2024), and we urge you to join us in our support. Your voice matters, and together, we can make a difference.

**JoAnna Mendoza, US Marine Retired, VetsForward Operation Desert Rose, Red Rock**

Here in Arizona, more than half a million citizens stood up to demand the right for patients and doctors to make our own healthcare decisions by putting Proposition 139 on the ballot.

And together, as seniors, as parents and grandparents, as Arizonans, we are among the majority of voters voting YES on Prop. 139, and we ask you to join us.

Sadly, you don't need to be a senior to remember a world before abortion care was safe and legal. The current political climate has taken many states back to the realities we saw fifty years ago, and the real impacts of abortion bans are devastating.

It's simple: When politicians prevent women from accessing abortion care, it's life-threatening. And it doesn't need to be. When our health is on the line, doctors and nurses should be able to focus on patient care – not worrying about the political whims of politicians. That's why we need Prop. 139.

Prop. 139 will protect Arizonans from the whims of extreme politicians and leave our healthcare decisions to Arizona patients and doctors. Where they belong.

Please join us in voting YES on Prop. 139.

**Patricia Cervantes, Safford; Daniel Abney, Pima; Elaine Downing, Lake Havasu City; Katherine Villa, Tombstone; Terri Streich, Glendale; William Ford, Buckeye; and Blair Moses, Mesa**

*Sponsored by Arizona for Abortion Access*

Arizonans have a chance this year to make our voices heard on the widely popular Arizona Abortion Access Act.

I've done people-first work and service in this state for many years – as a public school teacher, a community organizer, former Democratic House Minority Leader, and co-founder of Arizona's largest Black-led voter engagement organization. And of course, most importantly, as a parent of three beautiful girls.

In all these roles, I have always centered the well-being and agency of our communities in my work. The Arizona for Abortion Access Act does the same.

This citizen's initiative is policy made, presented, and soon-to-be passed by the people of Arizona. We demonstrated our power by collecting enough signatures to place this measure on the ballot. That's democracy at work.

Now, we must vote to restore the protections for bodily autonomy we had under Roe v. Wade.

For too long, politicians have played games with our health by passing extreme abortion bans. The truth is, these decisions belong in the hands of patients, their families, and healthcare providers.

No politician or judge knows our lives better than us. Some people need abortions because they are not ready to be a parent. Some people need abortions because they experience serious risks in their pregnancies. Regardless of the circumstance, the choice should be between a patient, their family, and their doctor—not the government.

I am voting YES for my community, to honor and trust women and doctors, and for my three little girls to have a safe and healthy future.

By voting yes, we can use the power of our voice and our vote to tell politicians and judges to stay out of our private, personal decisions.

Please join me in voting YES on Prop 139.

**Dr. Reginald Bolding, Phoenix**

As rural Arizonans, we recognize the unique challenges and realities faced by our communities when it comes to accessing healthcare, including reproductive services.

Prop 139 is essential for ensuring that individuals in rural areas have the same rights and opportunities as those in urban centers when it comes to making decisions about their reproductive health.

In rural areas, access to healthcare providers, including those who offer abortion services, can be limited. Without this amendment, individuals living in remote areas may face significant barriers to accessing safe and legal abortion care, forcing them to travel long distances or forego care altogether. By voting yes on Prop 139, we can help bridge the gap in healthcare access and ensure that rural Arizonans have the same rights and resources as their urban counterparts.

Furthermore, Prop 139 is critical for protecting the privacy and dignity of individuals in rural communities. In small towns and tight-knit neighborhoods, seeking abortion care can be a deeply personal and sensitive matter. This amendment ensures that individuals can make these decisions in consultation with their families and medical providers, free from judgment or stigma.

By voting yes on Prop 139, we affirm our commitment to rural healthcare equity and justice. We refuse to let our communities be left behind or marginalized when it comes to accessing essential healthcare services. Together, let us ensure that every Arizonan, no matter where they live, has the freedom and support to make their own healthcare decisions with dignity and respect.

**Christine Ratcliffe, Dewey; Lisa Ann Goerlich, Bisbee; Maria Angelica Cornejo-Terry, Douglas; Julie Neff-Encinas, Show Low; Brendan Trachsel, Flagstaff; Francis Glad, Nogales; and Christine Rhodes, Bisbee**  
*Sponsored by Arizona for Abortion Access*

---

The Arizona Education Association (AEA) is the largest public-sector union in Arizona. We fight for our students, for public education, and for the dignity of our workers. We believe that every person is entitled to be treated fairly and with respect. This is why we support the Arizona Abortion Access Act, a citizen's initiative that will protect the right to abortion in our state constitution.

As President of the AEA, I fight daily alongside our 22,000 members to protect public education in Arizona and ensure workers in our schools have a voice on the job. As Arizona educators, we know first hand how extremist politicians and judges can undermine our rights.

Investing in our future means investing in our people. If we want our kids to flourish, we need strong families, strong communities, and strong schools. Women and pregnant people, not politicians, should be able to make decisions about their own bodies and their own families.

We fight every day for the dignity and respect that women deserve, on the job and off, and part of that fight is ensuring access to reproductive health care, including abortion. We urge everyone with a commitment to equity, justice, and empowerment to vote YES on the Arizona Abortion Access Act to restore our rights.

Please join me in voting YES on Proposition 139.

**Marisol Garcia, President, Arizona Education Association, Phoenix**

---

To Whom It May Concern,

As small business owners and members of the Arizona community, we are proud to express our unwavering support for Prop 139. Throughout the duration of the campaign, our establishments served as vital hubs for volunteers, providing a welcoming space for signature collection, coordination, and community engagement.

We believe that reproductive rights are fundamental human rights, and every individual deserves the freedom to make their own healthcare decisions without interference from politicians. That's why we opened our doors and hearts to the campaign,

knowing that our support would help ensure that every Arizonan has access to safe and legal abortion care.

Our involvement in this historic initiative reflects our commitment to the well-being and autonomy of our customers, employees, and community members. By actively participating in the signature collection process and encouraging our staff and patrons to join the cause, we reaffirmed our dedication to fostering a community where everyone's voices are heard and respected.

The overwhelming response from our customers and the broader community further underscores the widespread support for reproductive freedom in Arizona. From urban centers to rural communities, small businesses like ours stand united in advocating for the rights and dignity of all individuals, regardless of their gender, race, or socioeconomic status.

As the campaign moves forward, we urge our fellow Arizonans to join us in voting yes on Prop 139t. By doing so, we can uphold the principles of compassion, privacy, and autonomy in healthcare decision-making and ensure that our state remains a beacon of reproductive rights and justice for generations to come.

Thank you for your attention to this important matter.

**Liz Tavarez, Dark Hall Coffee, Phoenix; Summer Olson, Stash House AZ, Phoenix; Josefina Haler, Dulce Vida Coffee Shop, Chandler; Kelsey Duque, Bottleshop 48, Tempe; Tricia Arce, Toasted Mallow, Gilbert; Michela Ricci, Monsoon Market, Phoenix; Emily Sadler, No Filter Coffee Shop, Phoenix; and CJ Alberts, Sunny's Book Truck, Yuma**  
*Sponsored by Arizona for Abortion Access*

As a volunteer who actively participated in collecting signatures to qualify Prop 139 for the ballot, I witnessed firsthand the overwhelming support this initiative garnered from people across the political and geographic spectrum. Our record-breaking achievement in gathering signatures reflects the widespread recognition that every Arizonan deserves the freedom to make their own healthcare decisions without interference from politicians.

Throughout this grassroots effort, I encountered individuals from diverse backgrounds who passionately believe in upholding the rights of patients to access abortion care with dignity, compassion, and privacy. We united under the shared belief that personal healthcare decisions, including the decision to have an abortion, should remain between patients, their families, and their medical providers—not dictated by political agendas.

I have volunteered for many causes throughout my life, but this time has been different. People sought me out to sign the petition rather than avoid me, local businesses opened their doors to have us collect signatures from their customers, and we trained thousands of first-time volunteers. Arizonans showed up in force to get Prop 139 on the ballot, I have no doubt that those same supporters will be voting Yes in November.

**Christine Pomerenke, Volunteer, Gilbert; Jennifer Miller, Volunteer, Phoenix; Rhiannon Spertrini, Volunteer, Phoenix; Marla Rapaport, Volunteer, Phoenix; Jose Juan Corralejo, Volunteer, Phoenix; Sophia Will, Volunteer, Scottsdale; Mary Ellen Martinez, Volunteer, Tucson; and Melissa Hanh, Volunteer, Phoenix**  
*Sponsored by Arizona for Abortion Access*

139

---

Las Adelitas Arizona is an organization focused on empowering and engaging Latinas in the political process.

Please join us in voting YES on the Arizona Abortion Access Act.

As Latinas and advocates, we are dedicated to building power con nuestra comunidad and ensure we have access to the healthcare and information we deserve.

We are entitled to the right to live safe, healthy, dignified lives. Access to abortion and reproductive healthcare are necessary components of doing so.

Lack of access to abortion and reproductive healthcare has negative impacts on our ability to work, care for our families, and make decisions about our bodies and lives.

## NOVEMBER 5, 2024 ★ GENERAL ELECTION

Abortion bans only amplify the disparities that already exist for Latinas in this country. We already have a healthcare system that underserves us and our families. This leads to health disparities that affect us disproportionately, including infant and maternal mortality.

Latina women face the largest gender racial wage gap, being paid just 59.2 cents on the dollar to White men. Lack of access to care only leads to that gap growing.

The Arizona Abortion Access Act is a promise to us that we are empowered to make our own decisions about our own bodies and healthcare decisions. It is a promise to doctors that we trust them to make the best recommendations to their patients.

The Arizona Abortion Access Act is a promise to us that our health and safety will not be decided by judges or extreme politicians.

Our future is in our hands. Join us in VOTING YES to make sure that we and future generations are guaranteed the right to access abortion and reproductive healthcare.

**Elvira Din, Co-Chair, Las Adelitas, Tucson and Genesis Cubillas, Treasurer, Las Adelitas, Tucson  
Sponsored by Las Adelitas**

---

At Wingbeat 88, we take on an uncharted endeavor to organize our Diné relatives through our ancestral clan groups. We do this to address, support and develop balanced and sound leadership and advocacy for all our Diné relations.

I am grateful to lead Wingbeat 88 alongside my community. Uplifting Diné voices and leaders is critical to creating an inclusive and equitable future for our people and for Arizona. We are organizing to cultivate the next generation of leaders and support safe and healthy communities.

For similar reasons, I earnestly support the Arizona for Abortion Access Act.

Abortion bans have always disproportionately impacted Indigenous people and communities of color. We already encounter significant barriers to access to care via our existing healthcare systems – these challenges carry into access to reproductive care.

In addition, abortion has never been readily available for our people - federal law has banned nearly all abortions at Indian Health Service clinics since the 1970s. That has forced many to travel long distances for the procedure, and to secure lifesaving care when pregnancy complications arise.

Our communities have been through so much. Denial of our land, family separation, maternal health crisis, and a crisis of Missing & Murdered Indigenous Women.

We deserve better than this. We deserve care. We deserve opportunities to make the decisions that are right for ourselves and our families in consultation with a healthcare provider. No judge or politician should have a right to take that away.

Our rights are just - let's work together to protect them. Please join me in voting YES on Proposition 139.

Ahé:héé,  
LivA'ndrea Knoki  
Executive Director, Wingbeat 88

**Liv Knoki, Executive Director, Wingbeat 88, Flagstaff  
Sponsored by Arizona for Abortion Access**

---

As a woman, a Latina, a mom, and Mayor of Tucson, I enthusiastically support the Arizona Abortion Access Act that ensures every Arizonan can access abortion without unnecessary government interference.

The fact that different people in different places have different rights is not acceptable. We all deserve the right to determine when, how and if we become parents. Without autonomy over our own bodies and futures, we don't have anything.

No pregnant person or doctor should risk jail time for seeking or providing medical care. We cannot leave it up to state legislators to determine if we have the right to access abortion. We need permanent protection in our state constitution.

The inability to access abortion disproportionately affects women of color and low-income Arizonans, who already face barriers to healthcare. Traveling to access abortion is not just an inconvenience - it's an insurmountable burden for many. Taking days off of work, finding childcare, arranging travel and lodging, are just a few challenges.

Already in Arizona, students who are graduating from our top-notch universities are moving to other states where they can access abortion and reproductive healthcare. Already in Arizona, we are seeing businesses take the lack of access to abortion into consideration when deciding where to expand or locate. The consequences of lack of access to abortion are broader than many believe.

For too long, our reproductive rights have been under assault by an extreme GOP-led legislature that has prioritized ideology over the health and autonomy of Arizonans.

We must enshrine our right to access abortion in our State Constitution. The way to do that is to VOTE YES on the Arizona Abortion Access Act.

Your YES vote ensures that all Arizonans will have the right to access abortion now and into the future.

#### **Regina Romero, Mayor, City of Tucson, Tucson**

Planned Parenthood Advocates of Arizona is Arizona's largest nonpartisan advocacy organization dedicated to protecting access to sexual and reproductive health care.

PPAA fights for every person's freedom and absolute right to make choices about their reproductive healthcare, including access to abortion, sexual health and wellbeing, and the ability to build strong, healthy families when and how they want to by educating voters, elected officials and candidates for public office.

We do this work because women and people who can become pregnant matter. Our bodily autonomy matters.

This is why we as a Board support the Arizona for Abortion Access Act. This citizen-led initiative will establish the constitutional right to protect the ability of all Arizonans to access abortion. We all deserve the freedom to make these decisions without interference from politicians.

We, along with other organizations and individuals across our state, have participated in collecting thousands of signatures.

We know that people across our state are demanding the right to access abortion care because we know the consequences of restricting our access to care. Restrictions on abortion and reproductive healthcare hurt our health and endanger our safety.

This exacerbates existing obstacles to accessing healthcare that disproportionately impact women, people of color, LGBTQ+ individuals, and those with lower incomes.

We all deserve the right to make decisions for ourselves about if and when we build a family. We all deserve the right to access abortion and the healthcare we need and deserve free from interference.

Join us in VOTING YES on the Arizona for Abortion Access Act. Let's protect our right to access abortion care in Arizona now and into the future.

#### **Charlene Mendoza, Co-Chair, Planned Parenthood Advocates of Arizona, Tucson and Cadey Harrel, Co-Chair, Planned Parenthood Advocates of Arizona, Tucson**

# ARGUMENTS “AGAINST” PROPOSITION 139



Abortion is legal in Arizona up to 15-weeks and beyond that for medical emergencies. There are also commonsense safety precautions in place to protect girls and women who seek abortions. The proposed abortion amendment goes too far. It would legalize late-term, post-viability abortions for any reason through a broad legal exemption used for years to rubber stamp virtually any late-term abortion. The language also makes safeguards impossible to enforce, regardless of health and safety by stating no law can “interfere” with an abortion. Currently, an ultrasound is required to rule out a deadly ectopic pregnancy, and to ensure no fetal remains are left in the uterus to cause infection. But that commonsense safety precaution could be unenforceable under the terms of the amendment. Even a current requirement to inform women of the risks of abortion would be on the chopping block.

The amendment also takes the doctor out of the doctor-patient relationship by removing the requirement for a qualified medical doctor. Under this amendment, a 14-year-old girl could order the abortion pill through the mail without doctor oversight, go through painful bleeding and cramping for hours – alone. And her mom and dad would not know because the amendment also removes parental consent and notification.

In an effort to expand abortion beyond what 80% of voters support, the amendment will shield sex traffickers and abusers who force their victims to get abortions to cover their crimes. It states anyone who “aids or assists” someone getting an abortion cannot be prosecuted. Again, parents would be left in the dark.

Vote NO on the abortion amendment and Arizona abortion will remain legal up to 15-weeks and beyond for medical emergencies, and we retain the critical safety precautions protecting girls and women, and the medical doctor with expertise to respond to emergencies.

#### **Leisa Brug, Campaign Manager, It Goes Too Far, Chino Valley**

Argument against AZ Abortion Access Act: In 1973 abortion was decriminalized nationwide. Later that same year I was born, a result of divine intervention and instruction. My mom was driving to a hospital in Los Angeles for her scheduled procedure, and had she not been instructed NOT to abort her baby girl who she was to name Hope I would not be writing this statement of opposition.

Many women, young and mature, who find themselves unexpectedly pregnant are at a loss for what to do, and often consider abortion their only solution. While it does end a problem, it also introduces a host of emotional burdens and complexities that follow a woman the rest of her life. I share this as testimony from friends and relatives who have chosen abortion and the stigma and regret they still carry with them today.

This legislation will enable the death of countless human lives that have destiny, purpose and meaning. What on Earth is more precious and valuable than a human life? This life begins at conception, continues into a fetus, and then a mature baby. To intentionally destroy life is morally wrong and destructive to both child and mother. To say otherwise is a lie, because when a baby dies, part of the mother dies with it. I have several friends who have had abortions, some multiple times, and they say this "CHOICE" was the biggest and most painful regret of their life. I have not had an abortion, so I don't know how it feels, but knowing I was almost aborted, but not, makes me realize I am here to speak for those who cannot speak for themselves.

How can "God Enrich" (Ditat Deus) our state if we are destroying the life being created in it?

#### **Hope Gagen, Educator, Prescott**

There are two extremes on abortion: always and never. This proposal contains one of the extremes. If you read it, you will see it contains two guarantees. The first guarantee is Roe vs Wade and is based on medical viability which is in the range of 22-24 week or just over five months. At that point, according to the March of Dimes, a baby is a full image of their parents and will move at their voice. According to the March of Dimes, the baby can feel, think and move. The second guarantee is an absolute right to abortion after fetal viability based on "the good faith judgment" of a treating "healthcare professional" to protect the mother's life, physical health or "mental health." This part goes well beyond Roe. This is the always extreme. It includes what is commonly known as abortion on demand and abortion at the time of birth. Moreover, since the measure

does not define a healthcare professional, the courts will look to Arizona Revised Statutes, Title 32. Title 32 regulates healthcare professionals broadly to include not only medical doctors but also psychologists, nurses, physicians' assistants and all forms of behavioral health professions. The idea of you and your doctor sitting down together to make a private decision is entirely missing. It is not required by this measure. To the contrary, anyone you meet in the healthcare field would be qualified to make "a good faith judgment" for this life altering decision. The extension beyond Roe and the lack of a doctor-patient relationship is why I think this measure should be voted down on its face. I would urge you to vote no and send the proponents back to the drawing board to return with a better reasoned proposal.

### **K.C. Stanford, Hon. (Ret), Tucson**

---

As Bishops of the Arizona Catholic Conference we want to express our strong opposition to Proposition 139 .

If passed, this initiative threatens to enshrine a constitutional right to virtually unrestricted abortion in Arizona. What makes a constitutional amendment especially grave is that our own Arizona legislators could lose the ability to regulate abortion in any meaningful way, leaving us with the potential for what would likely become nearly unrestricted abortion.

Arizona law currently allows for abortions up until 15 weeks of pregnancy. Proposition 139, however, would go far beyond even this current law.

The proposed amendment, among other things, would likely remove most safeguards for girls and women that are currently in place at abortion clinics, permit a minor to obtain an abortion without parental involvement or permission, and allow for painful late-term abortions of viable pre-born children.

While this ballot measure claims to be moderate in nature, its vague language would make Arizona one of the most extreme states in terms of abortion. We believe that even many of those who support abortion in limited instances would find this proposed constitutional amendment extreme and misleading.

Arizonans deserve far better than the measures being proposed in this initiative which is why we strongly oppose Proposition 139.

Most Rev. John P. Dolan  
Bishop of Phoenix  
Most Rev. Edward J. Weisenburger  
Bishop of Tucson  
Most Rev. James S. Wall  
Bishop of Gallup  
Most Rev. Eduardo Nevares  
Auxiliary Bishop of Phoenix

**John Dolan, Bishop of Phoenix, Arizona Catholic Conference, Phoenix; Edward Weisenburger, Bishop of Tucson, Arizona Catholic Conference, Phoenix; James Wall, Bishop of Gallup, Arizona Catholic Conference, Phoenix; and Eduardo Nevares, Auxiliary Bishop of Phoenix, Arizona Catholic Conference, Phoenix**  
*Sponsored by Arizona Catholic Conference*

---

VOTE NO on this dangerous Amendment that goes way too far and would codify abortion up the 9th month into AZ law! No reasonable person wants viable babies "terminated" in AZ. Planned Parenthood and the ACLU are pushing this Constitutional Amendment (C.A.) that would codify a very broad and virtually unrestricted "fundamental right to abortion" into our Arizona Constitution. The odds of overturning this radical AZ C.A., if enacted, are very difficult, if not impossible. The C.A. "language" is only one and one half pages long and is entitled, "Arizona Abortion Access Act" but to be explicitly clear, the wording says that a "fundamental right to abortion" precludes anyone from denying, restricting or interfering with an abortion even after "fetal viability" (the ability of a baby to survive outside the womb without artificial means) if the treating "Health Care Professional" (not necessarily an M.D. as AZ law has a broad definition that includes massage therapists and Chiropractors!) determines it is necessary to protect the life, physical, or "mental health" (what pregnant mom is not stressed?) of the "pregnant individual" (not a woman?). A "fundamental right" means that the law may not penalize

any person (such as sex traffickers, coaches or school nurses) or any "entity" for aiding or assisting a "pregnant person" from getting an abortion, including your underage daughters/grand daughters. Vote NO on this exceedingly radical Amendment.

**Andrea Kadar, Sedona**

---

As Governor of Arizona for six years, I signed several commonsense bills into law to limit abortion and protect girls and women who seek abortions, including a high standard of care at abortion clinics and prohibiting discriminating abortions based on race or sex. One of the most critical bills I signed was the requirement for an ultrasound to be done before an abortion to detect a potentially deadly ectopic pregnancy, to assess the gestational age of the fetus, and to detect other potential complications.

The proposed abortion amendment would make those and other safety regulations unenforceable, putting women at greater risk. These are commonsense precautions that not only reflect the values of Arizonans but put their health and safety above the expansion of abortion beyond the point at which most Arizonans are comfortable.

Although the U.S. Supreme Court did not hear the case, I signed the Mother's Health and Safety Act that would have limited abortion to 20 weeks, when the unborn baby can feel pain and abortion is more dangerous for the woman. But the proposed abortion amendment legalizes abortion far beyond viability under a loophole that feigns a limit but allows none. Sadly, hundreds of late-term abortions are done in Arizona every year, more than ten thousand nationally.

Arizonans elect representatives to ascertain the consequences of proposed legislation, weigh the pros and cons, and protect the people of the state. That is why, currently, women are guaranteed to be treated by a medical doctor, clinics must maintain a high standard of care, and abortion is legal up to 15-weeks - beyond that in medical emergencies. But all that is lost if the abortion amendment passes. I am voting No to keep the required medical doctor, the limits, and the safety precautions. I ask you to do the same.

**Jan Brewer, Arizona's 22nd Governor, Self, Glendale**

*Sponsored by It Goes Too Far*

---

This Amendment goes too far! Existing Arizona law requires parental consent for minors seeking an abortion. Informed consent is required 24 hours in advance, an ultrasound is required 24 hours in advance, no one may coerce or intimidate a woman into having an abortion, partial birth abortions (doctor delivers a substantial portion of the living child outside of the mother, then ends the child's life by crushing his/her skull or using brain suction) are strictly prohibited, abortions must be performed within the first 15 weeks unless they are performed as a result of a medical emergency, no abortion may be performed on a viable fetus unless it is to save the physical life of the mother, if an abortion is performed and the baby is determined to be alive, every effort must be made to save the life of the baby, no abortion may be performed based solely on race or gender, no research experimentation or trafficking of baby parts is allowed, all abortion clinics must be licensed and all medical doctors performing abortion must have admitting privileges at a hospital within 30 miles of the clinic, doctors may not use webcam in lieu of a personal visit with the patient, no Telemedicine abortions may be performed nor may Nurse Practitioners or Physicians Assistants perform abortions (medical doctors only!), if the woman seeking abortion is a crime victim, she has the right to report the crime to law enforcement, no hospital or health care worker can be required to perform any abortion if it goes against their religious beliefs (they may NOT be fired as a result of their position), strict and extensive reporting by abortion clinics is required. This Amendment is SILENT on these current AZ safety requirements. VOTE NO on this radical Amendment.

**Dwight Kadar, Sedona**

---

When a child is conceived, it is a person created in the image and likeness of God. That one cell contains the complex, genetic makeup for that child. Its DNA is completely different from its mother. Already, the child's sex, hair and eye color, height, and skin tone are decided. At 21 days, baby's heart is beating. At 4 weeks, arms, legs, eyes, and ears are visible. At 6 weeks, eyes begin to form, and you can count 10 fingers! At 9 weeks, the child can grasp and suck its thumb, sense touch, and feel pain. At 14 weeks, the mother feels energetic movement within. Hair is visible on the scalp. At 18 weeks, the baby's ears are fully functional and can hear its mother's voice.

The Supreme Court overturned Roe vs. Wade in 2022, and though many states permit abortion, the madding crowd protested

vociferously. Yet, in 2023, 1,026,700 babies were killed in the US, the highest number in over a decade.

In May 2024, the National Center for Health Statistics reported total fertility rate for the US was 1.62 in 2023, the lowest rate ever recorded in the US and well below the rate needed to maintain a growing population (2.1 children per woman.) We recorded fewer pregnancies and a greater number of miscarriages since 2021.

Sadly, the idiocy of destroying our population, killing off potential healers of the sick, discoverers of new technologies, scientists, engineers, and brilliant mathematicians, seems to permeate among many. Allowing the killing of a baby even after it is born is lunacy and criminal.

I strongly oppose this initiative. Arizona must not grant constitutional permanency to the killing of our children. Never has any constitution guaranteed the killing of children and Arizona must not be the leader in this insanity.

#### **Mr. Henry Conroy III, We The People, Sierra Vista and Mrs. Marjorie Conroy, Sierra Vista**

---

The issue of abortion got my husband and me off the sidelines and paying attention to how our legislators were voting years ago, decades before my own legislative service was a fleeting thought. We had learned that a school nurse had taken a 14-year-old girl out of school for an abortion without her parents knowing. They were informed after their daughter showed up in the emergency room with complications from the surgery. Raising three daughters ourselves, we wondered how this could happen and whether it might happen to one of our girls? We were incredulous to learn there were no parental consent laws for abortion. Legislators attempted to remedy that, but our own State Senator was voting “no”. That is when we engaged and worked for his opponent, one who supported this commonsense protection (and he won!).

This isn’t commonly discussed but following Roe v. Wade, commonsense practices applicable to other medical procedures, like parental consent, suddenly didn’t apply to abortion and became unenforceable. The tragic outcomes soon became obvious, and laws were passed protecting women, including clinic health and safety standards – even stopping sexual abusers and traffickers from coercing their victims into abortions.

The expectation that these protections would become unenforceable if the amendment passes is not far-fetched. It is baked-in to the language, prohibiting any government entity from adopting, enforcing or enacting any law, policy or practice abridging the “fundamental right” to an abortion, further stating that the amendment be liberally interpreted by the courts – pre-empting most laws protecting women.

This amendment not only preempts Arizona’s current 15-week limit, dismissing the 90% of Arizona voters who oppose late term abortions, but it makes legal abortions more dangerous for women and girls who deserve and expect better. Vote No.

#### **Nancy Barto, Former Senator, Phoenix**

---

Arizona’s healthcare professionals don’t always agree on the issue of abortion, but we all agree on the profound responsibility we have to put the health and safety of our patients first.

With abortion now legal in Arizona up to 15-weeks, and beyond for medical emergencies, we are perplexed and deeply concerned about this political initiative that creates a real danger to pregnant women seeking abortions.

We may be Pro-Life, we may be Pro-Choice, but we are united in this: The health and safety of all patients must be our top priority.

Making something legal does not make it safe.

When considering any legislation that expands abortion, we must ask whether it also increases risks to women. This proposed constitutional amendment does. It seeks to expand abortion without boundaries, without safety regulations, and without notifying women of the risks.

Legal abortion clinics can be just as dangerous as illegal clinics - the amendment removes commonsense safety regulations for facilities performing abortions.

It removes the requirement that a medical doctor be involved and allows anyone with a license issued by almost any

healthcare agency to legally perform abortions, prescribe the abortion pill, or sign off on third trimester abortions.

These changes will endanger women as abortions, especially those done in the 2nd and 3rd trimesters, come with the risk of serious complications including hemorrhage, perforated uterus or bowel, sepsis, greater risk of premature delivery in later pregnancies, possible infertility and prolonged grief.

Furthermore, taking the abortion pill without proper medical oversight can be dangerous for the woman, even deadly if she has an undetected ectopic pregnancy or lives remote from a facility where she can receive emergency surgery or a blood transfusion.

Expanding abortion while removing safety regulations is a dangerous combination. That's why we are voting NO. Please join us.

**Melinda M. Martin, M.D., FACOG, Prescott; Lela R. Lewis, M.D., MPH, FACOG, Phoenix; Allan T. Sawyer, M.D., MS, MATS, Allan T. Sawyer, M.D., Ltd., Glendale; Eric Hazelrigg, M.D., Medical Director, Choices Pregnancy Center, Mesa; Mathew L. Holeman, M.D., Scottsdale; and Anthony Levatino, M.D., J.D., Eloy**  
*Sponsored by It Goes Too Far*

---

To save the lives of innocent children, to protect the health of women, to help people avoid terrible regret, and to show love to our neighbors, I, as a Christian pastor in Arizona, urge every Arizonan to vote NO on the abortion amendment.

Every human life is valuable because every human life, born and pre-born, is wonderfully made in the image of God as Genesis 1:27 and Psalm 139:13-14 make clear. Abortion is the ending of that innocent human life, and it results in danger and hurt toward women, as Exodus 21:22-25 and Genesis 9:6 warn.

The church is here to compassionately serve and support vulnerable women. Psalm 82:3-4 calls us to “defend the weak and the fatherless... and rescue the weak and the needy.” 1 John 3:18 says to love “with actions and in truth.”

Abortion is not a political issue, but a biblical and moral one (Mark 12:17), leaving no excuse for supporting the shedding of innocent blood. The abortion amendment would change the state Constitution to legalize abortion during all nine months of development in the womb. Proverbs 6:16-17 says, “The Lord hates...hands that shed innocent blood.” And Ephesians 5:11 commands us to “take no part in the unfruitful works of darkness, but instead expose them.”

In obedience to Scripture, I am voting NO on this abortion amendment, and I urge you to do the same.

**Eric Jones, Pastor, Evident Life Church, Gilbert**

---

As a business owner and Mayor of Peoria, I look at the practical aspects of a proposal. As a husband and father of six, my main concern is their wellbeing. On both fronts, the proposed abortion amendment fails miserably.

As Mayor, I serve all Peoria citizens, those who oppose and those who support abortion. I can do that and still strongly come out against the abortion amendment because it serves no one. A recent poll shows only 10% of voters support abortion beyond fetal viability, yet this amendment does just that by using a broad loophole baked into the language.

While removing the limits, the amendment also removes the ability of the state to enforce critical regulations that keep women safe. That is foolish and dangerous policy. Those who are pro-choice expect abortion to be regulated like any other procedure or drug. The abortion pill has strict guidelines. We know the dangers because of how many women end up in the emergency room: one in every 25 women who take the pills. Women deserve a high standard of care, especially when the risks can be deadly.

What strikes me is the lack of serious concern for women. Abortion supporters say no one should come between a woman and her doctor, but the amendment removes the required doctor; it doesn't even use the word doctor or physician.

As a father, along with my wife, we are appalled at the extent of the amendment and the effort to shut out parents by

removing the parental consent requirement. We have six sons who will likely have their own families one day. We will not be party to the destruction of those families. Parents deserve to know, and daughters deserve the care and counsel of their parents. For these reasons we are voting No.

#### **Jason Beck, Mayor/CEO, City of Peoria Mayor / TYR Tactical, Peoria**

---

In November of 2023, I went in excitedly for my routine 12-week appointment. I was eager to hear my baby's heartbeat again. I laid on the table as my midwife searched for a heartbeat. Being an optimist, I refused to let myself think anything was wrong. She sent me for a quick ultrasound. "It'll be fine," I thought, yet my jaw was clenched and my stomach in knots.

The ultrasound showed our little one had stopped developing about a week earlier. Overcome with shock, I went back into the doctor's office to now discuss miscarriage management. Due to how far along I was, the doctor recommended I have a D&C.

I was concerned how receiving a D&C would be perceived – that's used for abortion procedures, I thought. But my baby had already passed away and waiting longer could result in serious infection. The hospital where my surgery was performed treated me with the utmost care. I recall watching informative videos prior to my procedure that explicitly stated that I was not undergoing an abortion. I learned Arizona law specifically states that miscarriage management is not an abortion.

The hospital staff even gave me a small keepsake box of a little quilt, tiny teddy bear, and poem. Not only this, but before the D&C, they performed another ultrasound at my request because I wanted to be sure that my child had indeed passed.

After my experience, it angers me that the pro-abortion movement claims that without this extreme abortion amendment, women like me will not get necessary treatment. They are weaponizing emotions and exploiting tragedy in order to pass laws that further their agenda and harm women.

Miscarriage management is not an elective abortion. Women like me deserve REAL medical care. We do not need

#### **Lydia Vest, Mother, Mesa *Sponsored by It Goes Too Far***

---

Voters deserve to know the full effects of the abortion amendment. What matters is how courts will interpret the language, not what Arizonans think it says or what proponents claim.

Legal analysis finds that the vague language and broad exemptions will lead to unlimited, unregulated abortion in Arizona. These are the results of using undefined, broad terms, such as "health," necessity," and "good faith judgement." These are all subjective terms that will be used to justify a radical abortion landscape in this state.

This amendment legalizes abortion beyond the viability of the unborn baby for virtually any reason by not defining "viability" and leaving it solely up to the abortion provider, who would no longer have to be a doctor. It goes further, making any limit on abortion meaningless by including the "health of the woman" exemption, which has been known for decades to be a legal work-around for abortion on demand. Under *Doe v Bolton*, the U.S. Supreme Court declared "all factors – physical, emotional, psychological, familial, and the woman's age – relevant to the wellbeing of the patient... may relate to health." Additionally, the amendment states fetal viability can be "based on the particular facts of the case." This leaves "viability" completely undefined and arguably impossible to regulate.

The language also leads to the destruction of crucial commonsense safety regulations in place to protect women by making abortion a "fundamental right" and forbidding any law that "denies, restricts, or interferes" with someone getting an abortion. This includes safety precautions by making any safety regulation contingent on the individual's "right" to have an abortion.

It also eliminates the required medical doctor and the requirement for parental consent, it opens the door to forced taxpayer funding of abortion and violation of healthcare professionals' conscience rights. Please vote no.

#### **Cathi Herrod, Esq, President, Center for Arizona Policy Action, Phoenix**

Learn the truth about Prop 139. It says, “The state cannot pass any law, regulation, policy or practice that denies, restricts, or interferes with an abortion after fetal viability that a healthcare professional deems necessary to protect the life or physical or mental health of the pregnant person.”

Let's break this down. 'After fetal viability' means that anyone can have an abortion up to birth. The term 'healthcare professional' refers to anyone in the healthcare field. This means that all healthcare professionals will be allowed to perform abortions, even if they do not have hospital privileges.

The language refers to 'pregnant individuals', and doesn't mention adult women. This definition is vague on purpose and supersedes the current law that requires parental consent for a minor to have an abortion. As a result, any person can bring in a minor for an abortion, without the knowledge or involvement of parent. This protects human and child traffickers.

Prop 139 is not a legislative bill that amends the Arizona Revised Statutes. If it passes, it will enshrine abortion up until birth into our state constitution, and all subsequent legal changes and challenges will be out of the hands of your elected officials and, essentially – out of your hands.

Prop 139 would give every individual the fundamental right to an abortion. “Fundamental rights” are the right to life, liberty and the pursuit of happiness- NOT the right to an abortion up until birth. The right to life supersedes all other rights, for without it, you have none.

Unchecked, unregulated, barbaric dismemberment and partial birth abortion is the true definition of Prop 139 supporting the profit-driven abortion industry. Arizona voters must read and understand the language and dangers of Prop 139.

Vote NO on Prop

**Jill Norgaard, The Honorable, Arizona Right to Life, Phoenix**

---

Legalizing abortion beyond fetal viability is unpopular and unnecessary. A recent poll shows late-term abortion is exceedingly unpopular; only 10% of Arizona voters support late-term abortion and 90% support limits at 15-weeks or earlier.

The amendment is unnecessary. Abortion is legal in Arizona up to 15-weeks and beyond for medical emergencies, moreover abortion is not the only choice for women and girls facing unplanned pregnancies. Pregnancy resource centers exist solely to help these girls and women in their time of confusion, fear, and need.

Pregnancy resource centers provide women with everything from formula to car seats and strollers, making it possible for them to carry their pregnancy to term and either choose motherhood or adoption. With access to parenting classes, support groups, baby supplies, and more, women don't ever have to face unplanned pregnancies alone.

The option before us this election is not abortion or no abortion; we are choosing between legal abortion up to 15 weeks, or abortion beyond the point at which the unborn baby can survive outside the womb. Voters should be aware that choosing late-term abortion under this amendment, also means forfeiting the critical safety regulations currently in place to protect girls and women seeking abortions. These safety measures include regulations that ensure a gurney can get through clinic doors to an ambulance if there is an emergency, supervised recovery in case of an emergency, an ultrasound before taking the abortion pill to rule out a potentially deadly ectopic pregnancy, and much more.

I have always been pro-life, but this amendment is not offering a pro-life versus pro-choice option; it's asking voters to expand abortion well past viability into the third trimester, when it is more dangerous for women, while simultaneously forfeiting critical safeguards. The choice is clear, women deserve better. I'm voting No.

**Karrin Taylor Robson, Founder & President, Arizona Strategies, Phoenix**

PROP 139 declares abortion to be a fundamental right allowing abortions after fetal viability based on the mental health of patients as solely determined by the abortionist with no state oversight. It amends the constitution by erasing several commonsense provisions in the current law that enhance patient safety. Currently, only licensed physicians can perform surgical or medical abortions in Arizona. Medical abortion medications cannot be provided through a delivery or mail service. When complications occur, the patient can rely on that licensed physician to provide appropriate medical intervention to resolve any issues. Prop 139 eliminates the physician-only requirement allowing women to obtain abortions from unqualified doctors and pills from non-physicians or telemedicine websites located hundreds of miles away. The question then becomes, "Who takes care of the patient when complications arise?"

All medical procedures, including abortion, run the risk of complications. Research shows 2-8% of patients receiving medical abortions will experience complications sufficient to require medical intervention. Average bleeding and spotting lasts 9-16 days and up to 8% of women experience some type of bleeding for more than 30 days. A particular danger is undiagnosed ectopic pregnancy- 2% per the CDC. Attempting to terminate an ectopic pregnancy with abortion pills has resulted in patient deaths and cannot be reliably diagnosed via video or chat.

With no medical or state oversight, abortion pills can fall into the hands of human traffickers or abusive partners who coerce and force abortions. An in-person visit with a physician may be the last chance for a girl or woman to seek help.

As a former abortionist who has seen it all – PROP 139 goes way too far. It is dangerous on so many levels and does not safeguard women's health.

VOTE NO on PROP 139. Arizona women deserve far better.

#### **Anthony Levatino, MD, JD, Eloy**

Arizona voters must vote no and reject the radical Abortion Access Act. Otherwise, it will enshrine abortion with no limits in the state constitution while shielding practitioners with dubious medical domain expertise from facing any legal liability. The proposal declares that abortions after fetal viability will be decided by a health care professional. They alone will determine if the physical or mental health, or even life, of the "pregnant individual", an odious term this amendment will insert into our constitution, is in danger and therefore warrants proceeding with an abortion. Curiously, besides leaving what constitutes a threat to physical or mental health undefined, the amendment also dodges listing the occupations they want to wield this authority. However, the Arizona Revised Statutes defines the occupations that constitute the health care profession. Unsurprisingly, you will find medical and osteopathic doctors. Shockingly, you will also find dentists, pharmacists, optometrists, physical therapists, acupuncturists, and even athletic trainers. How did veterinary technicians not make the list? In what world should these occupations have any business assessing the health of pregnant women? None, of course, but that's why the "shout your abortion" people want to shield them with absolute legal immunities. The Arizona Abortion Access initiative goes too far. Making abortions a fundamental right will open us up to using our tax dollars to fund abortions. Our legal system shouldn't be twisted to satisfy the demands of fanatics. Let's not put this abomination into the constitution.

#### **Brook Doty, Chairman, LD17 Republicans, Tucson**

Vote NO on the Arizona for Abortion Access measure. Those seeking to push this through having worded the amendment so that there WILL BE ABSOLUTELY NO RESTRICTIONS TO ABORTION either BEFORE or AFTER fetal viability. This means that this bill would enshrine infanticide, full-access with no parental knowledge or consent, pressure abortions by abortion providers, etc. Everything that Arizonans have voted on over the years to limit abortion and protect both women and baby would be wiped off the records. Listen to the wording of the amendment: "No law, regulation, policy or practice shall be enacted or enforced denying, restricting or interfering with an abortion either before or after fetal viability". Do not listen to them saying that they currently have no access to abortion. Just drive by Planned Parenthood and you will see otherwise. VOTE NO ON THIS PROPOSAL.

#### **Kimberly Jansen, Concerned Citizen, Tempe**

##### **AGAINST Proposition #139 Abortion Protection**

At conception, the new cells have its own DNA. Unique in all the world. These tiny cells are NOT PART OF A WOMAN'S BODY. It is human and has inalienable rights. The RIGHT TO LIFE. If a human life is taken at any other age, we call it murder and prosecute the perpetrator. Our society has decided this tiny vulnerable life is an exception. At what age do you consider a developing baby, with all its permanent DNA, human? 10 days? 100 days? 200 days?

Spelling, grammar and punctuation were reproduced as submitted in the "for" and "against" arguments.

Do not be deceived by this legislation. It erases ALL LIMITS to abortion in Arizona. Parental consent, gone. After 15 weeks ban, gone. Viability protections, gone. Partial Birth Abortion ban, gone. Abortions required by a doctor, gone. Standards of care in clinics, gone. Ban on using our tax dollars, gone. Future generations, gone.

Abortions are NOT HEALTH CARE. Abortions end a life. Abortions distort the emotional life of a mother. Have you asked a post abortive woman if she regrets the decision? A doctor takes an oath to protect life, not destroy it. Abortions secured by rape victims add more violence to the mother's already shattered life. An unplanned pregnancy can result in a beautiful adoption. Abortions are not birth control. Do not be deceived by this legislation. Abortions are already available in the State of Arizona until week 15. Isn't that enough?

VOTE NO.

**Kimberly DePew, Citizen, Sierra Vista**

---

The founders of the Catholic Grassroots Decline to Sign Team would like to state the following truths and facts about the abortion amendment and encourage voters to vote NO on Prop 139.

- Prop 139 is a permanent AZ constitutional abortion amendment; as such, our elected representatives would be powerless to make any changes in the future or address any unintended consequences which will result from this amendment
- It will legalize abortion THROUGH ALL NINE MONTHS as indicated in A2 where it states "AFTER FETAL VIABILITY"
- Underage girls could get an abortion without parents' knowledge or consent
- "HEALTH CARE PROFESSIONAL" means it does not have to be a doctor. It could be a podiatrist, practice manager, veterinarian...
- Sex traffickers and abusers will bring their victims, including young girls, for an abortion at any stage of pregnancy

This constitutional amendment is radical. We would like to remind AZ Catholics that abortion is against the Catholic faith, and it is the preeminent issue according to the USCCB. As per the CCC, "Human life must be respected and protected absolutely from the moment of conception." (2270)

Vote NO on Prop 139.

Catholic Grassroots Decline to Sign Team

Adrienne Johnson  
Peggy McClain  
Linda Rizzo  
Ed Steele

**Adrienne Johnson, Peoria; Peggy McClain, Tempe; Linda Rizzo, Scottsdale; and Ed Steele, Mesa**

---

For decades the argument for abortion has been that back-alley abortions aren't safe and women will die unnecessarily. However, this amendment puts women at risk medically. It removes most safety standards at abortion clinics, eliminates the required medical doctor leaving women in the hands of unqualified providers, keeps parents from knowing their daughter is undergoing a possibly dangerous procedure and allows for painful, late-term abortions. Currently, women have access to abortions during the first 15 weeks of pregnancy and only after 15 weeks if a doctor determines that there is a medical emergency. Women requesting an abortion are required to see a qualified medical doctor to either perform an ultrasound to ensure the pregnancy is not further along than is safe for a chemical abortion and to rule out ectopic pregnancy, which can be deadly. Complications from late-term abortions include hemorrhage, perforated bowel, sepsis, possible infertility and prolonged grief. This amendment would also SHIELD SEX-ABUSERS from prosecution if they force their victims to get an abortion to cover up their crime. The language of this amendment is too vague. To learn more, visit the website: [itgoestoofar.com](http://itgoestoofar.com) and read what attorneys and medical experts have to say. Please protect women's health and vote "NO" on this Arizona constitutional amendment.

**Patricia Meade, Taxpayer, Phoenix**

---

Spelling, grammar and punctuation were reproduced as submitted in the "for" and "against" arguments.

## OPPOSITION TO PROPOSITION 139

Pro-abortion fanatics have proposed an amendment to the Arizona Constitution that would be the most dangerous and radical abortion provision in the country.

- It provides for painful, late-term abortions—after the baby has fingers and toes, fingerprints, practices breathing, and opens his or her eyes.
- It eliminates the requirement for a medical doctor—it allows a wide range of unqualified people to perform and provide abortions, including chiropractors, acupuncturists, and homeopathic caregivers.
- It removes safety standards for abortion clinics--It leaves girls and women at risk of uterine perforation, infection, hemorrhaging, incomplete abortions, and infertility.
- It intervenes between a minor daughter and her parents, giving bureaucrats and unqualified people a preferred relationship with a minor daughter--The abortion amendment eliminates current Arizona state law that ensures parents are involved in the decision of a minor girl to terminate her pregnancy.

The proposed amendment will surely lead to forcing taxpayers to pay for abortions, even for individuals who don't reside in Arizona.

The standard of care in this sensitive area will be left to people who are not qualified, putting Moms in jeopardy.

It will ultimately lead to the termination of Arizona's current law that allows healthcare professionals to opt out of performing or participating in abortions as a right of conscience.

We oppose making Arizona the heart of the most extreme and dangerous abortion laws in the United States with the proposed amendment to our Constitution.

Please vote no on this radical proposal.

Cindy and Andy Biggs  
Gilbert, AZ

### **Cindy Biggs, Gilbert and Andy Biggs, Gilbert**

---

Can we, for this moment, take out all emotion around abortion and speak to what the Abortion Access Amendment will really allow in Arizona?

It's important to know, because it's about much more than abortion up to fetal viability.

If this measure passes, here are the consequences of which you may not be aware:

1. Abortion will be allowed up to birth.
2. Parental rights will be overridden. A 12-, 13- or 14-year-old girl could seek an abortion without the need for parental consent.
3. Taxpayers will be forced to pay for abortions.
4. An ultrasound will not be required before an abortion.
5. The requirement for a medical doctor to perform an abortion will be removed.
6. The State Constitution will be changed so the serious negative consequences of this measure would be extremely difficult to reverse.

It is the loose language of the proposed amendment which would allow all of the above. The loose language allows for deception of the full intent of this proposed amendment.

Other consequences to consider:

1. Without mandated parental notification, child traffickers will be protected. They can easily obtain an abortion for their victims without a parent notified.
2. Prescribing chemical abortion pills to a woman with an ectopic pregnancy needlessly delays appropriate treatment of this life-threatening condition, putting the woman's life at risk. Yet, without the requirement for an ultrasound, this would be the reality.
3. Broad exceptions to abortions after fetal viability allow for very dangerous abortions late in pregnancy, even up to birth.

Please don't allow the strong emotions around abortion to cause you to be deceived. This measure goes much further than protecting abortion. Its consequences go far beyond Roe vs Wade and will allow GREAT harm to women and girls.

Please vote NO on this ballot measure.

**Susan Johannes, Tempe and Sharon Sousa, Chandler**

---

Extremism is on the rise, and it's hurting women. Prop 139 is the most extreme abortion measure in our nation's history. Vote No.

Arizona is being used by outsiders for political gain, at the expense of our women and children. My sister and her child were victims of this so-called "procedure," suffering immeasurable damage for two decades. I refuse to remain silent while tens of thousands of women and children are harmed each year. Prop 139 seeks to dehumanize and strip away patients' rights.

Women deserve better than what Prop 139 offers. Here's what they won't tell you:

Health risks for all ages: Prop 139 eliminates standards for medical clinics, putting women and girls at severe risk.

No doctors needed: Non-physicians would be allowed to perform these procedures. Is this really in the best interest of Arizona's women?

No restrictions or regulations: Prop 139 removes all safeguards, embedding unregulated abortion into the state constitution. No measures, laws, policies can stop this once enacted.

No informed choices: Women won't receive information on the risks of abortion or alternatives like adoption.

Empowering human traffickers: Traffickers could force abortions on girls and women without facing any penalties.

Parents silenced: You won't be able to seek justice if your daughter is a victim of forced abortions by traffickers. Girls as young as 12 could undergo procedures without parental consent.

Abortion up until birth: Physicians could justify late-term abortions up until birth based on a woman's mental health.

Prop 139 is not just harmful; it's dangerous and irresponsible. Stand with us and protect the women and children of Arizona.

Vote "NO" on Prop 139.

**Josh Chumley, Vice President, Choices, Phoenix**

---

As followers of Christ, we believe that every human life is sacred from conception. Scripture teaches the profound value of each person, made in the image of God, and calls us to protect the innocent. Therefore, we as Arizona Pastors, encourage you to vote NO on the abortion amendment.

God tells us in His word that He "knit [us] together in [our] mother's womb." Every life, born and unborn, is "fearfully and wonderfully made" by God.

Abortion ends innocent life, contradicting our belief in the inherent dignity and worth of every person. As Christians, we

understand the importance of protecting innocent lives and the severe consequences of taking them.

Proverbs tells us to “rescue those who are being taken away to death; hold back those who are stumbling to the slaughter.” And that “the Lord hates... the shedding of innocent blood.” Ephesians warns us to flee “the deeds of darkness.” Genesis warns, “Whoever sheds human blood, by humans shall blood be shed; for in the image of God has God made mankind.”

The church is called to care for those who are vulnerable. Therefore, our response should be one of compassion and tangible support, providing alternatives to abortion. The Psalmist says, “Defend the weak and the fatherless; uphold the cause of the poor and the oppressed. Rescue the weak and the needy; deliver them from the hand of the wicked.”

In obedience to Scripture, we must stand against the proposed abortion amendment, which seeks to legalize abortion throughout all nine months of pregnancy. Voting NO is a vote to protect the lives of the unborn, uphold the health and dignity of women, and remain faithful to our Christian calling. We urge you to join us in voting NO on this amendment, affirming our commitment to life, compassion, and biblical truth.

**Pastor Edwin Mendoza, President, Unión de Pastores Amigos de Arizona, Phoenix**

*Sponsored by It Goes Too Far*

Dear Voters,

We urge you to vote against the Arizona for Abortion Access initiative. As citizens we are deeply troubled by the attempts of supporters to mainstream abortion. These supporters seek to impose their beliefs by force of constitutional amendment. They desire to make killing unborn children a fundamental, “natural”, and essential right. There is nothing natural or essential about abortion.

As women we are greatly concerned the claim that abortion is essential healthcare for women. Being pregnant is not a disease to be cured. The unborn child is a human life and is a patient worthy of their own autonomous treatment. The American Academy of Pediatrics policy states, “Pediatric care may begin periconceptionally (period of time defined as the 14 weeks before and 10 weeks after conception) and continues through gestation, infancy, adolescence, and young adulthood” (1). As Christians we are alarmed by the profound implications to the sanctity of life of this initiative. This initiative will permanently and legally allow women to kill unborn children up to birth. Furthermore, it opens up the possibility of women using abortion drugs via telehealth in order to chemically kill their unborn babies at home. In reality, this initiative does not establish actual healthcare, counseling services, or aide to women and their partners. The truth is that the Arizona for Abortion Access initiative is striving to normalize the direct and intentional killing of a child in the womb without regard for the unborn child, the mother, or her support system.

Unborn children are distinct living humans that have value and a right to life. We strongly encourage you to vote against this initiative and save unborn children’s lives. Future generations of Arizonans depend on it.

1: American Academy of Pediatrics, “Policy Statement: Age Limit of Pediatrics,” Pediatrics 140.3(2017): e2017151.

**Elizabeth Levengood, Vail Valley Baptist Church Women's Group, Vail**

Dear Voters,

We urge you to vote against the Arizona for Abortion Access initiative. As Christians we are alarmed by the far-reaching implications to the sanctity of life of this initiative. This initiative to amend our state constitution will permanently and legally allow women to kill unborn children. Abortion unjustly takes the life of a defenseless human being. Unborn children are not a clump of cells. Unborn children are distinct, living, and whole human beings made in the image of our Creator and part of the human family.

Supporters of this initiative classify unborn children as outside the circle of legal and moral protection. Unborn children are entitled to equal dignity inherent in all human beings including protection for their own lives. Human life is a gift from God and the highest possible blessing, “Behold, children are a heritage from the Lord, the fruit of the womb, a reward” (Psalm 127:3 NLT). In short, we do NOT have a God-given right to kill our children. Furthermore, God’s character goes into the creation of every person, “You made all the delicate, inner parts of my body and knit me together in my mother’s womb. Thank you for making me so wonderfully complex!” (Psalm 139:13-14 NLT). The truth is that the Arizona for Abortion Access initiative is striving to normalize the direct and intentional killing of a child in the womb without regard for that unborn child.

We are disturbed at the complete erosion of faith by a large group in our society that totally ignores the fact that unborn children are distinct living members of the human species that have value and a right to life. We strongly encourage you to vote against this initiative and save unborn children's lives. Future generations of Arizonans depend on it.

**Elizabeth Levengood, Vail Valley Baptist Church, Vail**

---

Prop 139 is wrong for Arizona. This is an extreme measure that opens the door for unrestricted abortions. It eliminates important safety standards, threatens the most vulnerable members of our society, and exposes Arizona's women and children to the pain of late-term abortions.

This proposition removes safety standards for vulnerable girls and women. A medical doctor will no longer be required to perform an abortion under this constitutional amendment. The language would sideline parents by overriding current state law that ensures parental involvement in a decision when a minor needs her parents most.

Prop 139 allows for dangerous abortions that harm the mother and child. At six weeks gestation, a preborn child has a detectable heartbeat. At twelve weeks, that preborn child can wiggle his or her toes. At fifteen weeks, that preborn child can feel pain. At twenty-four weeks, that preborn child is viable outside of the womb. Prop 139 would legalize late-term abortion for practically any reason, as long as the abortionist, who has financial incentive, gives approval.

All human beings, from the moment of conception, are persons with intrinsic worth and have a fundamental right to life. Prop 139 is a radical amendment to Arizona's Constitution that rejects the humanity of preborn children and further risks the health and safety of moms. This amendment goes too far.

Please vote NO on Prop 139.

**Nathan Duell, Arizona State Director, Heritage Action for America, Glendale  
Sponsored by Heritage Action for America**

---

Vote No on Prop 139. Takes away parental consent and involvement for minors, will allow abortion up until the time of birth of a baby, eliminates the Medical Doctor requirement for performing an abortion opening it up for chiropractors, podiatrists and even massage therapists to perform and makes it a constitutional right which requires tax payers to foot the bill. Arizona already has common-sense regulations covering what will be taken away, listed above, in addition to the current 15-week abortion limit. This constitutional amendment goes way too far and does not protect the safety of girls' and women by putting them at risk. AZ already has good, common sense laws the vast majority of people agree on. Vote NO on this radical, unsafe measure.

**Kaaren Sherrell, Self, Self, Indianola**

---

Our country was founded on Freedoms. Freedom of speech, Freedom of Religion etc. However, when a "freedom" hurts others it stops being a freedom.

Abortion does just that. It takes away freedom of life for another human being. We don't have the right to kill anyone just because it makes our life more convenient or simple.

From the moment of conception, the fetus has a unique DNA. This makes them a human being even before birth.

When our culture encourages the violation of life at its youngest and most vulnerable condition, other ethical norms cannot stand for long. There has already been talk of not letting the elderly live too long or getting rid of one political group or another. The list goes on and on. Eventually no one is safe from an out of control society.

Abortion has a lot of health and psychological issues too. The person may change her mind and decide the abortion was the wrong choice so now guilt and remorse have to be dealt with. Many studies have shown that a person who has an abortion will need a lot of counseling before her life can continue on a positive course. Getting pregnant again may be difficult and take years to try for another child.

Abortion brings with it too many unknowns and sometimes health risks that simply make it not worth having an abortion. There are so many people who would love to adopt a unwanted baby! Please give life a chance!! As I see it, there are way too many reasons against abortion on demand.

### **Mrs. Nancy Dombrowski, Phoenix**

---

It goes too far? The state of Arizona already has a law on the books that allows abortion up to 15 weeks to protect the life of the mother. This initiative if passed will allow abortion up to and after birth. Also it will allow any medical professional to recommend or preform the abortion - i.e. your dentist, chiropractor, acupuncture etc. This is crazy. We already have a law on the books. THIS GOES TOO FAR. Vote No.

### **Peter Anello, Mesa**

---

Abortion is legal in Arizona up to 15 weeks. Like it or not, it is a moderate position on this polarizing issue. The Arizona Abortion Access Act is way too radical for Arizona. It contains a potpourri of extremist ideas, like stripping away health care safety precautions for women seeking an abortion, allowing a minor child to get an abortion without a parent even knowing about it, and allowing a full-term baby to be aborted up until the moment of birth. The Arizona Abortion Access Act compiles all the worst practices the radical extremists could think of into this one horrific constitutional amendment. Enshrining this in our constitution ties the hands of legislators. It even removes the requirement that a medical doctor be present during the procedure. That's not health care. That does not protect women. It only puts them at further risk. I strongly urge you to vote an enthusiastic NO on the Arizona Abortion Access Act.

### **Jennifer Arroyo, Tempe**

---

#### **Summary**

Prop 139 protects sex abusers and removes parental involvement in their young daughters' medical decisions, putting girls and vulnerable women at great risk.

---

#### **Argument**

Prop 139 is very concerning. This proposition increases abortion from the current Arizona law of 15 weeks (already into the 2nd trimester) and beyond that for medical emergencies; to allow post-viability abortion. This is extreme. It also greatly increases risks to underage girls and vulnerable women. It removes parental consent, eliminating parents from their daughters' medical decisions when they are needed most. We believe that parents should be the primary source of protection for their children and are best equipped to guide them when they are faced with difficult circumstances. This prop dangerously shields sex abusers from prosecution for coercing or forcing abortion on women or girls. This is extremely troubling, especially when combined with the removal of parents from the decision-making process. What will prevent sex abusers from covering up their crimes against girls by purchasing a secret abortion without any parental involvement? Dream City Church, for decades, has rescued and recovered women and children enslaved in human trafficking. We have supported vulnerable pregnant women, sheltered single moms, and counseled numerous women who regret their traumatic decision to have an abortion. Because of our Biblical Values, and years of experience with these issues, we see irreversible red flags with this proposition. It is dangerous, extreme, and wrong for Arizona. Please vote NO on Prop 139

- Increases abortion limits to post-viability
- Removes parents from their daughters' medical decisions
- Shields sex abusers
- Targets girls and vulnerable women at great risk
- Vote NO on Prop 139

---

### **Debi Vandenboom, Director of Civic Engagement, Dream City Church, Phoenix**

This proposition would legalize abortion after fetal viability.

In other words, even if a baby is developed enough to be born and to live outside its mother's womb, this proposition would allow that baby to be aborted.

Most people agree that this kind of late term abortion is wrong.

Vote NO on this radical ballot proposition. Killing babies who are ready to be born is wrong.

Bob Pamplin, MS, MA

**Bob Pamplin, MS., MA., Mesa**

---

Prop 139 is intentionally broad and vague, aiming to draw on the emotions of Arizona voters through buzzwords like "rights," "choice," and "access" while deliberately omitting the necessity for trained medical care. Prop 139 is egregious in that nowhere does it highlight the need for a medically trained, state-licensed physician to participate in the women's right to choose. Instead, it intentionally leaves the door wide open for non-medically trained individuals, which Prop 139 ambiguously calls "healthcare professionals," to determine not only pregnancy viability but unknown health risks to the mother as well.

Prop 139 seeks to omit vital safeguards such as an ultrasound leaving unsuspecting women exposed and vulnerable to severe complications through non-viable pregnancies--any pregnancy that occurs outside of the uterus--also known as an "ectopic" pregnancy. Ectopic pregnancies are the leading cause of first-trimester mortality, accounting for 5%-10% of all pregnancy-related deaths. Ectopic symptoms are indistinguishable from those of the chemical abortion process and can only be diagnosed through the administering of an ultrasound by a state-licensed, board-certified medical professional.

Prop 139 is a flippant and dangerously irresponsible attack on women's healthcare under the guise of choice. Arizona can do better than this; women need actual healthcare. As the CEO of one of Arizona's most prominent and longest-running pregnancy resource centers, having served more than 285,000 clients and administered more than 80,000 ultrasounds, I can attest that removing licensed medical care puts Arizona women in life-threatening danger.

Vote NO on Prop 139.

**Marc Burmich, President & CEO, Choices Pregnancy Centers, Peoria**

---

**Why Pro-Choice Voters Should Vote "No"**

There are several reasons this amendment is both unnecessary and dangerous:

1. Even if you are pro-choice, you should still vote "no" because the amendment removes Arizona's 15-week law (which already includes many post-15 week exceptions) and replaces it with unregulated, unlimited abortion for virtually any reason.
2. This amendment poses a grave danger to women for the following reasons:
- The amendment removes the requirement for an MD to authorize, perform, and supervise abortions. It substitutes the MD requirement with any "treating healthcare professional." The definition of healthcare professional in Arizona law includes nurses, chiropractors, dentists, massage therapists, veterinarians, and more. Would you feel safe having your loved one receive an abortion from anyone other than an MD?
  - The amendment removes the current requirement for minors to get a parent's permission before undergoing an abortion. This leaves parents in the dark and places uninformed and often naïve minors into the hands of potentially unqualified abortion providers.
  - Under this amendment, sex abusers who force their victims to get abortions could not be punished for covering their crime with an abortion. This makes it easier to hide their sex crime.
  - Many commonsense safety requirements would be unenforceable. Precautions such as ultrasounds and informed consent are removed under this amendment.
  - Due to the expansion of who can provide abortions, a morbid and predatory "cottage industry" of abortion providers could emerge.

If you want to protect girls and women who get abortions, you must vote No. This is a bad law which was written hastily and without forethought to expand abortion at all cost, even the health and safety of women. We are all safer without it.

**Priscilla Moore, Scottsdale**

---

As an Arizona native and new father, Initiative I-05-2024 deeply concerns me. This proposal to establish unrestricted abortion access as a fundamental right disregards the inherent dignity and value of every human being, even those growing in the womb. Each abortion represents a profound loss of potential and denies the basic right to life that should be protected and cherished.

The initiative's disregard for regulations and oversight of abortion providers is sickening. Removing these safeguards can compromise the quality of care and leave vulnerable women at risk.

I am troubled by the ethical implications for healthcare professionals who conscientiously object to performing abortions. Their freedom of conscience and right to uphold their moral beliefs should be respected, not infringed upon by legislative measures that compel participation in procedures they find morally objectionable.

Beyond these concerns, I fear the initiative may deepen societal divisions and diminish our collective respect for life. It overlooks the complexities of abortion and fails to address the broader implications for our communities and future generations.

The thought of an Initiative like I-05-2024 passing should make the average citizen of Arizona very uncomfortable. We must reject this initiative and seek solutions that promote compassion, support women in difficult circumstances, and uphold the sanctity of life. Please vote NO on I-05-2024.

**Andrew Adams, Gilbert Citizen, Gilbert**  
*Sponsored by LD14GOP*

---

I am a mother of 2 wonderful young men, an RN of many years, and I have also worked at one of the top plaintiff medical malpractice firms in Chicago.

This being said I am emphatically asking that you vote "No," to this Ballot Proposition.

At age 32 I was told at 6 months that my son was at "hi risk" for hydrocephalus based on cranial ultrasound measurements. I declined further testing, because my decision to birth my son would not have changed based on test results. At age 44 I was pregnant again and was encouraged to abort due to hCG levels advanced maternal age. Again I said no. I gave birth to 2 perfectly healthy boys. In both cases I was lucky enough to have informed consent.

It is the physician's duty, legally, morally, and ethically, to provide each patient with informed consent giving education on available alternatives to abortion. Where time is of the essence and consent cannot be obtained, physicians already have access to training and medical standards of care in order to make decisions in emergency medical situations. There really is little confusion regarding what constitutes a medical emergency.

Regarding the law, it is incumbent on the sitting Governor, the Secretary of State, and the AG to educate the taxpaying citizens of Arizona on the current status of the law and to provide clear and unbiased information absent political agenda.

I have reason to believe that this ballot initiative is a thinly veiled attempt to promote elective, non-therapeutic abortions up to and after birth.

State funding might be better spent focusing on early obstetrical care.

Respectfully,  
Mary Wheeler Mcfarland RN BSNJD

**Mary Wheeler Mcfarland, RN BSNJD, Self, Phoenix**  
*Sponsored by Jill Norgaard*

Since our founding in 1974, Arizona Right has been advocating for the unborn and for women, ensuring they have the proper resources and care throughout their pregnancies. We believe that every person has the right to life, and we work tirelessly to promote this fundamental right.

The Arizona Abortion Access Act on the ballot is about making abortion a fundamental right. Enshrining abortion in our constitution makes abortions eligible to be funded by tax payers, and subsequent legal challenges are out of the hands of your local elected officials.

Proponents claim that this initiative is about women's healthcare. This is their talking point, and it is false. In fact, this initiative removes current safety precautions, eliminates parental consent for minors, removes the 24 hour waiting period, and allows abortions up to full term, a procedure that is extremely risky for women. Their term 'after fetal viability' means up to full term. It also grants "treating healthcare professionals" to perform, abortion, with no training, or hospital privileges. Minors are extremely at risk as child molesters can take them in for an abortion, with no parental consent and never be prosecuted.

Arizona Right to Life has been supporting babies and their mothers for years and will continue our mission. Most Arizonans agree that abortion up to birth is inconceivable. Join us in the effort to stop this ballot initiative.

**John Jakubczyk, Attorney, AZ Right to Life, Scottsdale**

During my tenure as an Abortion Director in the city of Glendale, I witnessed many things that would horrify Arizonans if they only knew what went on behind the closed doors of these abortion clinics. I have seen women whose uterus has been perforated; minors being coerced into abortions due to statutory rape by their 'so-called' partners; young women at high risk of sex trafficking; and abortionists who continue to practice despite a record of harming women. PROP 139 removes the medical doctor requirement for women along with most medical standards at abortion clinics- this is the further deterioration of medical safeguards. Any person can bring a minor in for an abortion without their parents' consent or knowledge which protects child sex traffickers and strips parents of their rights.

I became a whistleblower for many of these horrible practices and won my case. I am fearful this amendment will dissuade future whistleblowers from speaking out about the atrocities they witnessed inside of the abortion industry.

This amendment further deregulates an industry that is already insufficiently regulated. It does nothing to protect women but protects the abortion doctors themselves. PROP 139 allows any "treating healthcare professional" to perform surgical and late-term abortions. The amendment's language is so vague that late-term abortions are not banned. Abortions in the 7th, 8th and 9th months of pregnancy do happen; they are dangerous and traumatic; impacting both the mother and the abortion workers who are required to handle the devastating aftermath.

The amendment misleads taxpayers who are unaware that public funds may be used to cover abortions.

PROP 139 should not be passed for the health and well-being of minor girls and women in Arizona.

**Mayra Rodriguez, Global Outreach Director, AbortionWorker.com, Maricopa  
Sponsored by Arizona Right to Life**

Prop 139 would bring harm to women and girls, and put at risk future generations of unborn children.

I'm writing representing 823 men and women from Arizona, who regret their abortions, from an International Campaign-Silent No More Awareness. Post abortive men and women suffer. I have served on countless post abortive retreats where women as old as 80 and as young as 20, have regrettably shared their stories of immense pain with countless tears. Men too. Women who have abortion are never the same afterwards; abortion causes pain and trauma when one faces the reality of it. For many, denying what happened is a coping mechanism for the pain and trauma they carry.

There will forever be a person missing in my family: he would have been 14 years old and his name is Jose Miguel. He was aborted out of my ignorance, by his father, a doctor. I felt pressured and alone. As a Hispanic woman, this was even more

devastating as we are pro-life! In 2022, 45% of abortions were obtained by Hispanics. If women were supported by the father as well as their own family, they would not feel the immense pressure to abort their living child.

Women do not be deceived! This is not a simple procedure. Your body prepares itself to give birth. You dilate and start to lose blood. Something that would cause great joy leaves you with self-condemnation and emotional pain. I sought healing and have forgiven his father.

I do not wish the pain and trauma of abortion upon my enemies. As a woman who has been forever changed and has to live with my choice, I do not want other women to go through what I have experienced.

I urge you to VOTE NO on PROP 139.

**Roxana Amaton, Goodyear**

*Sponsored by Arizona Right to Life*

Proposition 139 would enshrine a culture of death into the Arizona Constitution. There would be no turning back. As a post-abortive woman who regrets her decision even fifty years later, I speak to you plainly. Despite the 42 words that “define” the fundamental right to abortion before and after viability, there is no distinction in terms of access. Abortion on demand would become a fundamental right at any stage in pregnancy, right up to birth. Young girls (with or without parental consent), teens and women would all be ensured an abortion to protect their “physical or mental health,” based on the “good faith of a treating health care professional,” which could be anyone, not necessarily a medical doctor.

I am not ready to accept this culture of death, where one person can choose to end the life of another person, because that other person is unable to fight back. That’s oppression. And we’ve learned oppression is not right or just- even if you define it as the opposite.

In this century of information and technology, there are countless videos and photos of life in the womb. To deny that the life in the womb is not a living, human being is just ignorant and deceitful. People fight for the rights of animals to live in their habitat. It’s time we stood up for the rights of the preborn in the womb.

We are a people who recognize human rights. The preborn are human and have the same rights as you and I. The culture of death Proposition 139 will embrace is not where we want to take the human race. All life is sacred, from conception to the natural end of life. Please vote NO on Proposition 139.

**Mary Sambo, Retired Veteran and Educator, Silent No More, Avondale**

*Sponsored by Arizona Right to Life*

Citizens of Arizona- Prop 139 goes way beyond the limits of humane. Women of Arizona, we don’t need a fundamental right of abortion until the moment of birth.

As a college student who got pregnant, I wasn’t supported by the birth father- I was told I needed to get rid of that thing. I was brought into Planned Parenthood in a daze and wasn’t given any counseling- was just told the problem could be handled. I was brought back into a room, placed on a table and my baby was suctioned out of me the same way you would vacuum up the dirt on your floor. When I awoke, all I knew was I wasn’t pregnant anymore and I wanted my baby back. When I screamed that – they laughed at me. I have re-lived that terrible, traumatic day every single day of my life. This is the pain and regret of abortion– and that was 49 years ago. This is the pain I don’t want other women, friends, neighbors, college students, teenagers and even men to go through. Nobody needs to go through this. We need to stop this horror now.

People of Arizona, we need to be right here- right now supporting women when they are faced with an unplanned pregnancy- help them seek out the many Pregnancy Resources Centers who support women throughout their pregnancy and after. Women do have better choices and can be empowered not to harm themselves and stop their child’s beating heart. I wish someone would have supported me and told me, ‘Yes you can’, ‘You are capable’, and ‘You can do this’. If only I had made a different choice, I would now be the proud mother of my 49-year-old son.

Vote NO on Prop 139.

**Carol Carnese, AZ Regional Coordinator, Silent No More, Chandler**  
*Sponsored by Arizona Right to Life*

---

"Today, scientific and technological developments have given rise to new forms of attacks on human dignity. There is a cultural climate in which certain crimes against life are justified in the name of "rights of individual freedom". Consciences are finding it increasingly difficult to distinguish between good & evil in what concerns the value of human life. When God is forgotten, Life is no longer viewed as a gift but instead becomes 'matter', a possession to be controlled & manipulated. This view of freedom leads to a serious distortion of life in society. When the promotion of the self is understood in terms of absolute autonomy, society becomes a mass of individuals placed side by side, each trying to make his own interests prevail. There is no reference to the Truth binding on everyone and relativism reigns. Having lost its foundation, the "right" ceases to be a right & becomes subject to the will of the stronger. Democracy effectively moves towards a form of totalitarianism, where a tyrant State arrogates to itself the right to dispose the life of the weakest in the name of a public interest which is really nothing but the interest of some. God's commandments teach us the way of life: 'You shall love your neighbor as yourself' (Lk 10,27) 'You shall not kill' (Ex 20:13). Society as a whole must respect, defend and promote the dignity of every human person, at every moment and in every condition. It is our responsibility to care and protect human life, especially the lives of the most vulnerable among us." St. John Paul II. As Catholics, the Truth remains in the Gospel of Life. The truth is, Prop I-05-2024 Arizona Abortion Access Act allows abortion up until 'fetal viability' which is birth, and this is wrong. No on AAA.

**John Yep, Chief Executive Officer, Catholics for Catholics, Phoenix**

---

Proposition 139 allows abortion throughout all nine months of pregnancy "before or after fetal viability" without ANY restrictions. "No law, regulation, policy or practice shall be enacted or enforced denying, restricting or interfering with that right".

This literally means our State would allow the killing of a fully formed, 32, 36 or even 40 week full-term, preborn baby. Think of what a woman who is eight months pregnant looks like – and now think about dismembering that living child or crushing the skull to allow easier passage through partial-birth abortion. Or perhaps delivering a live infant and refusing to provide care afterwards. Why would this amendment allow abortion up until birth if it didn't intend to utilize it?

Prop 139 is extreme and prohibits any regulation which may restrict or interfere with the "right" of abortion. Medical regulations are standard for any medical practice, Surgi-center or hospital. If I have surgery, the State regulates the centers and mandates that only a qualified, licensed, medical doctor who follows medical and ethical standards may operate. PROP 139 does not require a medical doctor to perform surgical or late term abortions and the language is completely undefined and vague as to who can legally do so - a "healthcare professional". Exactly which healthcare professionals are qualified?

As a doctor who has taken care of women for 30 years, I am convinced that the rights of vulnerable women will NOT be respected if PROP 139 passes. Arizona women deserve far better than what the abortion industry is trying to sell. Let's pass laws that protect women's health and ensure women's safety, and not Prop 139.

**Larissa Meyer, MD, Phoenix**  
*Sponsored by Arizona Right to Life*

---

If you think there should be limits and safety regulations for abortion, then vote no on Prop139. The proposed amendment claims it only legalizes abortion up to the point when a baby can survive outside the womb, but this isn't true. It allows abortions beyond this point for almost any reason under a broad "mental health" exception. Read the amendment and you will see how this will open the door to abortions well beyond viability.

According to recent surveys, the majority of people believe abortions should be limited to 15 weeks or earlier. In Arizona, abortion is currently legal for up to 15 weeks, with exceptions for medical emergencies to protect the woman's life. The State Attorney General has confirmed these exceptions. If Prop 139 passes, it will change the state constitution, making current abortion laws invalid and allowing unlimited late-term abortions up to birth for almost any reason. In other states with similar

**139**

policies, there were over 10,000 late-term abortions last year.

Anyone worried about protecting minors and women from abusers should read the proposed amendment carefully. It states that "no law can penalize any individual who aids or assists" someone in getting an abortion. This means sex abusers who force victims to get abortions to hide their crimes won't be held accountable, making it easier for them to get away with their crimes. And parents won't be notified because the amendment removes the parental consent requirement.

### **Garrett Riley, Scottsdale**

---

PROP 139 is extreme and puts women's health at risk. Voters deserve to know the truth so they can decide for themselves. This amendment will allow unrestricted abortion access through all nine months of pregnancy, enable ALL medical professionals to perform late-term abortions, remove safeguards for minors seeking abortions, take away parental rights, and make abortions tax-payer funded.

Section 8.1, line A reads: "Every individual has a fundamental right to abortion..." "Every individual" includes children, thus allowing them to seek and procure an abortion while leaving parents completely in the dark. This would also enable sex-traffickers to seek abortions for their innocent victims. Section 3, reads, "Denying, restricting or interfering with an abortion after fetal viability that, in the good faith judgment of a treating health care professional, is necessary to protect the life or physical or mental health of the pregnant individual." "Healthcare professional" is a broad term and can refer to not only a doctor but also a nurse, chiropractor, mental health worker, or anyone in the medical profession. To give such a wide group of individuals the power to prescribe or perform an abortion is harmful, as women will seek abortion advice from those who are not qualified professionals.

Mental health can refer to anything from anxiety to self-image issues resulting from weight gain during pregnancy. This would allow anyone to seek a late-term abortion. There are between 10,000 – 15,000 late term abortions performed annually in the U.S. according to the National Library of Medicine, Late-Term Abortion and Medical Necessity: A Failure of Science.

Current law allows abortion up to 15 weeks in Arizona and beyond that for medical emergencies. Today, Arizona law protects abortion-vulnerable individuals including minors, victims of sexual assault, and fetuses capable of surviving outside the womb. These protections will be eliminated under PROP 139. Voters deserve to know the facts of PROP 139.

### **Heather Litchfield, Pacific Southwest Regional Coordinator, Students for Life of America, Chandler Sponsored by Arizona Right to Life**

---

Abortion is legal now up to 15 weeks in Arizona, with exceptions beyond the limit for medical reasons to protect the mother's life. According to polls, most people support safety and healthcare regulations for abortion. Prop 139 would make important existing regulations unconstitutional and unenforceable. This includes laws like the 24-hour waiting period, offering women an ultrasound image before an abortion, and parental notification laws. According to Crisis Pregnancy Center data about 87% of women who were considered abortion-minded and viewed an ultrasound chose to continue their pregnancy. Without this option, more women will proceed with abortions and then suffer later from regret, depression, and emotional trauma.

Prop139 removes parental consent law, so parents won't be involved when their minor daughter needs support and guidance. This leaves young women to undergo abortions or take abortion pills alone, experiencing cramping and bleeding without doctor supervision. Healthcare data show that 1 in 25 women who take the abortion pill end up in the emergency room.

Because the amendment creates a fundamental right to abortion, any restriction on a government health care insurance plan would be seen as interfering with this right. This could lead to doctors, nurses, and other healthcare workers being forced to participate in abortions against their conscience and result in taxpayers funding abortions.

Prop139 removes the requirement for a medical doctor, allowing anyone with a healthcare license to perform abortions, prescribe the abortion pill, or approve third-trimester abortions, thus eliminating crucial safety measures. The terms "doctor" or "physician" are not mentioned.

The amendment also stipulates; "no law can penalize any individual who aids or assists" an abortion. This will allow sexual

predators and abusers who coerce victims into having abortions to cover up their crimes to go unpunished, allowing them to escape justice. Consider these facts before voting.

**Garrett Riley, Executive Director, Arizona Life Coalition, Scottsdale; Mona McDonald, Chair of the Board, Arizona Life Coalition, Chandler; Jill McCabe, Secretary of the Board, Arizona Life Coalition, Scottsdale; and Leslie Morrison, Board Member, Treasurer, Arizona Life Coalition, Wickenburg**

---

If you believe in God, Vote No on the Abortion Initiative.

God is Pro Life and your parents are Pro Life. That is why you and I were born.

Pro Life recognizes that God, the Father, is the Creator and gives each of us Life.

Therefore, we must feel a profound Reverence for Life. Pro Life recognizes that a mother and father are co-creators with God. The mother has a sacred privilege, with God, to nurture the child in the womb.

Abortion does not recognize God, the Father, as the Creator and recognizes that birth is only a biological phenomenon. Therefore, the life of a child can be snuffed out.

Pro Life recognizes that the child, being sent from God, is endowed by its Creator with certain unalienable rights: Life, Liberty (to make choices) and the pursuit of Happiness. This is truly “Pro Choice”.

For Abortion, one’s selfish choice is the only importance. The future choice and freedom of the child is irrelevant. The child can be killed because “it’s my body”. This is against all to have a right to choice and freedom. Therefore, Abortion is not “Pro Choice” rather should be labeled “Pro Death”

God, our Heavenly Father, loves each child more than any of us can imagine. God, our Heavenly Father, is grieved and weeps at every abortion, at the death of one of His children.

Each child that is born is overjoyed to have its long-awaited life. Each child that is killed cries, feeling the pains of death and for losing its opportunity for life and freedom.

We believe in God and thank God every day for our lives. God is Pro Life and your parents are Pro Life. That is why we need to Vote No on the Abortion Initiative.

**Michael Puhlmann, Mesa and Charmon Puhlmann, Mesa**

---

Vote “NO” on Prop 139- “Arizonans for Abortion Access”

This act goes too far Arizonans!

**139**

ARGUMENTS “AGAINST” PROPOSITION 139

Abortion is already legal in Arizona up to 15 months and beyond for medical emergencies. Some important things to know about this out-of-state funded, constitutional amendment:

- It strips parental rights currently required by existing law, eliminating parental involvement for a minor seeking an abortion.
- It would protect sexual predators and child abusers by eliminating any consequences for someone that aids or assists “someone getting an abortion”.
- It removes the requirement of a doctor or physician – you will not find the term “doctor” or “physician” in the amendment; rather it allows an undefined broad range of unqualified “health care professionals” to perform abortions.
- Legalizes late term abortion...up to viability and beyond – it's clear the goal is to allow unrestricted, unregulated abortion on demand.

Women and girls in Arizona deserve better. This amendment is egregious in its overreach and puts women and girls at risk.

Please VOTE NO – Protect girls & women from harm!

**Maria Lopez, Tucson**

If you are a follower of Jesus Christ, Vote No on the Abortion Initiative.

A Pro Life follower lives God's law to love God and love your neighbor as yourself. A child in the womb surely qualifies as one's neighbor. (Luke 10: 35-37)

A Pro Life advocate follows Christ's teaching to serve and share with others by feeding the hungry, giving the thirsty drink, clothing the naked, and visiting the sick and the prisoner, even by serving the least of these. Doesn't a child in the womb have all these needs and isn't he/she the least of all of us? (Matthew 25: 31-46)

A Pro Life believer will "Trust in the Lord with all your heart; and lean not to your own understanding. In all ways acknowledge Him and He shall direct thy path." (Proverbs 3: 5, 6) All mothers are concerned: (1) about finances, (2) their ability to care for the child, and (3) the baby's future; however, a Pro Life believer: (1) has faith that God's grace will provide and (2) that God will strengthen the mother to be able to nurture the child, or (3) believes that adoption to parents (many that can't have children) is the best option.

Due to consequences following our choices, most Pro Life mothers and fathers are very grateful for their child and find great joy and happiness in them for a lifetime.

Christ called a little child and set him with his disciples. He taught that we must humble ourselves and become as little children. (Matthew 18: 1-4)

We are disciples of Jesus Christ. We must strive to follow His teachings. We love all the children, even the unborn. That is why we need to Vote No on the Abortion Initiative.

#### **Michael Puhlmann, Mesa and Charmon Puhlmann, Mesa**

As a young woman who came face to face with the utter shock of an unplanned and unwanted pregnancy, I know firsthand what it is like to realize your life as you know it has changed. I can relate to women and girls facing an unexpected pregnancy. I know the trauma of an unhealthy relationship. As a single, working mother I know the feelings of being alone, vulnerable and afraid of what the future may hold.

I understand what it feels like to be pregnant with a baby you were not planning for and unsure you could take care of. My desire for anyone who is facing an unplanned pregnancy is to know this: despite the emotional turmoil through pregnancy, once my baby was born, he changed my life in ways I could have never imagined. I have never known such joy, fulfillment, love, and purpose. I could never imagine my life without him – and to think I could have missed out. There is so much goodness in life as a mother and though it comes with challenges, it is so worth it.

Women are strong and capable- we don't need the abortion industry selling us reproductive freedom; we have that. The truth is, there is real emotional trauma when women choose an abortion- falsely believing this solves everything. Tossing them back into the world with no support is not reproductive healthcare. Real change can happen when we put resources towards supporting women facing this situation. If we put half the resources that fuels the abortion industry into pregnancy centers, more women would feel empowered to choose their preborn child and lead fulfilling lives as mothers.

We don't need abortion as a fundamental right. I am voting NO on Proposition 139.

#### **Alicia Gasser, Scottsdale Sponsored by Arizona Right to Life**

This unrestricted and unregulated abortion measure takes the professional care of a physician out of the picture which could be dangerous in cases where a woman has an ectopic pregnancy, and she would not be able to know this with the lack of a physician's care and the woman could die.

As a mental health professional, I know the importance of providing the limits of a certain therapeutic technique. This abortion amendment takes a woman's right to knowing the risks of having an abortion away which prevents the ability to make an informed decision.

I am also very concerned this amendment will allow women in domestic violence or trafficking situations to be easily manipulated and coerced to have an abortion with the lack of clear rules protecting women.. It will also change our Arizona constitution similar to what happened in Ohio, and it will be very difficult to reverse. We already have a 15-week (almost six month) abortion bill. Vote "No" on this unlimited and dangerous abortion amendment.

**Naomi Ruppel, MA LMFT, (AZ), & (CA) Licensed Marriage and Family Therapist, Christian Family Solutions, Phoenix**

*Sponsored by AZ Right to Life*

---

I do not understand how any person that has any belief in Deity can not understand that we as a people were brought to this earth to procreate and populate this beautiful birth. I can appreciate the agony and grief one may have on trying to make a decision to abort pregnancy knowing there are serious concerns as regards to the health or physical issues with the fetus. That being said our Father in Heaven has long since had a plan to deal with such issues. Having 26 Greats and 13 Grands I would be so ungrateful if I thought their parents ever considered such an action. I think we should respect and protect those precious gifts from God.

**Wendell Allison, Grand parent, Self, Mesa**

*Sponsored by AZ Right to Life*

---

Soon after Roe v. Wade legalized the murder of the unborn, our first son was born. He lived just one day. I was angry. So many mothers were murdering their babies, and I wanted our son to live. Since then I have seen pictures of how the instrument inserted into the woman rips the unborn baby's body apart. I have seen pictures of babies chemically burned to detach. I watched a video of a partial birth abortion. An instrument was jammed into the baby's skull, and its brain was sucked out. How can this barbarism be allowed in a civilized society? What did these babies do to deserve to be murdered? How could anyone vote to allow this in our state? Vote "No" on this Abortion on Demand Bill!

**James Ruppel, Pastor, Self, Mesa**

*Sponsored by AZ Right to Life*

---

Currently Arizona law allows abortion up to 15 weeks and beyond that for medical emergencies. The extreme abortion amendment would legalize abortion up until 24 weeks (six months!) and be allowable up until birth! This proposed amendment uses the term "every individual" which would include minors. Parental consent will not be required thus the rights of parents to keep their daughters safe will be denied.

Also the terms "doctor" or "physician" are not used in the amendment which means the decision to allow a late term abortion is in the hands of any "healthcare professional" which is the vague term used in the amendment. No medical doctor would even be necessary to review a minor's decision to have an abortion and the parents would not be informed.

This amendment is poorly written. It includes countless examples of safety issues and health risks that are contrary to it being "women's healthcare". It removes informed consent concerning risks, allows unrestricted and unregulated abortions and excludes parental oversight/consent.

This amendment goes too far and should NOT be codified in our constitution.

**Anna Johnson, AZ Voter, Self, Mesa**

*Sponsored by AZ Right to Life*

---

Women and anyone who cares about women and girls: Read for yourself the proposed "Arizona for Abortion Access Amendment" (AAAA), Proposition 139, and you'll be shocked. There's nothing more damaging and disrespectful to women than the AAAA! It's a permanent constitutional amendment that would do horrible damage to women and girls.

It removes basic long-standing medical protections, enables sex abusers to cover their crimes, and keeps out moms and dads when their underage daughters need them most. The only way the sponsors of this dangerous amendment can convince

women to vote for this is by hiding the facts: That a licensed medical doctor is NOT required to perform an abortion. That sex traffickers will have an easier time pushing their victims to get abortions. That there's no requirement for basic parental knowledge if underage girls face a crisis pregnancy, so they're left isolated and without loving care.

So much more about this amendment is dangerous and heartless. Arizona women already have access to abortions. Whether you are pro-choice or pro-life, Arizona Women of Action urges all women to VOTE NO on Proposition 139 – the Arizona for Abortion Access Amendment! Arizonans don't want to have the most extreme abortion law in the country, and Arizona women deserve better.

**Kimberly Miller, Founder & President, Arizona Women of Action, Phoenix**

---

As a husband, father, and grandfather, I ask voters to use their right judgement and read the language of Prop 139. History tells us we will be judged by how we treat each other- especially the most vulnerable among us. Do we want to leave a legacy for generations to come allowing ABORTION UP TO BIRTH? Prop 139 states... "After fetal viability" which means abortion up to birth.

What about safeguarding our teenage daughters and granddaughters? The requirement to inform women and girls of the risks involved with an abortion will be eliminated- including parental consent. Do we wish to remove the family from the equation entirely and put our daughters into the hands of the abortion industry to give counsel? They will always say abort. I want to be part of the conversation with my daughter or grandchild and not kept in the dark because the law now demands that I have no parental consent regarding my scared, pregnant teenager daughter whom I love more than life itself. Prop 139 takes away my parental rights.

As a Catholic man of faith, I say to all men everywhere- stand up for your families: your wives, your sisters and your daughters. Men and Fathers Matter. Stand up to protect women and girls- stand up for them and stand by them. Men of faith – walk into this breach of silence to counsel, to assist and be at the side of a woman in need- whether she is in your own family, or your neighbor's family or in your community. Take a stand for women and help her choose life. We have a role to play as leaders of the family and as fathers. Now is not the time to stay silent.

Vote NO on Prop 139.

**Jesse Romero, Catholics for Catholics, Queen Creek**  
*Sponsored by Arizona Right to Life*

---

Voters have a right to know the realities of Prop 139. With its vague and limited language, it does the following: Legalizes the barbaric, dismemberment of a living, pre-born fetus inside the womb up until the moment of birth, based upon the "mental health" and "good faith judgment of a healthcare professional", terms which are not defined.

The U.S. statistic on late term abortions averages 12,500 per year (Studnicki ncbi.nlm.nih.gov). The latest Arizona poll (Noble Predictive) reports 60% of respondents continue to reject abortion on demand, only 9% support it up to 24 weeks, and just 1% at full term.

Women facing unexpected pregnancy should be assisted, supported and given real choices which support both the mother and her preborn child. With 50 Pregnancy Resource Centers in Arizona supporting women pre and post birth, women do find they are stronger than abortion.

As Arizonans, we should demand a civil and just society- not an amended constitution allowing a pain-capable, preborn baby to be dismembered limb by limb, in an extreme, painful late-term abortion. The 2023 Arizona Abortion Report stated "92%" of the unborn babies killed by abortion were not given anesthesia, and "7 abortion reports involving fetus or embryos delivered alive". New research has demonstrated a fetus can feel pain as early as 12 weeks.

Voters, read the entire text of the proposed Constitutional Amendment in its entirety to know the realities of PROP 139. All current Arizona medical safeguards, including a licensed physician will be stripped away for women and girls. Parental consent for their minor daughter considering a monumental abortion decision is eliminated.

Intelligence, reasoning and common sense tell us Abortion is not Healthcare, Abortion is not Birth Control or Reproductive Freedom. Abortion kills a unique, unrepeatable human being and alters the woman's heart and psyche forever.

**Susan Haugland, Arizona Resident, Scottsdale**

---

Vote NO On Prop 139. This amendment would make it so that our state constitution includes a “fundamental right” to end the lives of precious babies through all nine months of pregnancy! If passed, this amendment would force taxpayers to fund the death penalty for innocent children made in the image of God. If passed, mothers and fathers would be shackled with lifelong guilt for doing the unthinkable to their own sons and daughters. If passed, physicians that do not agree would be made to comply with a practice that violates their oath to “do no harm.” No one has the fundamental right to do what is fundamentally wrong. No one is allowed to use their bodily autonomy to violate the bodily autonomy of someone else. Healthcare, choice and reproductive rights are all slogans that have been used for decades to desensitize the conscience of our culture to the heinous nature of abortion. It is way past time to speak the truth clearly on this matter. Vocal activists have fought hard to civilize this ancient practice. But abortion remains the barbaric murder of innocent human beings in the womb. Do not be fooled. A vote for PROP 139 is a vote to make citizens complicit in legalized child murder. Now is the time. Arizonans must stand with a unified voice to protect the right to life for all people equally and end this modern day holocaust. Call on your government to do their God given duty and uphold the sanctity of life for all persons, born and unborn. A civilization that slaughters its own posterity has no future. Vote NO On Prop 139

**Zachary Conover, Communications Director, End Abortion Now, Chandler**

---

For far too long Americans have been misled by the left who claim that abortion is “healthcare,” “choice,” and “reproductive freedom.” Yet we all know the truth. Abortion is the brutal murder of innocent human beings made in the image of God. There are those in Arizona seeking to change our state constitution and make the destruction of these precious babies a “fundamental right” all the way through the ninth month of pregnancy! Do you want to protect the life of the most defenseless among us? Please, do your duty and make your voice heard against legalized child murder. Stand with us against the tide of bloodshed in Arizona.

Vote No on 139

**Daryl Groves, Vice President, Red State Reform, Mesa**

---

Attorneys examining this initiative have found it to be vague in many areas and could be the cause of unsafe abortions. Any "health care professional" can provide abortions. Health care professionals could include nurses or physician's assistants, or others who do not have the proper training. Language which would protect and give pregnant women safeguards is not in this initiative. The law also prevents the legislature from enacting any law made for pregnant women's protection.

Even an obstetrician/gynecologist who previously performed abortions feels this is an "intentionally overbroad initiative." ("I once performed abortions. Why I'd vote against Arizona's abortion initiative," by Anthony Levatino, AZ Central, March 12, 2024.)

Vote NO on Prop 139 which has the majority of its donors and donations from out of state. (As of the beginning of January the Fairness Project from Washington, D.C. had contributed \$3,124,502 toward this initiative. That was 54% of the total at that time.)

**Florence Smith, Phoenix**

---

Voters deserve to know the facts so they can decide for themselves whether Prop 139 goes too far. Arizona already has legalized no-excuse abortion up until 15wks - the 2nd trimester. At this stage of development, a baby can already feel pain, has taste buds, and starts to be able to breathe. A baby's reproductive systems are developing.

While Arizonans have different opinions on abortion, we can all agree that girls and women should know their medical provider is a legitimate doctor following commonsense safety protocols and standard medical procedures. Unfortunately,

Prop 139 eliminates these safeguards for women and what's worse, they won't even be informed of the risks or alternative medical options.

With Prop 139, loving moms and dads get shut out of the medical decisions of their minor daughters leaving them vulnerable to suffering in silence.

- Voting No on Prop 139 does NOT impact birth control, the use of any means to terminate an ectopic pregnancy, or to remove a dead fetus. Birth control and life saving medical procedures are not defined in Arizona as an abortion.

- Voting NO on Prop 139 protects girls and women from sex abusers who will not be prosecuted for their crimes if this passes.

- Voting NO on Prop 139 protects born babies that need medical treatment.

- Voting NO on Prop 139 protects healthcare workers from being forced to violate their conscience or perform unsafe procedures on women and girls.

- Voting NO on Prop 139 protects women and girls to have access to safe healthcare with qualified doctors caring for them.

- Voting NO on Prop 139 protects the parent/child relationship so parents can be there for their children in difficult or life-threatening circumstances.

Don't let special interests that profit off misery redefine what healthcare means.

**Merissa Hamilton, The ROAR PAC, Phoenix**

*Sponsored by The ROAR PAC*

Como mujer Hispana, conozco los peligros que la Propuesta 139 representa para nuestras familias. El 45 % de los abortos en Arizona se realizan en bebés hispanos (AZ DEPT. HEALTH SERVICES 2023). Esto elimina casi la mitad de las nuevas vidas Hispanas para nosotros. La industria del aborto quiere tener el control total sobre la vida de nuestros hijos, para eliminarla en cualquier momento para enriquecerse.

La Propuesta 139 legaliza el aborto hasta la “viabilidad fetal”, es decir, hasta el nacimiento, utilizando vagamente la salud mental. Durante 30 años he trabajado con mujeres que sufren mucho después de un aborto. El aborto elegido afecta salud mental: depresión, adicciones y alto riesgo de suicidio. Vea: Fact Sheet Lozier institute Abortion and Mental Health.

La Propuesta 139 es engañosa y ataca los derechos de las mujeres: Elimina las leyes actuales para informar y proteger a las mujeres y la obligación de informar a las mujeres sobre los riesgos del aborto (útero perforado, sepsis, infertilidad, etc.) Ademas, cualquier tecnico de un centro de abortos podría realizar el aborto.

La Proposición 139 promueve el aborto sin anestesia de los bebés hasta los 9 meses de gestación. A las 7 semanas, la pequeña niña ya tiene ovarios. A las 8 semanas, tiene brazos y pies. A las 10 semanas, tiene huellas digitales . A las 12 semanas reacciona al dolor. A las 18 semanas escucha la voz de su madre.

Como madre Hispana, me opongo a la Proposición 139 porque elimina los derechos de los padres a decidir sobre la salud de sus hijos. Es un precedente inconstitucional y peligroso. Un empleado de escuela o un pedófilo podría llevar a una niña a abortar sin el conocimiento o permiso de los padres.

“No se metan con nuestras familias. Los Hispanos defendemos la vida”.

Vea: [www.laverdadaz.org](http://www.laverdadaz.org)

**Rosie Villegas-Smith, Directora y Fundadora, Voces Unidas por la Vida, Phoenix**

*Sponsored by Arizona Right to Life*

The Arizona Abortion Access Act is not reflective of the beliefs of Arizonans. This proposal would remove any laws regarding the safety of the woman pursuing an abortion, allowing “any medical professional” to perform an abortion - not only a trained doctor.

While the Maricopa County Young Republicans are proudly pro-life, we recognize that not all Arizonans may hold that same belief. We however, urge all Arizonans to stand against this overreaching ballot initiative that endangers women across the state and removes restrictions after fetal viability.

In I-05-2024, Fetal Viability is defined as “the point in pregnancy when, in the good faith judgment of a treating health care professional and based on the particular facts of the case, there is a significant likelihood of the fetus’s sustained survival outside of the uterus without the application of extraordinary medical measures.” The initiative requires only that a health care professional - not necessarily a doctor, deems that this is necessary to protect the physical or mental health of a woman for an abortion to occur after fetal viability. This includes even the anxiety of parenthood. Removing any further requirement from late term abortions is an extremely radical change that will have lasting consequences on the health and safety of the women of our state.

In second or third trimester abortions, 1 in a 1000 women experience major complications such as heavy bleeding, sepsis, infertility, or a perforated uterus or bowel. In removing medical requirements to perform an abortion, it begs the question whether these complications will only become more common, endangering the lives and wellbeing of countless more Arizona women with the passing of this initiative.

Do not remove the safety regulations that protect women - join the Maricopa County Young Republicans in voting NO on this egregious submission to the electorate.

**Hannah Toth, Chairwoman, Maricopa County Young Republicans, Fountain Hills; Rachel Hope, Vice Chair, Maricopa County Young Republicans, Fountain Hills; Jedidiah Lyons, Development Manager, The Dandy Charitable Foundation, Gilbert; Luke Mosiman, Chairman Emeritus, Maricopa County Young Republicans, Mesa; Jenna Librandi, Chairwoman, West Valley Young Republicans, Peoria; Maggie Smith, Chairwoman, East Valley Young Republicans, Phoenix; and Chris Chavez, Chair, Scottsdale Young Republicans, Scottsdale**

---

Throughout my life, I have had the honor of working in Arizona to provide a better life for Latino youth and their families and building our communities. I cannot bear to watch the destruction of Arizona families being torn apart by an amendment that enshrines unlimited, unregulated abortion into our state Constitution.

This abortion amendment is not simply legalizing abortion. That’s done. Whether you like it or not, abortion is legal in Arizona up to 15-weeks and past that for medical emergencies. What this amendment does is destroy families by legalizing abortion through all nine months for virtually any reason, while shutting parents out of the process.

Currently, Arizona law ensures parents are notified and consent to their minor daughter having an abortion, but that goes away under this amendment, leaving parents in the dark and girls all alone. This is no way to protect our families.

In addition, the amendment states that anyone who “aids or assists” a girl or woman getting an abortion cannot be punished. This means a stranger, or a boyfriend or anyone else in your child’s life who sexually assaults your daughter can take her to get an abortion to cover his heinous crime, and he wouldn’t be punish for the cover up - and you would never be notified.

We must protect our daughters, babies and honor our creator by taking a stand and rejecting this extreme abortion amendment.

Your vote matters. Our Latino community will make up 21% of the vote in November. Let’s use it for the good of all Arizona families. Please vote No.

**Tommy Espinoza Sr., Voter, AZ resident, Phoenix**

Please vote NO on the Arizona Abortion Initiative if you care about women!

Every human life is precious. But even if you agree with current Arizona law allowing abortion up to 15 weeks (more in some circumstances), you don't want to approve a law that endangers women!

The abortion amendment language is extremely vague and it reads like a corporate wish list, promoting maximum profits for abortionists and removing common sense safety standards and protections for women. This includes the required medical doctor.

A doctor would no longer be required. The word doctor or physician isn't even mentioned in this proposed amendment. It leaves girls and women in the hands of any "treating healthcare professional," which includes a long list of occupations that could potentially dispense the abortion pill or sign off on a late-term abortion!

The amendment also removes current health and safety protections for women, such as informed consent requirements, laws protecting minors, and medical standards to ensure clinics are safe and critical medical checks are done to avoid complications.

It is important to remember that Arizona has the Voter Protection Act, which makes it nearly impossible to fix any problems. We will be stuck with unlimited, unregulated abortion in Arizona. This new "fundamental right" opens the door to taxpayer-funded abortions and forcing healthcare professionals to participate in abortions against their consciences.

This abortion proposition is not meant to benefit women, and it is not right for Arizona.

Please vote NO!

### **Mary Bevilacqua, Tempe**

As a Latina immigrant, and a woman, I know the dangers for our families with Prop 1-05-2024 .

45% of abortion in Arizona are performed on Latino babies. (AZ Dept of Health Abortion Report 2023)." This eliminates almost half of new Latino life for us. The racist abortion industry wants full control over Life- to stamp it out completely, anytime, for profit.

Prop 1-05-2024 . legalizes abortion up to "fetal viability," meaning birth, using a wide mental health exemption. In my 20+ years of experience as a journalist and newspaper's Publisher, I have witnessed women and men greatly suffering after going through abortion. Elective Abortion impairs mental health outcomes: severe depression, and high risk of suicide. Find these facts: Lozier Institute Fact Sheet Abortion and Mental Health.

Prop 1-05-2024 misleads and takes away women's reproductive rights. Avoids informing women of abortion risks (perforated uterus, sepsis, infertility, even death, etc.). Current laws that inform and safeguard women will be gone. No doctor would be required to perform an abortion; any employee of an abortion facility could perform it.

Prop 1-05-2024 promotes the dismemberment of fully formed preborn babies without anesthesia up to birth.. At 8 weeks the baby already has arms and feet. At 10 weeks the baby has fingerprints. At 12 weeks the baby reacts to painful procedures. At 18 weeks the baby can hear the mother's voice.

As a Latina immigrant, and as a mother, I am deeply concerned about Prop 1-05-2024 because it eliminates parents' rights to decide about the health of their children. It would set an unconstitutional and very dangerous precedent. A school employee or a pedophile could take a young girl to get an abortion without the parent's knowledge or permission.

As a Latina immigrant,

### **Elvira Ortiz, Voter, AZ Resident, Phoenix**

This misguided Abortion Amendment contains three cleverly crafted massive legal loopholes for third trimester abortions that may not be obvious to voters, but that courts must follow.

1. It removes the doctor from the doctor-patient relationship.

Instead of "doctor" or "physician", it uses the term "treating health care professional", which under Arizona law, includes chiropractors, dentists, nurses, veterinarians, etc. It leaves decisions for late-term abortions – preborn babies' viability and women's health -- to profiting abortionists, whether or not they have medical training in obstetrics.

2. It subtly re-defines viability into the ninth month of pregnancy.

Roe v. Wade defined viability as when the fetus is “POTENTIALLY able to live outside the mother’s womb, albeit WITH ARTIFICIAL AID.” This Amendment re-defines viability to require “a SIGNIFICANT LIKELIHOOD of the fetus’s sustained survival outside the uterus WITHOUT THE APPLICATION OF EXTRAORDINARY MEDICAL MEASURES.” The undeniable reality, confirmed by the World Health Organization, is that most preterm babies (born before 37 weeks) need extra medical measures beyond the ordinary. I personally can attest to this, having given birth to two babies in the 8th month of pregnancy -- both needed incubators for regulating body temperature, invasive treatments, and my just 5-week early son needed a ventilator to breathe.

3. It steals all Arizonans’ compelling interests before and after viability.

Arizonans’ compelling interests in mitigating fetal pain, preserving parental rights, protecting young girls from sexual predators, preventing racial discrimination in abortion, etc., are all ripped away. Only an abortion seeker’s decision to abort will be considered compelling.

The Abortion Amendment’s deceptive legal loopholes will make Arizona a late-term abortion destination. Moreover, taxpayers will foot the bill, because government health insurance plans providing maternal care would be accused of interfering with a fundamental right if they do not also cover late-term abortions.

VOTE NO!

**Dawn Grove, Attorney, (Personal), Phoenix**

**139**

# BALLOT FORMAT

## PROPOSITION 139

### PROPOSED BY INITIATIVE PETITION RELATING TO THE FUNDAMENTAL RIGHT TO AN ABORTION

#### OFFICIAL TITLE

AMENDING ARTICLE II, CONSTITUTION OF ARIZONA, BY ADDING SECTION 8.1; RELATING TO THE FUNDAMENTAL RIGHT TO AN ABORTION.

#### DESCRIPTIVE TITLE

CREATES A FUNDAMENTAL RIGHT TO ABORTION. LIMITS THE STATE'S ABILITY TO INTERFERE WITH THAT RIGHT BEFORE FETAL VIABILITY. AFTER FETAL VIABILITY, ABORTIONS ARE ALLOWED WHEN NECESSARY TO PROTECT THE LIFE OR HEALTH OF THE PREGNANT INDIVIDUAL. PROHIBITS LAWS PENALIZING A PERSON FOR ASSISTING AN INDIVIDUAL OBTAINING AN ABORTION.

A “yes” vote shall have the effect of creating a fundamental right to abortion under Arizona’s constitution. The State will not be able to interfere with this fundamental right before fetal viability unless it has a compelling reason and does so in the least restrictive way possible. Fetal viability means the point in the pregnancy when, in the good-faith judgment of a treating health care professional, the fetus has a significant likelihood of survival outside the uterus. Throughout the pregnancy, both before and after fetal viability, the State will not be able to interfere with the good-faith judgment of a treating health care professional that an abortion is necessary to protect the life or health of the pregnant individual. The State will not be able to penalize any person for aiding or assisting a pregnant individual in exercising the right to an abortion.

YES

A “no” vote shall have the effect of not creating a fundamental right to have an abortion under Arizona’s constitution, will leave in place current laws that restrict abortion before fetal viability, and will allow the State to further restrict or ban abortion in the future.

NO

139

At least 17 species of hummingbirds make their home in Arizona, including the colorful Costa's, feisty Rufous, and the most common, Anna's Hummingbird (*Calypte anna*), easily recognized by its vivid magenta-colored throat and crown.



# 140 PROPOSITION

Apache Trout



## OFFICIAL TITLE

### AN INITIATIVE MEASURE

AMENDING ARTICLE VII, SECTIONS 2, 7, 10 AND 11, CONSTITUTION OF ARIZONA; AMENDING ARTICLE VII, CONSTITUTION OF ARIZONA, BY ADDING SECTION 19; RELATING TO ELECTIONS.

### TEXT OF PROPOSED AMENDMENT

Be it enacted by the People of the State of Arizona:

#### **Section 1. Short Title**

This Constitutional Amendment shall be known as the “Make Elections Fair Arizona Act”.

#### **Sec. 2. Purpose and intent**

The Make Elections Fair Arizona Act is intended to ensure that all voters are treated equally and all candidates for an office compete according to the same rules; that the People of Arizona freely choose their elected officials, without the controlling influence of partisan politics; and that elected officials are accountable to the People rather than political parties. To accomplish these goals, this Constitutional Amendment creates a primary system in which people may vote for the candidate of their choice, regardless of the political party of the voter or the candidate. It also provides additional flexibility regarding general elections.

#### **Sec. 3. Article VII, section 2, Constitution of Arizona, is amended to read:**

##### **2. Qualifications of voters; disqualification**

Section 2. A. No person shall be entitled to vote at any general election, or for any office that now is, or hereafter may be, elective by the people, or ~~upon~~ ON any question ~~which~~ THAT may be submitted to a vote of the people, unless such person be a citizen of the United States of the age of eighteen years or over, and shall have resided in the state for the period of time preceding such election as prescribed by law, provided that qualifications for voters at a general election for the purpose of electing presidential electors shall be as prescribed by law. The word “citizen” shall include persons of the male and female sex.

B. The rights of citizens of the United States to vote and hold office shall not be denied or abridged by the state, or any political division or municipality thereof, on account of sex OR OF POLITICAL PARTY AFFILIATION OR NONAFFILIATION, and the right to register, to vote and to hold office under any law now in effect, or ~~which~~ THAT may hereafter be enacted, is hereby extended to, and conferred ~~upon~~ ON males and females alike.

C. NO PERSON SHALL BE DENIED A BALLOT FOR PUBLIC OFFICE NOR BE RESTRICTED FROM SELECTING ANY CANDIDATES FOR PUBLIC OFFICE BASED ON THE PERSON'S POLITICAL PARTY AFFILIATION OR NONAFFILIATION.

E.D. No person who is adjudicated an incapacitated person shall be qualified to vote at any election, nor shall any person convicted of treason or felony, be qualified to vote at any election unless restored to civil rights.

#### **Sec. 4. Article VII, section 7, Constitution of Arizona is amended to read:**

##### **7. Highest number of votes received as determinative of person elected; voter rankings**

140

PROPOSITION 140

Section 7. In all elections held by the people in this state, the person, or persons, receiving the highest number of legal votes shall be declared elected. THIS SECTION DOES NOT PROHIBIT THE USE OF VOTER RANKINGS TO DETERMINE WHICH PERSON OR PERSONS RECEIVED THE HIGHEST NUMBER OF LEGAL VOTES.

**Sec. 5. Article VII, section 10, Constitution of Arizona is amended to read:**

**10. Direct primary election law**

Section 10. A. The Legislature shall enact a direct primary election law that complies with the requirements of this section and that provides for the nomination of candidates for all elective State; AND county; ~~and city~~ offices, AND candidates for United States Senator and for Representative in Congress. Any person who is registered as no party preference or independent as the party preference or who is registered with a political party that is not qualified for representation on the ballot may vote in the primary election of any one of the political parties that is qualified for the ballot.

B. ALL QUALIFIED ELECTORS WHO ARE OTHERWISE ELIGIBLE TO VOTE FOR AN OFFICE MAY VOTE IN THE PRIMARY ELECTION REGARDLESS OF THE QUALIFIED ELECTOR'S, OR ANY CANDIDATE'S POLITICAL PARTY AFFILIATION OR NONAFFILIATION.

C. ALL CANDIDATES WHO QUALIFY FOR ELECTION TO AN OFFICE SHALL BE PLACED ON THE SAME BALLOT FOR THE PRIMARY ELECTION REGARDLESS OF THE CANDIDATE'S POLITICAL PARTY AFFILIATION OR NONAFFILIATION.

D. ALL CANDIDATES FOR AN OFFICE, REGARDLESS OF POLITICAL PARTY AFFILIATION OR NONAFFILIATION, SHALL HAVE THE SAME SIGNATURE REQUIREMENTS TO QUALIFY FOR THE PRIMARY ELECTION BALLOT FOR THE OFFICE. AN OTHERWISE QUALIFIED ELECTOR MAY SIGN A CANDIDATE NOMINATION PETITION WITHOUT REGARD TO THE POLITICAL PARTY AFFILIATION OR NONAFFILIATION OF THE QUALIFIED ELECTOR OR THE CANDIDATE.

E. THIS SECTION DOES NOT PROHIBIT A POLITICAL PARTY FROM ENDORSING OR OTHERWISE SUPPORTING A CANDIDATE AS PROVIDED BY LAW.

F. IF APPLICABLE LAW ALLOWS A CANDIDATE TO LIST THE CANDIDATE'S POLITICAL PARTY AFFILIATION NEXT TO THE CANDIDATE'S NAME ON THE BALLOT, THE BALLOT MUST ALSO INCLUDE A STATEMENT THAT A CANDIDATE'S POLITICAL PARTY AFFILIATION IS NOT AN INDICATION THAT A CANDIDATE HAS BEEN NOMINATED OR ENDORSED BY THAT POLITICAL PARTY, BUT ONLY REFLECTS THE POLITICAL PARTY REGISTRATION OF THE CANDIDATE.

G. AS PROVIDED BY LAW, FOR ANY OFFICE TO WHICH ONE CANDIDATE IS TO BE ELECTED, NOT FEWER THAN TWO CANDIDATES AND NOT MORE THAN FIVE CANDIDATES MAY ADVANCE FROM THE PRIMARY ELECTION TO THE GENERAL ELECTION. FOR ANY OFFICE TO WHICH TWO CANDIDATES ARE TO BE ELECTED, NOT FEWER THAN FOUR CANDIDATES AND NOT MORE THAN SEVEN CANDIDATES MAY ADVANCE FROM THE PRIMARY ELECTION TO THE GENERAL ELECTION. FOR ANY OFFICE TO WHICH THREE CANDIDATES ARE TO BE ELECTED, NOT FEWER THAN SIX CANDIDATES AND NOT MORE THAN EIGHT CANDIDATES MAY ADVANCE FROM THE PRIMARY ELECTION TO THE GENERAL ELECTION. A CANDIDATE'S POLITICAL PARTY AFFILIATION OR NONAFFILIATION CANNOT BE CONSIDERED WHEN DETERMINING HOW MANY OR WHICH CANDIDATES ADVANCE FROM THE PRIMARY ELECTION TO THE GENERAL ELECTION.

H. IF THE LEGISLATURE DOES NOT ENACT A LAW UNDER SUBSECTION G OF THIS SECTION THAT BECOMES OPERATIVE ON OR BEFORE NOVEMBER 1, 2025, THE SECRETARY OF STATE SHALL DETERMINE THE NUMBER OF CANDIDATES FOR EACH OFFICE WHO MAY ADVANCE FROM THE PRIMARY ELECTION TO THE GENERAL ELECTION, CONSISTENT WITH THE REQUIREMENTS SET FORTH IN SUBSECTION G OF THIS SECTION. IF THREE OR MORE CANDIDATES MAY ADVANCE FROM THE PRIMARY ELECTION TO THE GENERAL ELECTION FOR AN OFFICE TO WHICH ONE CANDIDATE WILL BE ELECTED, AND THE LEGISLATURE HAS NOT PRESCRIBED BY LAW A PROCESS BY WHICH VOTER RANKINGS ARE USED

140

PROPOSITION 140

TO DETERMINE WHICH CANDIDATE IS ELECTED TO AN OFFICE AT THE GENERAL ELECTION, THE SECRETARY OF STATE SHALL PRESCRIBE A PROCESS THAT COMPLIES WITH SECTION 11 OF THIS ARTICLE. LEGISLATION MAY AMEND THE SECRETARY OF STATE'S DETERMINATIONS MADE PURSUANT TO THIS SUBSECTION, EXCEPT THAT THE LEGISLATURE MAY NOT MODIFY THE SECRETARY'S DETERMINATION AS TO THE NUMBER OF CANDIDATES THAT MAY ADVANCE FROM THE PRIMARY ELECTION TO THE GENERAL ELECTION LESS THAN SIX YEARS AFTER THE SECRETARY'S DETERMINATION IS MADE. THIS SUBSECTION DOES NOT RESTRICT THE POWER OF QUALIFIED ELECTORS TO CHANGE, THROUGH AN INITIATIVE OR REFERENDUM, THE NUMBER OF CANDIDATES WHO MAY ADVANCE FROM THE PRIMARY ELECTION TO THE GENERAL ELECTION.

I. EACH CANDIDATE FOR OFFICES THAT HAVE PRIMARY ELECTIONS SUBJECT TO THIS SECTION MAY APPEAR ON THE GENERAL ELECTION BALLOT ONLY IF THE CANDIDATE QUALIFIES FOR THE GENERAL ELECTION THROUGH A PRIMARY ELECTION OR, THROUGH A PROCESS PRESCRIBED BY LAW, FILLS A VACANCY CREATED BY THE DEATH OR WITHDRAWAL OF A CANDIDATE WHO IS NOMINATED AT THE PRIMARY ELECTION

J. NOT MORE THAN ONCE EVERY SIX YEARS, THE LEGISLATURE MAY ENACT LEGISLATION CHANGING THE NUMBER OF CANDIDATES WHO MAY ADVANCE FROM THE PRIMARY ELECTION TO THE GENERAL ELECTION FOR AN OFFICE. THIS SUBSECTION DOES NOT RESTRICT THE POWER OF QUALIFIED ELECTORS TO CHANGE, THROUGH AN INITIATIVE OR REFERENDUM, THE NUMBER OF CANDIDATES WHO MAY ADVANCE FROM THE PRIMARY ELECTION TO THE GENERAL ELECTION.

K. THIS SECTION IS NOT SUBJECT TO THE REQUIREMENTS IN ARTICLE IX, SECTION 23.

**Sec. 6. Article VII, section 11, Constitution of Arizona is amended to read:**

11. General elections; date; candidate ranking; definition

Section 11. A. There shall be a general election of representatives in congress, and of state, county, and precinct officers on the first Tuesday after the first Monday in November of the first even numbered year after the year in which Arizona is admitted to statehood and biennially thereafter.

B. IF ONLY TWO CANDIDATES MAY ADVANCE TO THE GENERAL ELECTION FOR AN OFFICE TO WHICH ONE CANDIDATE WILL BE ELECTED, THE CANDIDATE WHO RECEIVES THE MAJORITY OF VOTES CAST FOR THAT OFFICE AT THE GENERAL ELECTION IS ELECTED.

C. IF THREE OR MORE CANDIDATES MAY ADVANCE FROM THE PRIMARY ELECTION TO THE GENERAL ELECTION FOR AN OFFICE TO WHICH ONE CANDIDATE WILL BE ELECTED, VOTER RANKINGS SHALL BE USED TO DETERMINE WHICH CANDIDATE IS ELECTED FOR THAT OFFICE AT THE GENERAL ELECTION. THIS PROCESS, AT A MINIMUM, SHALL ALLOW A VOTER TO RANK ALL CANDIDATES FOR AN OFFICE IN ORDER OF THE VOTER'S PREFERENCE. IF A MAJORITY OF VOTES CAST FOR THAT OFFICE AT THE GENERAL ELECTION DO NOT RANK A SINGLE CANDIDATE AS THE VOTERS' FIRST CHOICE PREFERENCE, THE PROCEDURES SHALL PROVIDE FOR THE TABULATION OF ALL VOTES LEGALLY CAST FOR THAT OFFICE AND TAKE INTO ACCOUNT VOTERS' RANKINGS OF CANDIDATES TO DETERMINE WHICH CANDIDATE IS ELECTED. VOTER RANKINGS MAY BE USED IN OTHER ELECTIONS AS PROVIDED BY LAW.

D. FOR THE PURPOSES OF THIS SECTION, "MAJORITY OF VOTES CAST" MEANS A MAJORITY OF ALL VOTES CAST FOR ALL CANDIDATES FOR A PARTICULAR OFFICE.

E. THIS SECTION IS NOT SUBJECT TO THE REQUIREMENTS IN ARTICLE IX, SECTION 23.

**Sec. 7. Article VII, Constitution of Arizona is amended to add a new Section 19 that reads:**

19. Prohibition on Expenditure of Public Monies for Political Party Elections

Section 19. A. EXCEPT AS PROVIDED IN SUBSECTION B OF THIS SECTION, PUBLIC MONIES SHALL



NOT BE SPENT TO ADMINISTER POLITICAL PARTY ELECTIONS, INCLUDING, WITHOUT LIMITATION, THE ELECTION OF PRECINCT COMMITTEE OFFICERS, THE PRESIDENTIAL PREFERENCE ELECTION, AND PARTISAN PRIMARY ELECTIONS TO NOMINATE A CANDIDATE FOR PUBLIC OFFICE. THIS SECTION APPLIES TO ALL JURISDICTIONS IN THIS STATE, INCLUDING CHARTER CITIES.

B. PUBLIC MONIES MAY BE USED TO ADMINISTER A PRESIDENTIAL PREFERENCE ELECTION IF ALL PERSONS WHO ARE REGISTERED AS NO PARTY PREFERENCE OR INDEPENDENT AS THE POLITICAL PARTY OF PREFERENCE OR WHO ARE REGISTERED WITH A POLITICAL PARTY THAT IS NOT QUALIFIED FOR REPRESENTATION ON THE BALLOT MAY VOTE IN THE ELECTION OF ANY ONE OF THE POLITICAL PARTIES THAT ARE QUALIFIED FOR THE BALLOT.

#### **Sec. 8. Severability**

The People of Arizona declare their intention that the provisions of this Constitutional Amendment are severable. If any provision of this Constitutional Amendment is held to be invalid for any reason by a court, the remaining provisions of this Amendment will be severed from the void portion and given the fullest possible force and application.

#### **Sec. 9. Applicability**

If approved by the voters, this Constitutional Amendment shall apply to elections occurring after July 1, 2026.

#### **Sec. 10. Legal Defense**

The People of Arizona desire that this Constitutional Amendment be defended if it is challenged in court. They therefore declare that the political committee registered to circulate petitions in support of this Constitutional Amendment, or any of its members, shall have standing to defend this Constitutional Amendment on behalf of and as the agent of the People of Arizona in any legal action brought to challenge the validity of this Constitutional Amendment or any of its provisions.

#### **ANALYSIS BY LEGISLATIVE COUNCIL**

The Arizona Constitution currently requires the Legislature to enact a direct primary election law for the nomination of candidates for all elective state, county and city offices, including federal congressional offices. The candidates from each political party who advance from the primary election then face each other in the general election, where the candidate receiving the highest number of legal votes is declared elected.

Proposition 140 would amend the Arizona Constitution to:

1. Allow for the use of voter rankings at all elections held in this state to determine which candidate received the highest number of legal votes (see also paragraph 4 below).

2. Revise the primary election procedures as follows:

(a) All candidates who qualify for election to an office would be placed on the same primary election ballot regardless of each candidate's political party affiliation or nonaffiliation. Each of the candidates would have the same signature requirement to qualify for the primary election ballot. A qualified elector would be allowed to sign a candidate nomination petition without regard to the political party affiliation or nonaffiliation of the qualified elector or the candidate.

(b) All qualified electors eligible to vote for an office would be allowed to vote in the primary election, regardless of the political party affiliation or nonaffiliation of the qualified elector or the candidate.

(c) A political party may endorse or otherwise support a candidate as provided by law. If an applicable law allows a candidate's political party affiliation to be listed on the ballot next to the candidate's name, the ballot must include a statement that the listed affiliation is not an indication that the candidate has been nominated or endorsed by the listed political party.

(d) A candidate for an office that has a primary election may only appear on the general election ballot if the candidate qualifies through the primary election or fills a vacancy caused by the death or withdrawal of a candidate who was nominated at the primary election. (A candidate for an office that has a primary election would no longer be able to appear as a "write in" candidate for the general election).

3. Provide a range of the number of candidates that may advance from the primary election to the general election, subject to a determination or amendment by the Legislature, the Secretary of State or the qualified electors, as follows:

(a) If one candidate for an office is to be elected in the general election, two to five candidates may advance from the primary election. If two candidates for an office are to be elected in the general election, four to seven candidates may advance

140

PROPOSITION 140

from the primary election. If three candidates for an office are to be elected in the general election, six to eight candidates may advance from the primary election. A candidate's political party affiliation or nonaffiliation cannot be considered in determining which or how many candidates advance from the primary election.

(b) Within those ranges, the Legislature may enact a law to determine the actual number of candidates that would advance. The number of candidates advancing may differ for each specific office. If the Legislature does not enact a law that is operative on or before November 1, 2025, the Secretary of State shall determine the actual number of candidates that would advance. After the initial determination is made by the Legislature or the Secretary of State, the Legislature may enact a law to amend the actual numbers not more than once every six years. The qualified electors, however, may amend the actual numbers through the existing initiative or referendum process at each general election.

4. Revise the general election procedures as follows:

(a) If two candidates advance to the general election for an office to which one will be elected, the candidate who receives the majority of votes cast is elected.

(b) If three or more candidates advance to the general election for an office to which one will be elected, voter rankings shall be used to determine which candidate is elected.

(c) The Legislature may enact a law to determine the process to be used for voter rankings. If the Legislature does not enact a law on voter rankings, the Secretary of State shall determine the process to be used for voter rankings. At a minimum, the voter rankings process must allow a voter to rank all candidates for an office in order of the voter's preference.

5. Prohibit the use of any public monies to administer political party elections (including precinct committee officer elections and partisan primary elections), except that public monies may be used to administer a presidential preference election if all persons who are registered as "no party preference" or independent, or who are registered with a political party that is not qualified for representation on the ballot, may vote in the presidential preference election of any one of the parties that is qualified for representation on the ballot.

6. Provide that the right of a United States citizen to vote and hold office in this state shall not be denied or diminished because of political party affiliation or nonaffiliation.

7. Provide that a person shall not be denied a ballot or be restricted from selecting a candidate based on the person's political party affiliation or nonaffiliation.

If approved by the voters, Proposition 140 would apply to elections occurring after July 1, 2026.

#### **JOINT LEGISLATIVE BUDGET COMMITTEE FISCAL ANALYSIS**

##### **Estimated Impact**

A.R.S. § 19-123E requires the Joint Legislative Budget Committee Staff to prepare a summary of 300 words or less on the fiscal impact of voter-initiated ballot measures.

Proposition 140 would revise the current partisan primary election system to require that all candidates for a state or local elected office appear on the same primary election ballot. Proposition 140 would also allow the use of voter rankings in certain circumstances when there are more than two candidates on the General Election ballot.

The state currently pays the cost of distributing sample primary ballots to certain registered voters. Local governments otherwise pay the cost of administering elections, including the cost of the actual ballots.

The proposition could affect the cost of elections by:

- 1) Increasing the number of candidates that appear on the General Election ballot.
- 2) Changing the length of both sample and election ballots.
- 3) Increasing the number of voters receiving a primary ballot.

Proposition 140 also generally prohibits the use of public monies to administer political party elections. The state currently pays for the cost of each political party's Presidential Preference Election every four years. Nonaffiliated voters currently cannot participate in these elections. The proposition would prohibit the use of state monies for these elections unless state law is changed to permit the participation of nonaffiliated voters.

Because the proposition's implementing details are subject to further action by state and local governments, the overall fiscal impact cannot be determined in advance.

**140**

**PROPOSITION 140**





## ARGUMENTS “FOR” PROPOSITION 140

Today’s partisan divisions threaten the very fabric of our democracy. Forces built into the system make this so.

Our primaries marginalize independent and unaffiliated voters, Arizona’s largest and fastest growing voting bloc. Over 1.4 million registered voters are treated like second class citizens while their tax dollars help pay for elections that discriminate against them.

Democrats & Republicans running for office must get 6,000-7,000 signatures, but an independent or unaffiliated candidate needs a daunting 42,000+ signatures and cannot be listed on a primary ballot. Unaffiliated voters pay for presidential primaries yet are denied participation. And unaffiliated voters who choose to vote by mail are not automatically provided with primary ballots. They must go through the extra step of requesting either a Democratic or Republican ballot, which few choose to do.

The Make Elections Fair Initiative ends discrimination against voters and candidates based on party affiliation. It reduces the pernicious effects of gerrymandering, which currently enable politicians to run unopposed or have such a significant partisan advantage that they are virtually guaranteed a seat after winning only the primary, which reduces voters choices and promotes divisiveness. It creates an open, nonpartisan primary election, where all candidates can compete regardless of party ties, every voter has the right to choose whomever they like, and candidates must secure a majority vote in the general election to win.

A fair election system will create a change in perspective. Rather than representing a few polarized, primary voters, our elected officials will have to represent us all. This will be better for all Arizonans.

Democracy works best when it treats all voices equally. Democrat and Republican voters are important. But so are unaffiliated and independent voters. Bridging the political divides takes all of us.

**Sarah Smallhouse, Chairman, Make Elections Fair Arizona, Tucson; Beau Lane, Co-Chair, Make Elections Fair Arizona, Phoenix; Paul Johnson, Co-Chair, Make Elections Fair Arizona, Scottsdale; and Patrick DeConcini, Co-Chair, Make Elections Fair Arizona, Tucson**

Navigating family duties, financial obligations, and maintaining well-being can be demanding. Whether you are employed, retired, a student, or an educator, political involvement at the local, state or national level often seems like a useless drain of energy—until a compelling reason arises to participate.

Arizona's current system favors partisanship since more than 80% of all legislative races are determined in primaries from which independents and unaffiliated voters are excluded. If you are a member of either of the two big parties (like I am), you can take this opportunity to ensure that ALL voters and candidates will be treated fairly.

Because of gerrymandered legislative districts, most elections in Arizona are determined in the primary. You win in the primary and you’re almost sure to win in the general. That would be fine if our primaries were fair, but are they?

IS IT FAIR that to run for statewide office, Independent and unaffiliated candidates must collect nearly 6 times the signatures compared to R or D candidates?

IS IT FAIR that even if an Independent candidate overcomes these hurdles, their name will not appear on primary ballots, like R and D candidates, but only on the general election ballot?

IS IT FAIR that 34% of registered voters not affiliated with the two big parties must request a partisan R or D ballot to vote in a Primary election?

This amendment will:

## NOVEMBER 5, 2024 ★ GENERAL ELECTION

Eliminate partisan primaries, replacing them with a system where individuals may vote for the candidate of their choice, regardless of the voter's or candidate's party affiliation.

Create the same signature requirements for those wishing to run for a particular office, without regard to political party affiliation or lack thereof.

The current system is unfair. Let's level the playing field.

Vote YES

**Clive "Bob" Sommer, Co-Owner, Changing Hands Bookstores, Phoenix & Tempe, Tempe and Gayle Shanks, Co-Owner, Changing Hands Bookstores, Phoenix & Tempe, Tempe**

---

Empowering Arizona's Moderate and Independent Voters

Vote YES on Prop 140

Right now, our primary election system favors extreme voices within the parties and creates added hurdles for independent voters and their voices. This structure discourages moderate points of view leaving voters to decide between extreme candidates and agendas. This incentivizes candidates to only listen to the narrow interests of highly partisan primary voters. Proposition 140 would require:

- ALL candidates to appear on the same ballot and compete under the same rules in a single primary, regardless of party.
- All registered voters would use that same ballot to cast their vote.
- Prohibit using taxpayer funds to pay for private political party primaries.

This is a common-sense solution that will moderate the partisanship that's been stifling progress on policy issues like school funding, voucher accountability, abortion care, affordable housing, water and environmental policy, and other important issues.

You finally have a chance to change that by creating an even playing field for independent voters and giving moderate candidates a fair chance to compete.

Proposition 140 will make general election races more competitive by giving independent and moderate voters more of a voice. It will also make candidates more accountable to more voters and lead to better choices and better results and a stronger Arizona.

Ready for a fresh start? Vote YES on Prop 140!

140

**Will Humble, Executive Director, Arizona Public Health Association, Phoenix**

---

Proposition 140

Argument "For" Make Elections Fair Arizona

The "Make Elections Fair Arizona" ballot initiative is exactly what it says it is; it will change our partisan election system so that voters have more choice, and candidates will have equal qualifying requirements regardless of party affiliation. Even though all taxpayers foot the bill to run our elections, the current system doesn't allow voters to select from the full slate of qualified candidates in a primary election. The outcome of most elections is decided in the primary, usually by a very small percentage of registered voters.

Even within the traditional parties, primary voters must select from among a slate of either all Democratic or all Republican candidates. An Independent voter can't participate in an Arizona primary unless they select either a Democratic or Republican ballot. This partisan structure alienates voters of all stripes and often results in the election of people representing the political extremes rather than the majority of taxpaying citizens within their districts.

Independent/unaffiliated voters make up roughly one-third of all voter registrations in Arizona, but Independent candidates do not appear on any primary ballot. An Independent candidate for office must collect roughly six times the number of signatures to qualify for the ballot when compared with a Democratic or Republican candidate. These unfair requirements would become a thing of the past, if Make Elections Fair becomes law.

Make Elections Fair gives Arizona voters more choice than the current, partisan system. If you are tired of voting for the least offensive candidate, then vote Yes! For Make Elections Fair.  
Arizona Independent Voters Network

**Perri Benemelis, Editor, Arizona Independent Voter's Network, Mesa**

---

The Make Elections Fair initiative will ensure every voter in every community can vote for any candidate. This will increase the opportunities for independent and third-party candidates to win. The initiative lets voters pick the candidates they like best and makes politicians more accountable. More people will vote because they feel their voice matters. It will make elections better for everyone, encouraging higher participation and making the voting process fair and just for all. Vote YES on Prop 140.

**Blake Sacha, Gilbert**

---

More than four in ten voters today don't want to be in a political party. Why? Because the legacy parties have become special interests — now the biggest special interests of all.

Independents become independents for many reasons. What we have in common is that we are repelled by the current political system—by its elites and its “party above country” mentality.

The 43% of the country who identify as “independent”, “no party preference”, “non-aligned”, or “decline to state” are making a statement of non-compliance with that system.

Arizona is not just a battleground state, as defined by the Republicans and Democrats. It's also a battleground state to establish a new “voter-based” system, rather than one based in the power of parties. This November, voters — ALL voters — have the chance to enact the most forward-looking election reform package in the country. Arizona deserves nonpartisan primaries, a ban on using taxpayer money to fund exclusionary closed primaries, and fair ballot-access requirements for all candidates for public office, regardless of party allegiance.

Independents care deeply about our identity, about our state and our country. Arizonans have a long tradition of being a freedom-loving people. Voters must be free of the corruption and control that the legacy parties insist upon.

It's time for a change. Proposition 140 will be that change.

Please join me in voting YES on Prop 140 and together we can Make Elections Fair.

**Jacqueline Salit, President, Independent Voting, Clarkdale**

---

I will vote NO on the Partisan Primary Elections Amendment and I encourage other Arizonans to do the same. This Amendment would lock in a system that is already systematically failing Arizonans. Partisan primaries incentivize candidates to appeal to the extreme ends of their party, mobilizing individuals who do not represent the majority of rank-and-file party members. They also systematically disenfranchise independent voters, who are now the single largest voting bloc in Arizona. Over half of Arizona elections are already de facto decided in the primaries; why would we seek to further reinforce that disparity? Vote NO on this naked power grab by the parties, and instead support the Make Elections Fair ballot initiative.

**Raymond Kimball, Volunteer, Veterans for All Voters, Gilbert**

---

Accountability is important to me and having elected officials who are accountable to all citizens is very important to me. That is why I strongly support the Make Elections Fair Open Primary Initiative. It will allow everyone to vote in every election and thus require office seekers to be responsive to all constituents. And I believe this will lead to elected officials who are willing to work together and reach a consensus on the pressing problems we have in Arizona. So please consider voting for this powerful initiative.

**Kirk Anderson, Phoenix**

On behalf of the Southern Arizona Leadership Council (SALC), a nonpartisan policy-focused organization of business and community leaders who work to enhance the economic climate and quality of life in our region and state, I urge you to vote YES on Proposition 140, the Make Elections Fair Act. Prop 140 will improve Arizona's elections to give all voters equal footing in deciding who is elected and will give all candidates a level playing field.

Arizona's primary system currently disenfranchises citizens of all political affiliations. With 80% of Arizona's legislative districts being "safe" for one party, the primary is the only election that matters. Due to the system, only about 10% of the 1,369,644 Independents or 'Party Not Declared' (PND) registered voters participate in the primary. Voters belonging to the minority party and Independents/PNDs are essentially shut out and have no impact in selecting the candidate in a "safe" district. In Arizona's 2022 general election, 19 of 90 legislative seats (21%) were uncontested and those candidates ran unopposed. They were effectively elected in the primary which is closed to voters from the minority party and presents significant hurdles for Independents/PNDs. In these "safe" districts throughout the state, the majority of voters are not allowed to vote for their district representatives. This is undemocratic.

Independent/PND candidates face prohibitive barriers to run for office. They must collect up to six times as many signatures as major party candidates. This is unfair and further marginalizes more than one third of Arizona's registered voters.

Prop 140 will give all Arizonans a fair chance to participate in our democratic process. If it passes, all candidates will be listed on a single ballot regardless of their party affiliation and all voters will be able to vote for the candidate of their choice. Vote "Yes" on Prop 140.

**Ted Maxwell, President & CEO, Southern Arizona Leadership Council, Tucson**

Today, unaffiliated voters make up about 34% of the electorate, more than Democrats and nearly as large as Republicans. From a purely philosophical perspective, our democracy should represent all voters and candidates equally, regardless of their political affiliation.

It is fundamentally wrong to ask unaffiliated voters to pay for an election they are not permitted to run in. It is equally wrong to force them, once you have denied them the right to run, to pick a ballot from the two remaining parties.

The Make Elections Fair Act will right this wrong by requiring everyone, regardless of party, to run on the same ballot and to permit the voters to choose their favorite candidates across the full political spectrum. As a business organization, we endorse fair competition and the free market economic principles that underlie our great democracy.

It is time we put them to work to reform our democratic system.

Please join the Arizona Bankers Association in supporting the Make Elections Fair Act. It is good for democracy and good for business.

**140  
Paul Hickman, President and CEO, Arizona Bankers Association, Phoenix**

All eligible Arizonans should have an opportunity to participate in primary elections. Proposition 140 provides such an opportunity and will be an important basis for a healthier democracy, healthier Arizonans, and better health policy.

Health and civic engagement are interconnected, and as such, Vitalyst Health Foundation supports Proposition 140 because it will enhance the ability of all Arizonans to constructively engage in our primary elections.

Civic engagement contributes to a community's overall health. Proposition 140 will establish fairer ways for all Arizonans to let their voice be heard and elect decision-makers that reflect their values. A broader representation also tends to improve health policies and helps to ensure that more people have access to high-quality, affordable healthcare.

Fair and inclusive voting means policies are in place to assure that everyone who is eligible can register and vote. By participating in open primaries, individuals can be informed of different political views. This encourages a healthy democracy and removes existing barriers that prevent everyone from easily voting in the primaries.

As an independent, nonpartisan organization, Vitalyst supports efforts that advance civic health in Arizona, and supports Proposition 140.

### **Suzanne Pfister, President and CEO, Vitalyst Health Foundation, Phoenix**

I was a loyal, conservative Republican until I found that parties were more interested in pointing fingers than finding solutions. This dysfunction drove me to change my registration to independent and run in 2022, aiming to become Arizona's first independent elected to Congress. Unfortunately, running in a "safe" district proved challenging.

A massive obstacle I faced was gathering more than 4,800 valid signatures to qualify for the ballot. Republican and Democratic candidates needed somewhere between 1,500-1650. Even after gathering nearly double the signatures required, I wasn't permitted to be listed on the primary ballot because independent candidates are only listed on the general. I realized the system is stacked against independents.

We "politically homeless" voters, unable to align with Republican or Democratic parties, now make up a third of the electorate. We represent a critical portion of voters yet;

- We are excluded from voting in the presidential preference election, despite funding it with our tax dollars.
- To vote in primaries—where most races are decided—we must request a partisan ballot.
- Independent candidates need up to six times as many signatures to get on the ballot as partisan candidates.

Does any of this sound fair to you? But we have an opportunity to change it.

The Make Elections Fair Act eliminates partisan primaries and incentivizes elected officials to focus on the issues their constituents care most about.

A YES on Prop 140 vote will:

- Level the playing field for all candidates with equal ballot requirements, regardless of party.
- Prevent major parties from unfairly benefiting from our tax dollars.
- Provide more and better choices for elected leaders, who will need to appeal to a broader group of voters.

If you believe that all voters should be treated fairly, join me in and Vote YES on Prop 140

### **Clint Smith, Mesa**

There are somethings that are just not right. The primary election process in Arizona is one of those "somethings" that is just not right.

Arizona's primary election is exclusively held for the Republican and Democratic parties. Private political primaries for two parties PAID for by ALL taxpayers of Arizona. It's just not right.

To vote in Arizona's primary elections you first have to vote for a party. Then you are limited to only voting for that party's candidates. It's just not right.

To be a candidate in the primary election you have to be a republican or democrat. Otherwise, you are only allowed to be on the General Election ballot. To be on the republican primary ballot a candidate needs 7,072 signatures. To be on the democratic primary ballot a candidate needs 6,556 signatures. An unaffiliated candidate cannot be on either primary ballot for election but needs 42,303 signatures to be on the general election ballot. It's just not right.

It is time to make elections right in Arizona by leveling the playing field. Let's remove unfair advantages to the process of being an elected official in this Great State of Arizona. Let's make primary elections a truly OPEN primary election with all candidates on the ballot and all registered voters allowed to vote for all candidates. Let's have the signature requirements equal for all candidates to be on the primary ballot. Let's free up our elected officials to build consensus by listening to what their constituents deem important instead of creating division as the party leaders want by threatening to "primary them" in the best interest of the party. Let's make it right. Let's make elections fair in Arizona for better choices, better results, for a better Arizona.

Vote YES for Proposition 140. It's the right thing to do.

### **David Patterson, Sun Lakes**

Spelling, grammar and punctuation were reproduced as submitted in the "for" and "against" arguments.

RepresentUS is a nonpartisan nonprofit advocating on behalf of voters. We have a very simple litmus test for issues that we support or oppose. "Does this measure make it easier or harder for regular people to have a say in their government?" The Make Elections Fair measure makes it much easier for regular voters to have a bigger say in their government. It does this in three key ways:

- It allows anyone to vote in any election - all voters get an equal say.
- It ends the use of taxpayer money for choosing party nominees - if we pay for it, we get to vote.
- And third, it gives voters more choices by treating all candidates the same and including everyone on the primary ballot - Independents and 3rd party candidates often never even make it to the ballot for voters to consider. This measure makes it as easy for all candidates as it is for Republicans and Democrats already.

Please vote YES.

**Bo Harmon, RepresentUS, Leesburg**

Veterans for All Voters strongly urges Arizonans to vote YES on Proposition 140, and Make Elections Fair for all Arizonans. Currently, in Arizona, both Independent candidates and Independent voters are treated like second-class citizens. Prop. 140 would fix this by creating a level playing field for all candidates and all voters. Currently, Independent voters must jump through extra hoops in order to participate in the primary elections their taxes help fund. And, Independent candidates in Arizona must collect up to 6 times the number of signatures compared to partisan candidates. The status quo political operating system in Arizona is fundamentally unfair. So, it's time for a system update! However, partisan politicians, party insiders and political elites all enjoy defending the status quo. After all, low turnout, partisan primary elections help them maintain their power and control. Prop. 140 would give more power to all of Arizona's voters, including the over 1.4 Million Arizonans who are not affiliated with either major political party. Indeed, across the country, Independent voters are the fastest growing voting block in most states. Approximately 61% of young people, ages 18-24, identify as Independent. And, over 50% of military Veterans identify as Independent. Independent Arizonans, serving on Active Duty in the military, should not be forced to affiliate with a private political party in order to vote. Veterans for All Voters supports nonpartisan (all candidate) primary elections in all 50 states. In any given state, the party in control always opposes primary election reform. When both major political parties are fighting to maintain the status quo, it's time for "We the People" to rise up and demand free and fair elections. On behalf of Arizona's Independent military Veterans, and Independent voters, please vote YES on Prop. 140 and Make Elections Fair for all voters in Arizona!

**Eric Bronner, COO | Founder, Veterans for All Voters, Saint Louis**

The United States Congress and our State Legislature do not function as they should or even as they once did. The two parties are so antagonistic that any compromise is considered traitorous. Instead of governing, our representatives give us partisan gridlock, stalemate, and knee-jerk opposition.

This is not good for our State or our Country.

Today, more than 75% of all candidates elected to Congress or to our Arizona Legislature are in effect selected in partisan primary elections. Lopsided registration numbers render the General Election a mere formality. In other words, the most partisan, most extreme voters pick most of our elected representatives.

Today, over a third of Arizona voters choose not to affiliate with either political party. Yet, under Arizona law, unaffiliated candidates must collect six times as many signatures as party candidates to appear on a ballot. Unaffiliated candidates are prohibited from appearing on taxpayer funded primary ballots. Unaffiliated voters are forced to choose a Republican or Democratic ballot to cast a vote in a primary election.

A system that selects the most extreme candidates and in effect disenfranchises over a third of voters undermines confidence in our elections.

Make Elections Fair requires that all candidates for office appear on the same ballot, that all candidates for the same office have the same signature requirements and that taxpayer funds may not pay for partisan primary elections. A successful candidate under the Fair Elections system must appeal to the majority of voters.

As a former Mayor of Phoenix, I've seen firsthand how well open primary elections work in municipal elections. It goes without saying that Arizona cities work a lot more efficiently than our Legislature without the hyper-political gridlock and animosity.

Please vote "yes" on Prop 140.

**Terry Goddard, Former Arizona Attorney General & Mayor of Phoenix, Phoenix**  
*Sponsored by Make Elections Fair PAC*

---

Nearly every Mayor in Arizona is elected in an open non-partisan primary election. I would like you to ask yourself one simple question, who do you believe serves your interests the best, the US Congress, or your city. If you answer your city read on.

Today, independent, and unaffiliated voters are the fastest growing part of the Arizona electorate. The Make Elections Fair Act, Prop 140, will require that all voters and all candidates be treated identically, just as they are today in nearly every municipal election.

- Today, an unaffiliated candidate in a partisan race must collect 6 times as many signatures as a Republican or a Democrat. The Make Elections Fair Act requires that all candidates be treated the same.

- Today, everyone pays taxes to support our elections, yet under our current rules an unaffiliated taxpaying candidate cannot be on a primary ballot. The Make Elections Fair Act opens a primary election so anyone can run, and anyone can vote.

I have had the privilege of serving as the Mayor of Mesa for the past 10 years, I was elected in an open primary system where voters can choose who to vote for whomever they wish. In my role as Mayor, I have created new partnerships with our K-12 school districts, community colleges and Universities to increase education attainment, increased public safety funding to improve our emergency response and secured our city's future water resources. Potholes and planning are not partisan issues.

We want the State of Arizona and our US Congress to work as well as our city. To do that, we need your support of the Make it Fair Elections Act, Prop 140.

Please join us in supporting Prop 140.

**John Giles, Mayor of Mesa, Mesa**  
*Sponsored by Make Elections Fair PAC*

---

Are you disgusted with the lack of character and leadership among many (but not all) political candidates running for office? More and more registered voters feel disenfranchised by the party they once supported for years. Over 34% of all Arizona registered voters don't identify with either major party. Too frequently, neither the candidates nor their party platforms represent our views. It is time to attract more sensible citizens and fewer extreme activists back into both major parties.

Open primaries hold great hope! An "open primary" doesn't favor any candidate, or party; it simply places all candidates for each position on a single ballot regardless of their political party and lets the voters choose the most qualified candidates to run in the general election. Open "unified" primaries allow each voter to vote for whichever candidate they choose without having to swallow whole a new "party platform," or change their party to do so. This change will neutralize the polarized antics prevalent in our current system. Because all voters will be able to vote for the candidates of their choice, lawmakers will feel accountable to all voters, not just the 5% or 10% of all registered voters who previously got them elected in a party primary. This will incentivize lawmakers to spend time solving serious problems instead of posturing for the next party primary. And it will create appropriate accountability for all lawmakers.

We're not politicians or activists. We are simply registered voters, community members, and neighbors of yours who are disappointed with the current system and its' divisive results. It's time for bi-partisan change! We absolutely respect your right to see it differently, but we're voting YES on Prop 140 and we encourage you to join us!

**Dave LeSueur, concerned citizen, Gilbert; Nancy LeSueur, Gilbert; Carey Holgate, Gilbert; Lori Holgate, Gilbert; Blix Thompson, Mesa; Mollie Thompson, Mesa; Matt Riggs, Gilbert; Darl J. Andersen, Chandler; Kaye Andersen, Chandler; Kris Thompson, Gilbert; Carrie Thompson, Gilbert; Melissa Farnsworth, Gilbert; Tom Farnsworth, Gilbert; Todd Philbee, Gilbert; Lynn Philbee, Gilbert; Patti Higgins, Gilbert; Warren Higgens, Gilbert; and Jill Geigle, Gilbert**

---

I have been a member of the Democratic party my entire adult life. As a Democrat I have watched and participated as our Country has continued to strive to live up to the notion of equality that has been our nation's promise since its founding. I have watched and participated as Democrats have continually and proudly expanded the notion of freedom and redefined what it means to be an American.

From Civil Rights, voting rights, housing rights to native American rights and the equality of our brothers and sisters who identify as LGBTQ+. I am proud to be a Democrat that has stood for the principle of equality and freedom.

Today there are slightly more Republicans than unaffiliated voters. I suspect, as the information age takes a greater hold on our Republic that more and more voters are going to choose to not be a member of either party. That is their constitutional right.

Our election system must reflect our commitment to the principle of equality. An unaffiliated voter must go the extra step of requesting a partisan ballot of a party they are not even a member of, and an unaffiliated candidate must collect six times as many signatures to even appear on a general election ballot. While an unaffiliated candidate cannot even appear on a primary election ballot which their taxpayer dollars are paying for. None of this is right, all of it must be fixed.

The Make Elections Fair Act, Prop 140, fixes this problem by eliminating restrictions on voter participation, and ensuring that all candidates compete under the same set of rules.

As I have said, I am a proud Democrat and as such I support treating everyone equally and fairly. Please join me in voting yes on Prop 140.

**Art Hamilton, Former Arizona State Representative (1973-1999), Phoenix  
Sponsored by Make Elections Fair PAC**

---

**140**  
I moved to Arizona in 1985 to work on John McCain's first campaign for U.S. Senate. His frequently quoted phrase has inspired my own 39-year career in public affairs: "Country First." John lived his life by those words and it remains my inspiration.

Today, we see that partisan interests are routinely honored above our nation's best interests.

Currently, almost 33% of Arizona voters are registered Independent. By law, these non-affiliated voters are required to pick either a Republican or a Democratic ballot and cannot appear as a candidate in our taxpayer-funded primary elections. For an Independent candidate to even appear on a general election ballot, they must collect six times as many signatures.

The U.S. Constitution says nothing about forcing voters to choose a partisan ballot. George Washington was the only President who did not belong to a party.

John Adams, our second President said, "There is nothing I dread so much, as the division of the Republic into two great Parties, each arranged under its leader and concerting measures in opposition to each other."

We have arrived at a new dawn, as feared by our forefathers, and we must change or perish. Our Constitution gives each State the right to determine how we elect our leaders. It is time to change.

The U.S. Constitution and Bill of Rights guarantee individual rights to expression. Forcing a partisan ballot, and using taxpayer dollars to fund that election, is clearly not fair when so many Arizonans are choosing not to be a member of a party.

The Make Elections Fair Act restores fairness to Arizona's elections, eliminates funding for partisan primaries, and treats all candidates and all voters equally. Nothing could be more "Country First" than that.

Join me in supporting Prop 140.

**Chuck Coughlin, President, HighGround Inc., Phoenix**

---

As a lifelong, conservative Republican and a fiscal conservative who had the pleasure of serving as Governor of Arizona from 1990 – 1997, I am voting in favor of the Make Elections Fair Act. Many of my friends and lifelong associates will be surprised by this development but I would encourage you to look at this from a purely taxpayer perspective.

Today roughly a third of Arizona voters are not registered with either political party. I expect that portion of the electorate to continue to grow over time and likely to eclipse the number of Republican and Democratic voters. The age of information has arrived, and more and more voters want to express their own choices about who they vote for.

Most importantly, however, I find it fiscally unconscionable to ask unaffiliated voters to use their taxpayer dollars to fund strictly partisan elections. It is simply taxation without representation, the stuff our forefathers rebelled against nearly 250 years ago. They were right to do so then, we are correct today.

All things must evolve, if the Country is to survive and prosper, let open competition, and free market values guide our decision here. Please join me in supporting the Make Elections Fair Act.

**Fife Symington III, 19th Governor of the State of Arizona, Paradise Valley**  
*Sponsored by Make Elections Fair PAC*

---

Make Elections Fair is an important step to ensuring that the voices of Arizona voters are better represented in our elections. This initiative does not favor any political party. It favors voters.

By establishing a single, open primary election in which all candidates appear on the same ballot and all voters use the same ballot to vote regardless of political party affiliation or lack thereof, Make Elections Fair will better represent the interests of all voters and create stronger alignment between voter preferences and election outcomes.

As a nonpartisan nonprofit organization whose mission is to bring Arizonans together to create a stronger and brighter future for our state we know a lot about what Arizonans want. Over 15 years of conducting rigorous public opinion survey research we have found that Arizonans agree on more than we disagree on important issues like education, jobs, health care, and more. In fact, our data show that large majorities of Arizonans agree on shared public values and are not nearly as polarized and divided as we often hear. Yet our politics have become extremely polarized and we see major disconnects between what Arizona voters want and what our politics are delivering. The design of our primary election system is a key contributor to this problem: partisan primaries lead to partisan outcomes.

Make Elections Fair is an important step to ensuring that candidates for office and elected leaders are responsive to the broader concerns of the majority of voters as a condition of getting elected. It helps move our politics away from polarization and division and towards solutions.

If you are concerned about extreme partisanship and want to see election outcomes that are more representative of Arizona voters, vote for Make Elections Fair.

**Sybil Francis, Chair, President & CEO, Center for the Future of Arizona, Paradise Valley**

As the youngest member of my hometown city council, with 30 years as an educator in our public schools and now representing District 1 on the Pima County Board of Supervisors, I have a unique perspective on public service and the value collaboration holds in solving our community's toughest challenges.

A few years ago, while visiting a school to discuss local government, a 3rd grade student asked me why political candidates “hate” each other. Hearing this question from such a young person was jarring. He and his peers lack positive examples of how elected leaders and candidates should behave. Why is this?

Our current system rewards divisiveness and encourages candidates to cater primarily to their party's base, amplifying polarization and hindering meaningful collaboration. How can that possibly be a winning strategy?

The reason is that in our state, a small minority of voters choose the majority of candidates. Partisan primary elections require independent voters to take additional steps to participate. Most of them don't, leaving a significant portion of Arizona's electorate unaccounted for in primary elections—where most candidate elections are determined.

Those of us entrusted with public office are duty bound to represent the needs of our constituents. Local elected officials, chosen in non-partisan elections, can often better represent their constituents because to win they must appeal to ALL voters. The Make Elections Fair Act supports this type of governance by allowing ALL registered voters to have a say in who represents them, encouraging candidates to be responsive to ALL constituents and combating divisiveness.

Additionally, the initiative levels the playing field for independent candidates by eliminating the requirement to gather up to six times more signatures than their partisan counterparts. These changes will give Arizonans better choices, better results, and greater engagement.

Join me in voting YES on Proposition 140.

**Rex Scott, Pima County Supervisor, Pima County, District 1, Tucson**

The Center for the Future of Arizona recently conducted a Gallup survey which found that Arizona voters overwhelmingly agree upon shared public values and desired outcomes, but do not believe that our elected officials effectively represent them or that Arizona is headed in the right direction.

Our current election system is unfair, rewards partisanship, creates division, and prevents our shared public values from being realized. The Democratic and Republican parties enforce ideological fealty and prevent bipartisan cooperation through a primary election system controlled by the parties but funded by taxpayers. Because of gerrymandered districts, 80% of all electoral races are decided in the primary, not the general election. Yet Independent voters are allowed to participate in primary elections only if permitted by the parties, and they are required to request a ballot, although most do not. Independent candidates must collect over 6 times the number of signatures required of party affiliated candidates to make the ballot, receive less public funding, and do not have the same access to voter rolls.

The Make Elections Fair Initiative, Proposition 140 would reform our broken election system and require that all voters and all candidates are treated equally. It requires open non-partisan primary elections in which candidates are incentivized to address the concerns of all constituents and not just the 15%-20% who vote in primary elections. Candidates will be freed from the threat of “being primaried” for working on bi-partisan legislation and will be incentivized to solve problems that advance our shared public values.

Please join me in voting YES on Prop 140.

**Ted Hinderaker, Attorney, Tucson**

As a lifelong Democrat, I have always been a supporter of equal ballot access for every eligible voter and candidate. That is why I have always been a strong proponent of the non-partisan election system adopted by most of the municipalities in the State of Arizona. These local elections are fair and treat everyone equally.

On the other hand, the current partisan system used to elect our congressional, statewide, and legislative offices is fundamentally unfair because it causes Independent and unaffiliated voters to face massive participation barriers. It is wrong and its well past time for a change on how we elect these offices.

Not only must independent and unaffiliated candidates collect up to six times the number of signatures compared to partisan candidates, they also do not appear in the Primary Election ballot. Even worse, independent and unaffiliated voters are required to compromise their principle of non-affiliation and must select a party ballot to participate in the primary election.

There needs to be equal treatment in our elections that allow all candidates and voters to compete under the same rules – that is why I am supporting the Make Elections Fair Act.

Every candidate should have the same rules and requirements to qualify for the ballot. All voters be able to vote for the candidate they want without having to pick a partisan ballot. This is not new – it is exactly how many cities and towns choose their elected officials right now.

Proposition 140 just evens the playing field for the rest of our elections and makes them fair for all. Please join me in voting YES on Proposition 140.

**Si Schorr, Tucson**

*Sponsored by Make Elections Fair PAC*

I am a second-generation Native Arizonan born and raised in Winkelman, always proud to call Arizona my home. I admire the independent character of Arizona; it has and will always have a place in my soul. I am a lifelong registered Democrat and as such had always admired and respected the way our state leaders have historically worked together to develop policies that make Arizona the great state that it is.

Times have changed but not for the better regarding our political sphere. Our Federal, State, and local leaders in most cases do not get along, much less work together. It is like an unwinnable contest between two sides that focuses on making the other side look bad. That results in acrimony and does not represent what this state deserves.

Arizonans are choosing not to register as Republicans or Democrats but choose to do so as independents, the fastest growing sector. Unfortunately, our current laws regarding the electoral process relegate them to be viewed as second class citizens. They must secure Democrat or Republican ballot to vote in the primary, not fair!

I believe that we can change our constitution to allow all voters and all candidates to be treated the same. Today, 80% of Arizonan's election candidates are elected in the primary election. Yet, voter turnout is low and consequently the ideologues in either party who do not represent all constituents get elected.

The "Make Elections Fair Act" treats Independent/unaffiliated voters and candidates fairly. Every voter can participate in every election. Competition produces better choices and makes candidates accountable to most voters and leads to better choices, better results, and a stronger Arizona.

Please join me in supporting the Make Elections Fair Act.

**Victor Flores, Phoenix**

*Sponsored by Make Elections Fair PAC*

This election, nearly nine out of ten elections for the AZ State Legislature will be decided in the partisan primary before the November election. That's because our election system creates unbalanced districts and onerous rules that favor one political party or the other. The winner of the partisan primary is nearly guaranteed victory in the General Election. This unbalanced and unfair system effectively disenfranchises all of those voters who do not belong to the dominant party. They have virtually no say in who represents them in their district. They've been cancelled.

On the other hand, all voters in the many city elections will have a voice in who leads them. That's because in most city elections, ALL of the candidates appear on the primary ballot, regardless of party affiliation, and ALL voters get to choose

from the same slate of candidates. Both voters and candidates are on a fair and equal footing.

I've participated as a candidate in a city election, and I found it to be especially rewarding! Because all voters mattered, I had to reach out and listen to everybody: Republicans, Democrats and Independents. Candidates needed to take real positions on issues, because we were accountable to voters from all over the political spectrum. I did not shy away from my party affiliation, but I couldn't easily hide behind it, either. I found the process to be exhilarating! And especially fair for all. Primary Elections in Arizona should include ALL candidates who run using the same rules. Arizona voters deserve to have a voice and a real choice in who represents them. That's what the Make Elections Fair Act will do: Make sure that all of us have a voice!

Please support Fair Elections and Vote YES on Prop 140.

**Scott Smith, Former Mayor of Mesa, Mesa**

*Sponsored by Make Elections Fair PAC*

---

It is my honor to represent District 6 on the Phoenix City Council as your independent voice. With 36 years of dedicated service in the Phoenix Police Department, including 18 years as a senior executive, I have prided myself on serving our community with integrity and fairness.

During my career in law enforcement, I encountered many brave men and women who exhibited heroism daily— putting the needs of their communities ahead of their own.

Most Arizona municipalities already hold non-partisan elections open to all voters. As an independent elected official, elected in a non-partisan race I felt empowered to make decisions based on what's best for our community. I ran on the foundation of my experience, prioritizing the community, leading with dignity, and respecting diverse backgrounds and differing opinions, and never showing contempt, but respect for anyone who had an opinion different from my own.

By creating more choices, opening our electoral process the candidates who speak to a majority of the electorate will be rewarded. There should be no role for partisan politics in honoring the very best qualities that make State 48 the best place in the Country to live, to raise a family and to work.

Unfortunately, independent candidates like me rarely reach statewide office because we're required to gather up to six times the number of signatures as partisan candidates. Independent voters also face unfair treatment, having to take extra steps like requesting a partisan ballot to vote in a primary election their tax dollars fund. It's unjust to make citizens pay for a public process they can't fully participate in. It is time to make our elections fair.

Join me in voting YES on Prop 140.

**Kevin Robinson, Phoenix City Councilman - District 6, Phoenix**

*Sponsored by Make Elections Fair PAC*

---

Democracy isn't working for most Arizona voters — Republicans, Democrats or Independents. Most of our state's 30 legislative districts are considered "safe," meaning one party's candidate always wins in the general election.

This boils down to most Arizona elections are already decided in primary elections — where only about 20% of voters participate in Republican primaries and only about 15% participate in Democratic primaries.

If you — like me — are one of the 34% of Arizona voters not registered with either party, you hardly have any voice at all, and certainly no independent candidate to vote for.

Independent voters face additional requirements than partisan voters to participate in primaries their taxpayer dollars helped fund. They must request a Republican or Democratic ballot, abandoning the right to proclaim party independence.

The political parties have even made it harder for an independent candidate to get on the general election ballot by requiring them to collect six times more signatures to qualify.

Our current elections system is not a real democracy for all voters.

The Make Elections Fair Act eliminates partisan primaries and replaces them with open primaries in which all candidates are on the same ballot. This gives voters the opportunity to vote for the candidate of their choice, regardless of the voter or candidate's party affiliation.

This initiative levels the playing field for independent candidates by making the signature requirements the same regardless of party registration.

Open primaries allow all voters to have a real choice in deciding which candidates make it to the general election. It's time to change our current partisan primaries that do not give all voters a say in which candidates will represent them.

Vote for a more fair system that truly represents Arizonans — VOTE YES on Prop 140.

**Dr. Matthew Whitaker, Business for Democracy-AZ, Mesa**

*Sponsored by Make Elections Fair PAC*

Over the last two decades, the East Valley of Maricopa County has been one of the fastest growing regions in the country. Members of the PHX East Valley Partnership believe that part of the success of the region is because community leaders have come together to develop massive new employment centers and world class educational opportunities that have fueled our economic growth. The combined efforts of government, business, education, and local community leaders have been inspiring to observe!

In providing leadership opportunities for the future, we view the proposed "Make Elections Fair" initiative as a positive approach to engage every voter in the process to select their government leaders. With over 1.4 million independent Arizona voters who have chosen not to be a member of the two major political parties, our current closed partisan primary election process can have the effect of disenfranchising both independent candidates and voters. Independent candidates cannot even appear on a partisan primary ballot and to express their voting opinion, independent voters must request a ballot of a party that by choice is not their party.

The rest of the voters are forced to choose between an all Democratic or Republican primary ballot. A voter cannot choose to vote for a Republican County Supervisor and a Democratic Congressperson.

We believe that free markets are good for business and that they are also good for politics. We also believe that competition produces better choices and that "All Voices and All Voters Matter."

The Make Elections Fair Act treats all candidates and voters equally, eliminates partisan primaries, and rewards candidates who choose to work on issues that matter most--the economy, public safety, and education.

We encourage you to join us in supporting the "Make Elections Fair Act."

**John W. Lewis, President, PHX East Valley Partnership, Gilbert**

It was my incredible honor to represent thousands of brave first responders as the President of the Professional Fire Fighters of Arizona. I have also had the privilege of serving the citizens of Phoenix as both a member of the Phoenix City Council as well as the Mayor's Chief of Staff.

Through it all, I have witnessed politics at the national, state, and local level. I have seen firsthand what works and what does not.

At the state level, I have witnessed the gridlock of a divided legislature unable to collaborate on policies impacting the health, compensation, and labor rights of firefighters. Locally, I have seen elected officials who are much more willing to reach across the aisle to collaborate and find solutions.

The difference? How the elections are conducted. Our current primary system rewards partisanship and excludes independent voters from participating in elections their tax dollars pay for. The result is gridlock and animosity.

## NOVEMBER 5, 2024 ★ GENERAL ELECTION

On the other hand, elections for most of Arizona's cities are nonpartisan elections with everyone competing on the same ballot. The result is local officials who are accountable to a wide range of constituents who depend on them to safeguard their taxpayer dollars and ensure access to essential services like safe roads, running water, electricity, and emergency services.

Research consistently shows that Arizonans prefer their local governments over any other elected officials.

The Make Elections Fair Act ensures every voter has an equal chance to vote for any candidate they choose, even if that candidate is not in their registered party. It will encourage our statewide and legislative officials to appeal to more voters and deter the partisanship that has been holding the state back.

When candidates are held accountable to all voters, not just a party, we all benefit. Vote YES on Prop 140.

**Bryan Jeffries, Phoenix**

*Sponsored by Make Elections Fair PAC*

---

As longtime residents of Arizona, we have been deeply engaged in the business, civic and philanthropic aspects of our State. We have participated actively in political issues and campaigns and watched with dismay as our politics have become more extreme, more divisive and less focused on the issues important to a majority of voters.

We think our primary election system is a big part of the problem. Because so many districts have been configured to be reliably Democrat or Republican, most are now "safe" for one party or the other so that the only election of consequence is the primary. Today, our primary elections are set up to give outsized power to hard core Republicans and Democrats – often extremists. Independents and "no party declared" voters must work extra hard to be eligible to vote. With this proposed proposition, a voter who qualifies to vote in November automatically qualifies to vote in the primary.

Because of partisan primaries, once elected, legislators are incentivized to keep in lockstep with an extreme slice of the electorate rather than to govern in the public interest. The idea of being "primaried" keeps them aligned to the base out of fear of losing the next election. Party loyalty is more important than effective governance.

We think all voters should be able to vote in a nonpartisan primary. It would encourage greater participation and make officials accountable to a broader base of the electorate. We strongly support Proposition 140 and hope you will join us in voting YES.

**Phil Francis, Retired Chairman & CEO, PetSmart, Paradise Valley and Juanita Francis, Retired R.N. | Former Chair, Valleywise Health Foundation, Paradise Valley**

*Sponsored by Make Elections Fair PAC*

---

Flagstaff has always had a reputation for independent thinking. I hope that motivates my fellow residents, as well as all Arizonans, to join me in supporting a critical change to our election system.

Prop 140 will change primary elections by taking control away from political parties and giving it back to us, the voters. All candidates will be on one ballot and all registered voters will be able to vote for their preferred candidate. In states where similar changes have been made, candidates tend to be more "middle of the road," like most of us.

I support Prop 140 because it is more fair. It allows all voters - including Independents - to participate in all elections and all candidates to compete under the same rules. It opens the door for new ideas by allowing a broader range of candidates, including those not strictly aligned with traditional party platforms. This change will promote candidates and elected officials who respond to the needs and preferences of voters, not their political parties.

This is a good change; I hope you will join me in voting YES on Proposition 140.

**Eve Ross, J.D. | Retired VP, W.L. Gore & Assoc., Inc., Flagstaff**

*Sponsored by Make Elections Fair PAC*

Arizona's primary voting system discriminates against Independents and unaffiliated voters; the second largest group of registered voters in Arizona. Today, primary voters may vote only for candidates in one of the political parties. To vote, you must either be registered as a member of a party or request a ballot from one of the parties that includes just their candidates. You may not vote in a Presidential Preference primary unless you register as a member of a political party. To run for office as an Independent you must get 6 times as many signatures to qualify for the ballot. Clearly this is not a fair system.

It results in the extreme candidates in both parties winning their races since they have only to appeal to the partisan base, not to the broader general public. This gives inordinate power and authority to the few over the many. Political success goes to the loudest and most provocative voices over the thoughtful, well researched, fact-supported public policy ideas that address what most of our citizens care about.

Make Elections Fair will fix this. When we open our primaries so everyone can vote we get several critical benefits. Winners must get a majority of votes cast, so successful candidates will be those who address what the majority see as key issues rather than just attacking their opponent. Once in office, officials supported by a broad majority of voters will not fear being "primaried" and will be empowered to make the hard decisions that go with governing.

Make Elections Fair will enable every registered voter to vote in every election, including primaries; public funding of party-controlled elections will end; and campaigns will reward candidates whose ideas are embraced by a majority of citizens, not just a highly partisan minority.

**Donald V. Budinger, Chairman & Founding Director, The Rodel Foundation, Scottsdale**

*Sponsored by Make Elections Fair PAC*

Vote "YES" on Make Elections Fair Act

Voting "YES" on Prop 140 is likely the single most impactful action you can take in your lifetime to help ensure that our great nation remains a well-functioning representative democracy.

It is broadly accepted that partisan primaries are one of the biggest problems in our broken political system. They facilitate the election of extreme candidates and prevent elected officials from doing the hard work of finding common ground – solving problems in ways that are supported by most Americans -- without risk of losing their jobs by being "primaried."

The Make Elections Fair Act would address these problems by adopting non-partisan primaries, which is widely viewed as the most effective step that informed citizens can take to ensure our votes matter, regardless of whether we belong to a political party or consider ourselves independent. If you're not completely satisfied with the choices of political candidates that have been presented in recent elections, and with the performance of those elected, this is your opportunity to effect change.

This initiative is aimed at restoring fairness to elections: fairness for voters, ensuring every citizen's ability to vote for their candidates of choice, regardless of political party; fairness to candidates, leveling the playing field for running for office, irrespective of party affiliation; and fairness to elected officials, providing freedom to seek consensus around issues that are important to constituents, without undue exposure to party reprisal.

If you're skeptical or unsure about primary reform, please do your homework. A book called The Primary Solution is an excellent resource. Please get informed and then vote "YES" so you can tell your grandkids you played a pivotal role in securing the future of our young democracy.

**Rob Draper, Tucson**

*Sponsored by Make Elections Fair PAC*

George Washington, the only President of the United States who was not a member of any political party, warned his fellow countrymen about the three horsemen of the American apocalypse: geopolitical sectionalism, political factionalism, and the interference of foreign powers in the conduct of our government.

If Washington's words were not enough, our nation's second President, John Adams was even more prescient, stating, "There is nothing I dread so much, as a division of the Republic into two great Parties"

This requires courageous action, and a willingness to face our own weaknesses. Paraphrasing General "Chesty" Puller's words when contemplating the surrounding Chinese and North Korean hosts – "We have them right where we want them. Aim in any direction and fire for effect!"

The solutions have been with us in foundational form for centuries, "all men are created equal (with) unalienable rights".

Every voter and every candidate must be able to participate in any election they are eligible for regardless of their political affiliation.

Nearly 49% of American's no longer belong to either political party. It is time to end the stranglehold of control that two parties have on our current electoral system.

No more Republican or Democratic primary ballots paid for with general tax dollars. Just one ballot for all voters where everyone competes together.

Competition can save our democratic Republic if we simply end the duopoly which governs our elections today. Honor the individual over the party, honor the country over the party. Honor principle over the party.

While some will appeal to you to hold onto partisan tradition, to do so will deny you your own future liberty. We must permit every voter to participate in each election of their choosing. We must make every election fair.

**Rusty Bowers, Former Speaker of the Arizona House of Representatives, Mesa  
*Sponsored by Make Elections Fair PAC***

---

American politics are broken. Toxic partisanship has wrecked our political system and threatens our very democracy. As he left office in 1796, George Washington warned Americans against the great danger of political parties – "combinations or associations" that could subvert the public interest. But instead of heeding Washington's advice, we have institutionalized political extremism.

We require all taxpayers to fund partisan primaries for two private clubs: Democrats and Republicans. We make it nearly impossible for candidates unaffiliated with these clubs to run for office. And in Arizona, we also require citizens who seek to be independent of these privileged groups to pretend to be a member for one day in order to vote in primaries.

Voters are increasingly leaving the two parties. About the same number today are independent as are affiliated with either party. As the "unaffiliated" increase the cohort remaining in each party becomes even more partisan. The primary elections are then dominated by the most partisan and extreme on each side, driving ever more voters out of the primaries. This "distillation loop" means that each primary is now decided by fewer than fifteen percent of eligible voters. And so few general elections are truly competitive that primary results effectively determine who is elected. The upshot? A small sliver of our most partisan citizens choose who will represent all of us.

The current election system does not fairly represent the collective will of the people. To sustain the American Experiment we need to empower more citizens with a broader range of views to participate. This Proposition seeks to do this by opening up primary elections to all candidates and to all voters on a fair playing field. Let us begin to follow Washington's advice. Let us make Arizona elections fair.

**Grady Gammage Jr., Phoenix  
*Sponsored by Make Elections Fair PAC***

---

My name is Aaron Lieberman, and it was my honor to represent District 28 in the Arizona House (now District 4). As a social entrepreneur, I've dedicated my career to addressing social issues through cooperation and evidence-based strategies. I brought this mindset to my work in the Arizona House, and I believe the Make Elections Fair Act embodies these principles.

As a former representative, I saw how our current election system punishes those who work across the aisle. I was the first Democrat to win my state house seat in a district with a significant Republican advantage. I got elected by promising to work with anyone willing to move Arizona forward.

Unfortunately, during my time in the Legislature, I found the majority party more interested in working with their most extreme members than with pragmatic Democrats like me. This is due to partisan primary elections, where candidates must appeal to the extremes of their party to secure nominations. This discourages moderation and bipartisanship, leading to a more divided and less effective government.

The Make Elections Fair Act offers a solution. By creating open primaries where all candidates compete on the same ballot, we can ensure elected officials are accountable to all voters. This reform will encourage more moderate positions and collaborative problem-solving.

Furthermore, the Act will make our electoral system more inclusive. Independent voters, who make up nearly one-third of Arizona's electorate, are currently marginalized by the primary system. In my district, their votes decided general elections but played almost no role in primaries. Independent candidates face significant hurdles, needing six times the signatures of party-affiliated candidates. This Act will eliminate these barriers, ensuring all voices are heard and represented.

Let's create a political environment that rewards problem-solving and collaboration. Join me in voting YES on Prop 140.

**Aaron Lieberman, Former Arizona State Representative, Paradise Valley**

*Sponsored by Make Elections Fair PAC*

As a lifelong Phoenician and an attorney with a 40-year career dedicated to protecting civil rights in our community, I confidently endorse the Make Elections Fair initiative. This proposal will improve our electoral system for every voter in Arizona.

Prop 140 will increase voter turnout by permitting all voters to participate in primary elections. Historically, most candidate races are decided in the primary. By including more voters in this crucial phase, we ensure better representation and outcomes for all Arizonans.

Our current system blatantly suppresses independent voters in primary elections. These voters are either excluded or forced to join a party to participate in elections their tax dollars fund. This is a clear case of voter suppression.

Excluding Arizona's fastest-growing voter segment silences the voices of over 1.3 million citizens. These voters, often from racially diverse backgrounds, feel disconnected from candidates who don't represent them, leading to low voter turnout.

The Make Elections Fair Act is a step towards true enfranchisement for African American, Native American, and Latino voters who feel marginalized under our current system. This reform gives all voters equal voting rights and grants genuine freedom to choose candidates who truly represent their interests.

Prop 140 has the potential to increase voter turnout and empower disenfranchised communities, encouraging them to reengage and help shape our political landscape.

By inviting greater competition into Arizona's elections, Prop 140 motivates candidates to appeal to a broader electorate, ensuring they genuinely represent their constituents.

Arizona is overdue for this type of reform. The right to vote is the foundation of our democracy. Prop 140 will increase participation and make our state stronger. Join me in voting YES!

**Danny Ortega, Attorney at Law, Phoenix**

*Sponsored by Make Elections Fair PAC*

Let's face it. The two-party election system in Arizona is failing us. With only one-third of voters casting ballots in the primaries, a small percentage of voters are determining the choices we have in November.

As an example, in the 2022 Senate race Mark Kelly earned his place on the November ballot by receiving 589,400 votes in the Democratic primary. This represented 14% of registered voters. On the Republican side, Blake Masters earned his spot on the November ballot by receiving less than 8% of registered voters. Combined, our choice for Senator was decided by less than a quarter of Arizona voters.

It's no surprise that voters are disillusioned and turnout at the ballot box is low. Our candidate choices are not determined by the whole electorate, but by a minority. Arizona's two-party system controls the electoral process, effectively bypassing roughly one-third of voters who are not registered Republican or Democrat.

We can do better. We deserve an electoral system that engages more voters and gives us more choices. Proposition 140 will do just that. It will abolish party primaries and instead establish a single non-partisan primary. Voters will be able to choose from among all candidates running for a political office, and the top vote getters will move on to the general election.

Open primaries encourage choice and competition and rewards consensus building among elected officials. Vote YES on Proposition 140.

**Michael Welborn, Scottsdale and Patricia Welborn, Scottsdale**

*Sponsored by Make Elections Fair PAC*

My name is César Chávez, and I had the honor of representing the 29th Legislative District (currently District 24) in the Arizona House of Representatives from 2017 to 2023. As someone who immigrated to the United States at the age of three and witnessed firsthand the challenges faced by marginalized communities, I understand the importance of creating a political system that truly represents all Arizonans. It's with this commitment to inclusive and effective governance that I urge you to support the Proposition 140.

Our current election system, with its partisan primaries, forces candidates to cater to the extremes of their party, often sidelining the needs of the broader electorate. Throughout my service in the Arizona House, I saw how this divisive system hampers our ability to address critical issues. Elected officials are rewarded for focusing their attention on issues that are only pertinent to a few, rather than addressing the issues that matter most to Arizonans.

The Make Elections Fair Act would create an open primary where all candidates appear on the same ballot, compelling candidates to appeal to all voters throughout the election. This will encourage candidates to adopt more common-sense viewpoints that reflect the interests of their entire district, not just the extreme elements that tend to dominate primaries.

Our current system disenfranchises independent voters, who represent a significant portion of our state's population, and stifles the voices of moderate candidates. Independent voters are required to request a partisan ballot to participate in primary elections, and independent candidates must gather six times as many signatures to appear on the general ballot. Prop 140 would eliminate these barriers, allowing all voters and candidates to participate in all elections freely, as our democratic system intended.

Join me in creating better choices for a better Arizona. Vote YES on Prop 140.

**César Chávez, Former Arizona State Representative, Phoenix**

*Sponsored by Make Elections Fair PAC*

We are a cross-partisan group of business and community leaders in Arizona – Republicans, Independents, and Democrats – dedicated to growing the economy of our great state. We urge you to vote YES on the Make Elections Fair Act, Prop 140. It is one of the most important votes you will cast in 2024.

A vote for this Act will end the unfair practice that largely keeps independent voters, 34% of the electorate, from voting in primaries. These primaries are financed by all taxpayers, and taxation without representation conflicts with core American values.

Yet, in the current primary system, independent voters face barriers to participation which Republicans and Democrats do not. These obstacles significantly depress their participation. Just 10% of Maricopa County's 2022 primary participants were independents.

Under the Act, Independent Voters will be treated equally for the first time in Arizona's history. They will automatically receive a mail-in ballot if they opt-in, just as Democratic and Republican voters do now.

Moreover, as business and community leaders, we endorse free market competition and the economic principles that underlie our great democracy. When politicians are accountable only to narrow subsets of the electorate, they become less likely to serve the public at large. This makes it harder to solve the complex problems facing our community, create jobs and grow the economy of our great state.

A vote for this Act will end the deadlock in our legislature and ensure our government's ability to address vital issues such as affordable housing, educational attainment and sustainable water policies.

Please join Leadership Now Arizona in supporting the Make Elections Fair Act. It is good for democracy and good for business.

Sincerely,

John Fees and Adam Goodman  
on behalf of Leadership Now AZ

**John Fees, Co-founder & CEO, GradGuard, Phoenix and Adam Goodman, CEO, Goodmans, Paradise Valley**

---

First as the Pima County Attorney and then during my 18 years in the United States Senate, I worked with stakeholders from every political background and served on multiple, critical committees where it was necessary to work across the aisle to create resolution for proposed issues. This is how progress was made – Democrats and Republicans working together. Sadly, bipartisan engagement to accomplish the best outcomes for The People has all but disappeared.

Voting YES on the Make Elections Fair Act, Proposition 140, will help us create a more representative, efficient, less partisan government with more compromise and less gridlock.

As President Lincoln stated, "A house divided against itself cannot stand." Because of gerrymandered partisan districts, our current election system incentivizes elected officials to NOT compromise because doing so might hurt their primary reelection chances. Open primaries will force candidates to reach out beyond their narrow, partisan minority bases and listen to and appreciate the views of a broader electorate, fostering a more collaborative and effective political environment that better serves the needs of all Arizonans.

Almost one third of Arizona's electorate does not affiliate with the two major parties. Our current partisan primary system, paid for by all taxpayers, requires that Independents and non-aligned voters request a partisan ballot to cast a primary vote. And more signatures are required for their candidates to make the ballot. The Make Elections Fair Act will also eliminate these unfair practices and ensure that all voters and candidates have equal access into primary elections, regardless of their party affiliation.

We are at a decisive moment and our Democracy is worth defending! I believe that having open primaries will be a major step in the right direction. Join me in creating a better Arizona, vote YES on Prop 140.

**Dennis DeConcini, United States Senator, Retired, Tucson**  
*Sponsored by Make Elections Fair PAC*

---

This is an opportunity to open our primary election system to treat all candidates and voters fairly. All candidates will appear on the same ballot and compete under the same rules and all registered voters, including independents, will use the same ballot to cast their vote.

I have lived here for over forty years. It has been my experience, when it comes to politics, that most Arizonans cannot

be easily labelled or defined. We are an independent bunch. We don't like extremism, preferring to work things out for the common good. We prefer mature and forthright talk about how to solve problems, rather than drama, lies and rude name-calling. We value commonsense. We recognize that what is best for our state is usually the result of negotiation and compromise, where our leaders put Arizona and its citizens above party politics.

I support open primaries because I think they will discourage extreme politics and encourage candidates to appeal to the broader electorate rather than the narrow partisan interests of a particular political party. I also believe open primaries will encourage more and better candidates to run. This increased competition will lead to better ideas and solutions, benefiting Arizona.

**John DeWulf, Phoenix**

---

The Arizona Forward Party urges voters to say YES to Proposition 140, the Make Elections Fair initiative to adopt open, non-partisan primaries in Arizona.

Have you ever wondered why it seems that we always end up with two bad choices in our general elections? Polarized partisan politics and our current primary election system lead to the exclusion of good governance.

Our current "open" primary system is anything but open. Any voter can only see one-half of the available candidates: Republican voters only see Republicans, Democrats only see Democrats, and independent voters (34% of the electorate) can only see candidates from one legacy party per their designation.

This system disenfranchises many voters, with the exhausted majority failing to participate in the primary elections. This puts the decision of who appears on the general election ballot in the hands of 10% of each party--who tend toward the political extremes. Once elected, these candidates are unlikely to work across the aisle for fear of being perceived as weak, and being "primaried out" by an even more extreme candidate in the next election cycle. And so, we are doomed to have progressively more polarized elected officials as time goes on.

Open, non-partisan primaries can change that. By having all candidates appear on one primary ballot—regardless of party affiliation—voters have a choice of candidates that reflect a broader range of positions than the strict doctrines of the legacy parties. This will lead to ALL candidates being more responsive to the majority of Arizonans, and lead to better governance.

Please support Proposition 140 to make elections fair and make a positive change for Arizona.

**Jamie Cowgill, Leadership Team, Arizona Forward Party, Scottsdale**

---

As the Founder and President of Open Primaries, as an independent voter, and as a patriotic American who believes strongly in self-government, I am passionately endorsing Proposition 140.

Primary elections should be open to all voters and all candidates. Period. That's what Proposition 140 calls for.

The current system shuts people out. No Arizonan should be required to join a private organization to vote in a taxpayer-funded election!

Who gets shut out? Independents – 30% of all voters in Arizona and growing. Independent voters face barriers to participation. They are completely barred from presidential selection primaries – even though their tax dollars pay for them. They are forced to a) jump through bureaucratic hoops and b) compromise their political beliefs by requesting a party ballot to vote in state primaries. Plus, independent candidates must gather six times as many signatures as party candidates to appear on the November general election ballot. Proposition 140 treats all candidates and voters equally by allowing them to compete under the same rules.

Fairness. A level playing field. One set of rules that applies to everybody. It's not rocket science. It's the bedrock of our great country.

Prop 140 is one of the most important election reform initiatives on the ballot anywhere in the country this November and I'm proud to support the Make Elections Fair Act.

Proposition 140 will not only treat all voters and candidates equally, but it will also increase voter participation and encourage competition, which will result in elected officials focusing on the issues that matter most to Arizonans.

I urge you to vote YES on Proposition 140 to create a truly open and fair system for all Arizonans. Let All Voters Vote!

**John Opdycke, Founder and President, Open Primaries, Chicago**

---

Today, more than ever, the right to vote is under attack. At the Greater Phoenix Urban League, we are defending against those attacks with vigorous campaigns to increase civic engagement and voter participation. We are a leading voice in advocating for the right to vote for all Arizonans, regardless of race, gender, religion, or zip code.

While we work to increase voter education and engagement, we face some significant headwinds. In Arizona, only one in five eligible voters vote in primary elections. This is especially alarming when primaries so often determine the winners, either because of "safe districts" or uncontested races, essentially relegating the general elections to a mere formality in many cases. Our democracy is threatened when millions of Arizona citizens fail to exercise their right to vote, and officials are elected to office by a relatively small proportion of voters.

Changing our primary election system is one step toward addressing this crisis. Our current system, funded by taxpayers but controlled by political parties, places limitations on voters and potential voters which discourages participation. Meanwhile, the percentage of voters in either Arizona who register as independent continues to rise. While independents can vote in either the Democratic or Republican primaries, many are unaware that they can, or put off the additional steps necessary, so they simply don't vote.

It is imperative that we remove the systemic impediments that are discouraging voter participation, especially among our fastest growing demographics, young people and Latinos. This proposition is a necessary first step. We encourage all voters to join us in supporting this important initiative. Sincerely,

**George Dean, President & CEO, Greater Phoenix Urban League, Scottsdale  
Sponsored by Make Elections Fair PAC**

---

I am a native Arizonan, growing up in Phoenix. I served for 38 years in the US Navy and retired back to Arizona in 2021. It was an honor and privilege to serve our country and to support and defend the Constitution.

I have been, as many veterans are, a registered independent voter. In Arizona, independent voters (and candidates) are disadvantaged by our current election system. Some argue it's unfair as independents don't get to vote in primary elections though all taxpayers pay for these. While true, my primary concern is that our current election system prevents independents from participating equally in our election process. Our election system places allegiance to a particular party above our State and Country.

The Make Elections Fair Act will fix this. It will require that all voters (and candidates) be treated equally, a founding principle in our Declaration of Independence. The Make Elections Fair Act will correctly promote Country and State interests above partisan interests.

Fixing our election system to make it fair for all should be an end unto itself but it will do more. Make Elections Fair Act will lead to better election choices, better results and a stronger Arizona. A result we could desperately use now.

Please join me and the 1+ million Arizonan independents in supporting the Make Elections Fair Act. Together, we can make our State stronger by adopting the principle 'treating all voters (and candidates) the same' into our State Constitution and relegating partisan interests below those of our allegiance to our State.

We need our public officials to focus on why we elect them – to solve the problems we face.

**Phil Sawyer, Prescott**

Over the last decade the West Valley has experienced tremendous economic growth with a current population of 1.84 million residents. WESTMARC has been a key part of bringing diverse coalitions together to promote job development, infrastructure investment, educational advancement, job training, and career and technical training opportunities for our growing community.

As the region and state has grown, so has the number independent voters. Today, 1.45 million Arizonans have chosen not to be a member of either party and to make decisions that address community issues rather than party affiliation. For Independents to vote in the primary election, they must request a ballot of either the Republican or Democratic party. Under the current system, Independent voters are not accurately represented as voters. Additionally, Independent candidates cannot appear on the Primary ballot. To appear on a general election ballot that same Independent candidate must collect six times as many signatures to compete for our votes. And all voters are forced to vote a straight party line ticket in a taxpayer Our current closed partisan primary election disenfranchises both Independent candidates and voters. The Make Elections Fair initiative provides an opportunity to address one of the fundamental inequities that is at the core of our political dysfunction today – pure partisanship.

The Make Elections Fair Act further moves the needle towards a more equal society by treating every voter and every candidate the same.

The Make Elections Fair Act creates an environment where all voters and all candidates are encouraged to work for our best interests and on the issues that matter most, the economy, public safety, and education.

It's time to make our elections fair. Please join us supporting the Make Elections Fair Act.

**Sintra Hoffman, President and CEO, WESTMARC, Goodyear**

As neighbors and Arizonans, it's essential everyone work together to maintain our high quality of life while ensuring economic and policy goals in everyone's best interests are maintained and enhanced. For strengthening education, creating jobs, economic development, Arizona's water policies and much more, we need elected leaders working collaboratively to address the biggest obstacles to our state's future prosperity.

Today, asking our political leaders to work together in a bi-partisan manner is punished by Arizona's election system. This leads to extreme partisanship and gridlock at a time when we need leaders to come together to find solutions.

We believe that Prop 140 will help address this problem.

A Republican working with a Democrat to resolve pressing issues should be rewarded – not punished. We believe the Make Elections Fair Act will accomplish this goal by mandating an open primary system, providing every voter and candidate be treated equally, competing with one another on a level playing field.

Prop 140 allows solution-focused candidates to appeal to a broader electorate of all voters instead of a narrow partisan primary audience. It will also ensure the growing number of Arizonans who are registered as independent and unaffiliated are equally and fairly treated.

Currently, unaffiliated voters, nearly the largest voting bloc in the entire State, face numerous election hurdles, from not being able to be a candidate in a publicly-funded election to having to request a partisan ballot forcing them to vote for candidates of one-party.

Please join us in supporting Prop 140 for better candidates, elections, and results for all of Arizona.

Greater Phoenix Leadership is an organization of business leaders working at the intersection of the business, education, philanthropy and public policy sectors to improve the state we all call home.

**Neil Giuliano, President & CEO, Greater Phoenix Leadership, Tempe**

The stranglehold our two-party system has on the election process is destroying our country.

America is one of the world's greatest democracies and, as President Abraham Lincoln so eloquently stated in his Gettysburg Address, "A government of the people, by the people, and for the people shall not perish from the earth." As a democracy, the mere fact that we the people get to elect those who govern us is a freedom many in this world do not enjoy.

When the people are barred from being able to vote, their voice is taken away, and the power of that voice dramatically shifts to those who took the people's power.

In Arizona, over a third of those registered to vote are independents, not a member of either the Democratic or Republican parties. They must select a Democratic or Republican ballot if they wish to vote in a primary, which may preclude them from voting for the candidates of their choice — which is likely why they became independents.

Because of the gerrymandering, most districts are shoo-ins for either the Democratic or Republican candidate. The current system, controlled by the two parties, by excluding voters from primary elections, allows candidates to be elected by less than 20% of voters. The primary winner often doesn't face a challenger in the general election because no one from the other party believes they can win.

The two political parties are more concerned about winning and maintaining power at all costs. The will of the people no longer seems to count.

We the people can change this. We can take control of elections away from the parties and give it back to the people. Please join me in voting yes on Prop 140.

**Doug Pruitt, JD Pruitt & Associates, Knife River**  
*Sponsored by Make Elections Fair PAC*

---

My name is Sheila Kloefkorn, native Arizonan, business and marketing expert with over 30-years of experience, previously and currently serving on a wide range of community and philanthropic boards, certified business coach, and a frequent national and local speaker on a vast scale of marketing and business topics. I am committed to making a difference in our community and a steadfast advocate for growth and equality. This is why I am urging you to vote yes on the Make Elections Fair Act - Proposition 140, to make our elections fairer and more equal for every voter and candidate.

In today's political climate, it has become incredibly polarized and hyper partisan to where it feels like we are consistently having to choose between the lesser of two evils when it comes to who we elect. Prop 140 would change this by having all candidates, regardless of party affiliation or lack thereof, compete under the same rules.

Today, independent and unaffiliated candidates are not permitted to participate in the primary election, but instead will appear on the general election ballot; that is if they can collect six times as many signatures as Republicans or Democrats to qualify. This is why most of our candidate elections are decided in the Primary election by the most active and partisan voters.

To vote in a primary election, Independent and unaffiliated voters must have to go through the extra step of requesting either a republican or democratic ballot. This completely defeats the purpose of why a third of our electorate chooses to not affiliate with a party.

Our current election system is fundamentally unfair. Independent/unaffiliated voters should not have to face massive participation barriers to achieve their constitutional right to vote.

Join me in voting yes on Prop 140 to create a better Arizona.

**Sheila Kloefkorn, CEO, KEO Marketing Inc, Tempe**  
*Sponsored by Make Elections Fair AZ*

---

I am a native Arizonan. I raised my family here, grew my business here for sixty years, and have volunteered many hours in my community. I care about our future and I've never seen politics so ugly as it is now. We citizens are responsible for the state of our democracy, and we are the ones who must correct its problems. Today we have too much divisiveness and not enough focus on working together to tackle our biggest challenges.

Concerted bipartisan efforts to make progress on serious public policy issues is lacking. We need to change the way we do business to fix this. We can start with one primary election ballot, where all the candidates appear and voters can choose

whoever they want, regardless of party affiliations. This makes politicians accountable to everyone – not just 10% of partisan primary voters who vote in “safe” districts – which happens now in over 80% of Arizona legislative districts. This isn’t fair or representative.

Open primaries help elected officials want to use their best judgment and negotiate solutions without fear of “being primaried”. They create greater accountability, reward elected officials for solutions, and will reduce fierce attacks on political rivals.

With open primaries all candidates have the same qualifications. We shouldn’t have more complex rules for unaffiliated voters or set higher standards for unaffiliated candidates in a state where these citizens make up the largest and fastest growing group of voters.

All taxpayers currently pay for a system that discriminates against some voters and candidates. This is wrong. We should all participate equally.

Today’s politics are not like any I have ever experienced in my life. We must do better for our kids and future generations. Open primaries are a big step in the right direction. Vote YES on Prop 140.

**Buck O’Rielly, Tucson**  
*Sponsored by Make Elections Fair PAC*

---

We are Arizonans from diverse political persuasions, united in our belief that every citizen should have an equal say in who governs us. Prop 140 addresses the chief cause of inequality and unfairness in our election system, party primaries.

#### PROBLEMS WITH PARTY PRIMARIES

Dominance in Districts: In 80% of Arizona’s voting districts, one party dominates, making the primary election the real decider while the general becomes a mere formality. Over the past 20 years, voter turnout for each party’s primary has averaged 14%. A tiny fraction of voters decides the outcomes of 80% of our political races.

Uncontested Races: In November 2022, 40% of Arizona’s races, including eight senate seats, were uncontested. Party primaries and safe districts discourage candidates from running and voters from voting.

Polarization: Extreme candidates and platforms drive away moderates, leading to more polarized parties and divisiveness.

#### WHAT DOES PROP 140 DO?

It proposes a single nonpartisan primary open to all candidates and voters, with standardized requirements for getting on the ballot. Candidates can still indicate their party, and parties can still endorse their preferred candidates.

#### WHAT WE CAN EXPECT

Majority Winners: General elections with 67% turnout will decide winners instead of party primaries with 14%, ensuring broader representation and accountability.

Fewer Uncontested Races: Standardized rules and nonpartisan primaries will encourage more candidates to run.

More Choice: Voters can choose any candidate, regardless of party.

Better Governance: Lawmakers can focus on consensus and the country’s needs rather than party politics. They can prioritize the country over their party with less backlash in the next primary.

Prop 140 is a win for voters, candidates, and governance. It doesn’t favor any party but makes our government more representative and accountable. Please join us in voting yes for a better future.

---

**Michael LeSueur, Gilbert; Susan LeSueur, Gilbert; Brent Boyce, Gilbert; Curtis Nolan, Willcox; Julie Nolan, Willcox; Jon Andersen, Gilbert; Ken Kilmurray, Sierra Vista; Philip LeSueur, Sierra Vista; and Christina LeSueur, Sierra Vista**

---

The Tucson Metro Chamber is guided by principles that bolster Tucson’s economic competitiveness. Our organization advocates for policies that increase access to business opportunities and create a competitive environment where business thrives and our community prospers.

For these reasons we have chosen to support the Make Elections Fair AZ initiative. The proposal reduces barriers and increases access for all registered voters and candidates regardless of party registration.

By making these changes we invite more competition into these vital races. The “business model” of our current election

system isn't working because a lack of access is producing a lack of representation, which in turn creates dissatisfied, disengaged Arizonans. On the other hand, representation and access creates good governance. And good governance creates a better environment for business.

The Make Elections Fair Arizona Act is a pro-business initiative. It is an innovation that will allow our election system to improve and evolve with the changing times. As the voice of the business community in Southern Arizona we urge you to join us in voting "yes."

Michael Guymon, President and CEO  
Tucson Metro Chamber

**Michael Guymon, President and CEO, Tucson Metro Chamber, Tucson**  
*Sponsored by Tucson Metro Chamber*

---

The Professional Fire Fighters of Arizona represents over 8,000 Fire Fighters and Emergency Medical Professionals from across the State of Arizona. When you call for help in a medical emergency or fire, it is our members who show up to help you. We are proud of our members who put their lives on the line every day to serve you.

We are asking you to vote YES on Prop 140, the Make Elections Fair Act because the way our state makes public policy these days is in crisis. This is our 911 emergency call to you to help.

Today, the deeply partisan nature of our Congress and our State Legislature makes the effort to adopt and support thoughtful public safety policy all but impossible. Good public safety policy is neither Republican nor Democrat. Nearly every city in Arizona elects its Mayor and Council using a non-partisan system, that permits every candidate to participate and every voter to vote in every election. That's the way we should elect all offices.

The most important policy questions facing our state are education, water, economic development and, of course, public safety. Our elected officials should represent us all, not just members of a political party – because these issues affect us all.

The Make Elections Fair Act will ensure that no candidate can win their election outright in a primary election where less than 35% of voters are participating. It will require that every candidate for office face a competitive General Election with legitimate candidates capable of competing against one another.

The Make Elections Fair Act will provide Arizona voters with better choices, better results and a stronger Arizona. Please join the Professional Firefighters of Arizona in supporting Prop 140, the Make Elections Fair Act, it is critical.

Don Jongewaard  
President  
PFFA

**Don Jongewaard, President, Professional Firefighters of Arizona, Scottsdale**

---

Every voter's voice should matter. Yet in 2022, only 16.7% of Arizona voters effectively elected the entire state house in primary elections – months before November. That's not representation. It's no wonder 70% of Arizona voters don't believe their elected leaders are focused on the issues they care about.

Opening up Arizona's primaries is about giving power back to voters through making a fairer, more representative election system.

Under the current system, Arizona's nearly 1.5 million independent voters must choose between either a Democratic or Republican ballot in the primaries to decide who represents them. These voters include disproportionately high numbers of veterans and young people – those who defended our country and who are the future of our country. Our democracy should give these — and all voters — more freedom to select the candidate they want for every office, regardless of party.

The Make Elections Fair petition would do just that. Putting all candidates on one all-candidate ballot has been shown to increase voter participation, reduce partisanship and extremism, and increase representation. Open primaries incentivize leaders to work for the majority of voters – not the minority who vote in primaries – and empower voters to hold leaders accountable for delivering results.

This November, half a dozen states will consider ballot initiatives, like the one in Arizona, to strengthen and evolve their election systems – a practice states have engaged in for over a century. If approved, they'll join the five states that already hold nonpartisan primaries – Alaska, Louisiana, California, Washington, and Nebraska.

Instead of forcing the choice between a red or blue ballot, it's time for a red, white, and blue ballot that prioritizes the good of Arizonans above political self interest. It's time to Make Elections Fair.

**Nick Troiano, Executive Director, Unite America, Denver**

*Sponsored by Unite America*

---

My history as a civil-rights attorney working as an employee of the Department of Justice, Assistant U.S. Attorney for the District of Arizona, and finally as the U.S. Attorney for the District of Arizona has made me acutely aware of the need to provide voting access to all U.S. citizens. Working for the U.S. Justice Department and for the Arizona U.S. Attorney's Office gave me immense pride in championing the fair and equal treatment of Arizonans.

This belief has carried out throughout my legal career. I was fortunate enough to be chosen as one of the attorneys for the first Arizona Independent Redistricting Commission. That made me even more aware of the need to ensure people could vote for people seeking elective office.

My experience solidifies my belief that our current partisan primary system does not promote fairness or equality for all voters.

Nearly one-third of Arizona's voters are independent, yet they are not afforded the same civil liberties as Republican or Democratic voters. An independent candidate is required to gather up to six times the amount of signatures as a partisan candidate and still won't appear on the primary ballot.

Forcing voters to jump through extra hoops because their values and beliefs don't align with a political party deters a substantial number of Arizonans from exercising their right to vote.

The Make Elections Fair Act eliminates partisan primary elections and prohibits public tax dollars from being used for private party elections. Creating an open primary effectively ends discrimination against any voter or candidate and requires all candidates compete under the same rules.

This measure will ensure that all voters are treated equally in the electoral process and provides every Arizonan the right to have a say in who represents them.

Join me in voting YES on Prop 140!

**Jose de Jesus Rivera, Phoenix**

*Sponsored by Make Elections Fair PAC*

---

The Grand Canyon Institute (GCI) is a non-partisan think tank that provides fact-based research and education to decision-makers and the public on policies that affect the economic, fiscal and social future of Arizona. In line with our mission, we strongly support the Make Elections Fair Act.

The bipartisan Make Elections Fair AZ coalition has raised over \$7 million exclusively from in-state donors, demonstrating significant local backing for this measure. This substantial economic investment reflects the widespread support for making elections fairer in Arizona.

Currently, approximately 80% of the candidate races that significantly impact our daily lives in Arizona are decided during the primary elections, as these candidates face little to no opposition in the general elections. This methodology effectively

empowers the hyper-partisan minority 15%-20% who vote in primary elections to act as kingmakers for general election voters who are left without real choice.

Ignoring the 1.3+million independents who are not permitted to vote in a primary election unless they request a ballot. Prop. 140 will allow independents to receive a ballot more easily and counter the extremism that can be the primary voice heard in primaries currently.

Prop 140 ensures that every voter has the right to participate in every election. By shifting the focus from narrow ideological bases rewarded in partisan primaries, this initiative compels politicians to engage with people across the political spectrum, including those from the opposing party and independents in order to win. Prop 140's reintroduces competition into the state's politics and encourages a more balanced and representative governance.

Prop 140 is a commonsense solution Arizona will benefit greatly from. It fosters compromise and middle ground, crucial elements for effective governance. Join us in voting YES!

#### **Rick DeGraw, Board Chair, Grand Canyon Institute, Phoenix**

---

Prop 140 aims to replace the current semi-closed primary system with an open primary, where all candidates, regardless of party affiliation, would compete on a single ballot. The top candidates, determined by the legislature, would then advance to the general election.

This initiative seeks to enhance voter participation and representation by allowing all registered voters to participate in selecting candidates for the general election, irrespective of their party affiliation. It would also encourage candidates to focus on issues that matter to a broader range of voters, rather than just the fervent party base. Most importantly, it could help reduce the influence of partisan politics and extreme ideologies by allowing all candidates to compete on a level playing field.

The measure also proposes banning the use of public dollars to administer political party elections, with an exception for Presidential Preference Elections if such elections are open to all registered voters regardless of political party affiliations.

Given how incompetent most party leadership has proven itself to be in 2024, I find the ideas here very compelling because around 34% of Arizonans are registered Independent voters and I want their votes to matter even though I am not one of them.

If you are an Independent or moderate Democrat/Republican and want to see better candidate quality, research this for yourself and vote YES on Prop 140.

#### **Mohit Asnani, Tucson**

**140**



# ARGUMENTS “AGAINST” PROPOSITION 140

Vote NO on California style elections. 1. The voter has no choice between different philosophies - all candidates can be from the same party. 2. The voter cannot select his favorite candidate to do tradeoffs between the final two candidates - instead the government selects the top candidates. Important voter choices are taken away. This system is bad for California and it will be bad for Arizona. Vote NO on California style elections.

## **Ms. Anne Neeter, Sedona**

Prop 140 is a sprawling, multi-page amendment to our constitution that imports a California election scheme into Arizona that will confuse voters, make ballots longer, delay tabulation results for several weeks, and will result in votes being tossed out due to simple errors.

Jungle Primaries and Ranked Choice Voting have been tried in California already. Since its adoption it has led to candidates from only one political party appearing on the general election ballot, depriving many voters of any choice at all. And Ranked Choice Voting has led to weeks long delays in tabulation, sometimes even resulting in the wrong person being declared the winner.

Worst of all, Prop 140 puts all power into the hands of just one politician, the Secretary of State, to decide how many candidates appear on the general election ballot for every race. The Secretary of State even gets to decide how many candidates he gets to run against in his own race! It doesn't get any more unfair than letting a partisan politician decide how many opponents that he and his party will be running against.

Prop 140 is confusing, undemocratic and constitutionally empowers a partisan politician to pick and choose which candidates we vote for in the General Election.

Please vote NO on Prop 140!

## **Scot Mussi, President, Arizona Free Enterprise Club, Gilbert Sponsored by Arizona Free Enterprise Club**

Vote no on this well-funded, dark money voter initiative to wreck our elections by inserting hard-to-fix changes into our state constitution. A solid majority of voters believe party politics best represent their interests, but jungle primaries will eliminate any control over who campaigns in a party's name. Our right to freely associate with like-minded citizens in order to persuade fellow voters to support particular economic and civil solutions to various issues will be destroyed. Furthermore, ranked choice voting is a radical scheme that unnecessarily complicates the voting process for no discernable benefit. Many localities burdened with this process need multi-page instruction manuals for the voters in order to limit the number of spoiled ballots. Also, ranked choice voting results are derived from complex algorithms that cannot be audited. Democracy will suffer because voters will lose faith in the ultimate outcome. Finally, investing the authority to determine the number of candidates listed on the general election ballot solely in the office of the Secretary of State is a sharp attack on our ability to choose our elected officials. We should not expose our elections to such partisan gamesmanship. Other states and localities have tried these schemes and have repealed, or are now in the process of repealing, these bad ideas. Let's not repeat their mistakes. Vote no on this elitist initiative to impose jungle primaries and ranked choice voting on our voting process.

## **Brook Doty, Chairman, LD17 Republicans, Tucson**

Ballot Argument Against Open Primaries

Vote no on Proposition 140

This proposition is too extreme for Arizona. It aims to change our Primary System which guarantees that all registered parties

however small or large, including Independents, can be represented on the ballot in the GENERAL election. Open primaries can restrict or remove your choice in the general election.

A primary election is intended to allow the voters from every registered party to choose the candidate of their choice to be represented on the general election ballot. Open primaries will not protect each party's or independents representation.

Open primaries can make voting more confusing, make ballots longer and more complex. Only the winners of an OPEN primary will be on the general election ballot and might represent just one party. Independent candidates who don't get enough votes in the primary will NOT be on the general election ballot. This goes against our democracy.

Independents do not have their own slate of candidates, nor have they formed a registered party, but they can vote in the primary. They must declare a registered party choice first so they receive just one ballot to avoid fraud and duplicate voting.

Our Primary System ensures equal and fair representation of each registered party so their voters have a voice in the General Election. This provides good Checks and Balance on all parties and their candidates. So vote no on this proposition to protect democracy in our voting system and ensure the candidates from your party, independents, and all parties will be represented in the general election.

Respectfully,  
Dr. Gail Bass Derscheid  
Scottsdale, AZ

#### **Dr. Gail Bass Derscheid, self, Scottsdale**

---

Vote NO on the Make Elections Fair Ballot initiative. Most Americans just want elections where it is easy to vote, hard to cheat, and easy to trust the election results. Special interest groups want voters to approve permanent changes to the Arizona Constitution, eliminating Arizona's semi-open Political Party Primaries, and requiring all winners to receive "a majority (50%+1) instead of "a plurality (most) of votes". Funded by a few liberal multi-millionaires, this mislabeled ballot initiative implements radical California-style Jungle Primaries and complicated Alaska style Ranked Choice Voting (RCV) election processes. In Jungle Primaries, all candidates compete in the same primary election. Only the top 2 to 5 candidates advance to the general election. However, in politically biased jurisdictions, opposite party and 3rd party candidates are often disenfranchised, because candidates, from the same political party, usually advance to the general election. In RCV, voters rank all candidates in order of preference on a complicated ballot (following complicated instructions). During the RCV vote count, if no candidate receives a majority (50%+1) of votes, then the last place candidate is eliminated, voter preferences are adjusted, and incomplete ballots are eliminated. The RCV process repeats until one candidate receives a majority (50%+1) of votes. Analysis of 96 jurisdictions using RCV determined 61% of the final round winners received less than 50% of the original votes cast. As of January 2024, over 85 jurisdictions have tried and subsequently repealed RCV. Implementing RCV and Jungle Primaries will disenfranchise vulnerable ESL, elderly, disabled, low information, and minority voters, and will cost Arizona taxpayers \$10+ million. RCV and Jungle Primaries are failed electoral experiments. Don't let Arizona become another failed electoral statistic. Vote NO on the Make Elections Fair Ballot Initiative. Joel Strabala, Concerned Arizona Citizen.

#### **Joel Strabala, Concerned Arizona Citizen, Tucson**

---

Arizona voters should be very frightened by the "Make Elections Fair" Proposition 140. Proponents have deceptively claimed it is about "open primaries." Arizona has open primaries. Any independent or unaffiliated voter can vote in any primary (except Presidential Preference) by requesting a Democrat or Republican ballot. The true purpose of this proposition is to do away with the party system and institute Jungle Primaries and Ranked Choice Voting. In other words—to throw our entire system of government into chaos!

This proposition

1) includes absolutely NO specifics about how this process will work. The legislature is tasked with figuring it out, and if they don't, or if the governor vetos it, it then goes to the Secretary of State who has full authority to devise the plan. This puts our

entire election system in the hands of ONE person.

2) allows for the system to change from race to race, and makes it impossible to audit or confirm election results.

3) actually EXEMPTS ITSELF (is this constitutional?) from the requirement that all initiatives include a funding source. If this proposition goes into effect, it will require a complete overhaul of Arizona voting laws, centralization of state elections to Maricopa County (other county election offices will be reduced, and voters will lose even more local control over elections), and new technology. This is going to cost a fortune. Taxpayers beware!

4) requires jungle primaries, where any candidate from any (or no) party runs on the same ballot. The proposition allows for candidates to designate a party on the ballot, but the candidates don't have to be nominated nor endorsed by that party.

These are the INTENDED CONSEQUENCES of this misguided proposition, and I hope you can also imagine what kind of UNINTENDED CONSEQUENCES could lie ahead. Vote NO on Proposition 140.

**Sherrylyn Young, MD, Tucson**

---

If you signed a petition to get Prop.140 on the ballot, you were probably deceived. Signature collectors falsely told us it was for "open primaries," so independent voters could vote in primary elections. Independent voters ALREADY vote in Arizona primaries! This proposal actually eliminates the constitutional language currently recognizing that right.

This amendment would make elections chaotic, not "fair." It's being promoted with millions from big-dollar donors and "political consultants." It makes candidates more answerable to them, but can only confuse voters and undermine faith in our elections.

Prop.140 deletes three simple sentences of Arizona's constitution and adds seventeen paragraphs with new, undefined terms and phrases. Some paragraphs are in conflict. Its botched definition of majority confuses ballots and votes, and makes it mathematically impossible to declare an election win in easily foreseen situations. Amending legislation is prohibited, so officials and courts must supply meaning via pure speculation.

It bans the primaries used now, and mandates California-style "jungle primaries." Smaller-party candidates won't get into general elections. Where jungle primaries are used, final elections often have only candidates from one major party. That limits choice at the general election, suppresses turnout of other parties' voters, and skews down-ballot contests.

This measure promotes a monstrosity called "ranked choice voting." It's based on pretentious but fallacious logic, and has no demonstrated validity. Its long, ranked-choice ballots require excessive time and care to complete. That reduces turnout. "Black box" algorithms and repeated rounds of tabulation produce long-delayed results that are almost impossible to explain or understand. The contrived results cannot be independently confirmed. And there is NO proof of benefits claimed by proponents.

These are just some of this proposition's horrific features. Arizona voters should not reward rampant use of falsehood to qualify this measure for the ballot. VOTE "NO"!

**Lyle Aldridge, Tucson**

---

Prop 140  
California Style Elections

Prop 140 will amend the Arizona Constitution and change the current election system.

This can lead to only one party's candidates on the General Election ballot, essentially eliminating choice for voters.

Prop 140 is confusing and will lead to voters having their ballots tossed out.

With Prop 140, ballots will be longer and election results will be delayed even more than they are now.

Prop 140 gives the Secretary of State the power to determine how many candidates move from the Primary to the General election. That's too much power for one politician.

California style election systems are wrong for voters in Arizona.

Keep Arizona elections clear and fair.

Please vote NO on Prop 140.

**Tom Standish, Mesa; Gary Crook, Mesa; Jim Morgan, Mesa; and Sally Boatman, Mesa**

---

"Please vote No on Prop 140 because of the negative, chaotic and disorderly way it would affect elections. It is a predatory takeover of our way of voting.

With a jungle primary the top primary candidates could be all from the same party, meaning only one party is represented on the general election ballot. We would be subject to California or New York style politics. Prop 140 will confuse voters and is nothing more than a ploy from out of state interests to push California style elections. A jungle primary created by Prop 140 could negatively affect Libertarian, Independent or No Name-Party candidates who may not have the resources or support to compete against candidates from larger parties. Vote NO on Prop 140. Thank you.

Gisela Aaron, Tucson, AZ; LD17, Pct 176"

**Gisela Aaron, Tucson**

*Sponsored by AZ Free Enterprise Club*

---

Vote NO on this measure promoting California-style elections. It's a totally confusing patchwork of rules that can be manipulated by the Secretary of State and special interests. Why would we want to empower one politician to pick and choose how many candidates show up on the ballot? It includes ranked choice voting which no one can even explain. It could result in candidates on the general election ballot being from only one party. It just opens our elections to partisan manipulation. Please vote NO on Prop 140.

**Carol Stines, Phoenix**

*Sponsored by Arizona Free Enterprise Club*

---

Open primaries put all candidates from all parties on the ballot thus you can end up with only candidates from one party in the General Election. This actually makes the primary MORE partisan and less inclusive since the other party's voice is eliminated. This is what has happened in most states that have adopted open primaries. Currently in Arizona if one is independent or hasn't selected a party, they can vote either in the Democrat or Republican primary along with voters registered in that party. This amendment would allow up to five candidates for one office thus almost ensuring that rank-choice voting would be implemented. This is where voters rank the candidates according to their preference. If no candidate gets 50%+1 votes, the candidate with the fewest votes is eliminated and those voters get their second choice. This continues until a winner is declared; thus elected officials can win with less than 50% of the vote. There is no run-off election. For a voter's voice to count they must fill out their ballot perfectly and rank all candidates, even if they don't support some candidates, otherwise their ballot might get exhausted. Thus rank-choice voting creates an artificial majority. It also PROLONGS the COUNTING of the votes and would make a RECOUNT much more DIFFICULT. Let's face it: elections are frequently contested and the longer voters wait to find out who won, the less confidence they have in the election process. Alaska passed rank-choice voting in 2020 and this year they have a ballot measure to repeal it. I would argue that if you want a diversity of ideas, then you want different political parties represented. Please vote "NO" on rank-choice voting in this and the Better Ballot Arizona Constitutional Amendment.

**Patricia Meade, Taxpayer, Phoenix**

---

A Jungle Primary (as used in California) is a radical scheme to destroy our election system and leads to the creation of a one party state. It will disenfranchise voters and empower special interests.

Because a jungle primary system includes Republicans, Democrats, Libertarians, No Label Party, and Independents all on the same Primary election ballot, this will considerably lengthen the size of our ballot. A jungle primary system could result in only Democrats and zero Republicans on the General ballot for certain races, or only Republicans and zero Democrats!

Currently, Independents may choose whether to vote in the Republican or the Democrat primary, but not both.

Special interest groups are trying to make it easier for themselves to win -- by rigging the system through changing it with this confusing proposition.

Join the ANDPhx Republican Club in voting NO on Prop 140 . ANDPhx: Anthem, New River, Desert Hills, and north Phoenix.

**Cathy Schwanke, Chairman, Anthem-New River-Desert Hills-New River-No. Phoenix Republican Club (ANDPhx Republicans), Phoenix**

---

I'm against jungle primaries, and you should be too! I don't want my vote wasted in a jungle primary, where only candidates of the other party could appear on the general election ballot leaving me and you with no choice at all!

Republicans should vote for Republican nominees, Democrats should vote for Democrat nominees, and Independents can choose which primary to participate in, ensuring everyone has a choice in November. Jungle Primaries don't do that - they limit choice for Republicans, Democrats, Libertarians, and Independents. Vote NO on Prop 140!

**Stephen Harris, Retired, Glendale**

---

I attended a Ranked Choice Voting (RCV) seminar to learn why the Alaskan people are so disappointed with the RCV system they adopted. I learned that RCV is a confusing and unclear process prone to errors because of the overly complicated process of ranking candidates and counting votes. RCV leads to confusion, complications, disenfranchisement and increased costs for the multiple ballots that will be required to achieve a winning candidate which may or may not be the actual first choice of a majority of voters. Prop 140 would even allow for candidates winning with just 13% of the vote - far from a majority! Voters should oppose RCV because it will complicate the election process and result in additional costs to the taxpayers. In fact, Prop 140 exempts itself from the constitutional requirement that ballot measures designate a funding source, because they know it will cost millions! Please vote NO on Prop 140!

**Mary Lunn, Glendale**  
*Sponsored by Arizona Free Enterprise Club*

---

Vote NO on Proposition 140.

This Proposition makes voting unwieldy as all qualified candidates are placed on a single ballot, regardless of political party. The number of candidates that move on to the general election is unfairly and undemocratically determined by one partisan politician, the Secretary of State, with no assurance that all parties will have representation in the general election.

This leaves the voter in the precarious position of having to rank candidates about which they know nothing or with whom they completely disagree ideologically.

If a majority is not met, the candidates are then re-ranked, based on the number of votes they received. The candidate with the least votes is dropped and their votes are added to the voter's next "choice", until there is ultimately one candidate with a "majority" of votes.

Proposition 140 would make voting confusing, cumbersome and convoluted, take weeks to tabulate, consolidate power in the hands of one politician, and limit choices in the general election.

Vote NO on Proposition 140.

### **VICTORIA HANSON, Apache Junction**

Vote NO on Prop 140. Statistics was my favorite class in school, and I can tell you this complicated measure is statistically designed to reduce the importance of your vote. Prop 140 will usher in California ideas that lead to only one political party appearing on the general election ballot, confuse votes, and let just one person determine how many candidates move from the first election to the second. Protect the value of your vote by voting NO on Prop 140.

### **Kaaren Sherrell, Self, Indianola**

The last thing Arizona needs is more chaos and confusion around our elections.

Center for Arizona Policy urges Arizonans to vote NO on Prop 140.

Introducing California-style elections in Arizona would be a disaster for our state. Prop 140 would result in long, confusing ballots, lead to even more delays in tabulating votes, and produce election results that do not reflect the will of the people.

Prop 140 allows a single politician—the Secretary of State—to select which candidates would move from the primary to the general election. This consolidation of power is a tool of disenfranchisement that Arizonans who believe in free and fair elections should reject.

It also may create scenarios under which different ways of voting could be required for different offices, rather than each election being decided the same way—by the simple “one person, one vote” system that has been the hallmark of our representative republic since its founding.

Schemes like Prop 140 have led to candidates from only one party appearing on the ballot, leaving voters with no real choice in that election. The overly complicated way in which votes are counted, and then recounted, has led to the wrong candidate being declared the winner. This system offers more opportunities for partisan manipulation of our elections.

Prop 140 is a solution in search of a problem. And this “solution” has been tried and has failed everywhere it has been implemented.

It’s another California measure that should not be implemented in Arizona.

Vote NO on Prop 140.

**Cathi Herrod, President, Center for Arizona Policy, Phoenix and Greg Scott, Vice President of Policy, Center for Arizona Policy, Phoenix**

---

Vote NO on Prop 140!

Prop 140 is a sprawling, multi-page amendment to the Arizona Constitution importing complicated California-style election schemes which confuse voters, make ballots even longer, delay voting and vote tabulations further, place increased burdens on election officials, and result in votes being canceled due to simple errors.

Jungle Primaries could lead to only candidates from one political party appearing on the general election ballot, disenfranchising many voters of any choice at all. In the general election the voters rank all candidates for an office in the order of the voter’s preference to determine the winners. This is called Ranked Choice Voting and undermines the fundamental principle of “one person, one vote”.

Jungle Primaries and Ranked Choice Voting have been experimented with in California, Alaska, Maine and Hawaii. Five states have banned ranked-choice voting in statewide or local elections—Florida, Idaho, Tennessee, Montana, and South Dakota. Arizona needs to follow suit and voters need to approve Ballot Proposition 133 to protect our elections. Jungle

Primaries are an unneeded and unwanted change to a system that works. It poses a threat to free and fair elections. Jungle Primaries and Ranked Choice Voting should not be allowed in Arizona.

**Kristin Baumgartner, Prescott**

---

The last thing Arizona needs is a confusing, complicated, California-style election scheme that could disenfranchise voters. Prop 140 would import to Arizona some of the worst components of California's election system like jungle primaries and Ranked-Choice Voting.

Jungle primaries and Ranked-Choice Voting create an incredibly confusing and opaque process that is prone to errors. Two months after a 2022 California school board election using Ranked-Choice Voting, it was finally discovered that votes had been incorrectly tabulated and the wrong candidate had been certified as the winner.

Ranked-Choice Voting also disenfranchises voters. Ranked-Choice Voting forces voters to rank and cast a ballot for candidates they don't support in order to ensure that their ballot is not discarded in the numerous rounds of vote tabulation. New York City used Ranked-Choice Voting for their 2021 mayor's race, and it took eight rounds of tabulation to declare a winner. More than 140,000 voters were effectively disenfranchised due to "ballot exhaustion," since they didn't rank all the candidates. It's as if those voters didn't even cast a ballot, since their votes were not counted in the final vote total.

Arizonans want an election system where it is easy to vote and hard to cheat. California-style jungle primaries and Ranked-Choice Voting only increase distrust, confusion and chaos in our election system. Heritage Action urges voters to vote NO on Prop 140.

**Nathan Duell, Arizona State Director, Heritage Action for America, Glendale**  
*Sponsored by Heritage Action for America*

---

Proponents of Prop 140 would have you believe it creates fairness and simplicity in the election process. It does the very opposite! It creates a multi-page amendment to our state constitution.

It is an attempt to import California-style election schemes into Arizona, that will confuse voters, make ballots even longer, delay tabulation further and place a burden on election officials. It will also result in votes being tossed out due to simple errors.

The worst part is that Prop 140 puts all the power into the hands of one partisan politician, the Secretary of State, to decide how many candidates move from the primary to the general election in every race, including his own.

This election manipulation is undemocratic, taking the choice out of the hands of the people and putting it into the hands of someone who can pick and choose which scheme will be used for every race to benefit his own political party and even his own race. Having moved from California to Arizona in 2018, I have personal experience with this type of voting as it was brought to California in the mid-2000's. It was called "Open Primaries" and Californians were sold a bill of goods!

It led to only candidates from one political party appearing on the general election ballot, because those two garnered the most votes. This deprived many voters of any choice at all and led to delays in tabulation, and in some cases resulted in the wrong person being declared the winner. From that point on, California became a one-party state.

Having had enough, I moved to Arizona, a state that had free and fair elections without one party rule.

I do not want Arizona to follow California's lead. It does not end well!

Vote NO on Prop 140!  
Patricia Moore

**Patricia Moore, Voter, Goodyear**

---

Confidence in the electoral process continues to decline. If I wanted to destroy it completely then this proposition would be the ideal vehicle to do so.

As a former accountant, if I wanted to mislead or hide something, I would make it as complicated as possible. I would add as many rules and steps as possible though a multi-page document which I know most people wouldn't read and would use ambiguous language so that if challenged, I could trot it out to a judge to justify my position. Why wrap it up in a day when we can blow enough smoke to drag it out forever.

Have you read the amendment, not just the summary? Any questions? Can you understand the calculations? Willing to wait weeks for a result you may not understand? Which races does it apply to? How many steps and iterations – remember this can vary by race at the discretion of a Secretary of State depending on the needs of his own race or his party.

As a poll worker I'm familiar with the details that go into voting day and it's meticulous. I shudder to think what these levels of complications would add. In addition to guiding voters through the normal process, we now have to explain an extra burden that, after a day at work or dealing with family for the day, a voter shouldn't have to deal with, just to satisfy some esoteric theory about what's "fair".

I would like to think that after putting in a 15-hour day, the fruits of our labor would go to be tabulated in a straightforward manner and hopefully I could see results that evening or the next morning and not be put through some sort of black-box process.

**Vote No Prop 140**

Steve Hetsler,  
Gold Canyon

### **Stephen Hetsler, Gold Canyon**

Prop 140 presents itself as a solution to the perceived flaws of traditional voting systems, but it introduces its own set of problems. Firstly, it complicates the voting process, potentially alienating voters and suppressing turnout, particularly among those already disengaged from politics. Its intricate nature requires extensive voter education and substantial resources to implement effectively, diverting attention and funds from more pressing issues.

Moreover, Prop 140 can produce outcomes that do not accurately reflect the electorate's preferences. With the possibility of numerous candidates and complex vote transfers, the winner may not necessarily be the most preferred candidate overall, but rather the one deemed least objectionable by the majority. This undermines the principle of majority rule and can lead to outcomes that lack legitimacy in the eyes of voters.

Additionally, Prop 140 opens the door to strategic voting, where voters may feel compelled to game the system by ranking candidates strategically, rather than expressing their genuine preferences. This undermines the integrity of the electoral process and erodes trust in democracy.

Furthermore, Prop 140 will prolong election cycles, especially in cases where multiple rounds of counting are required to determine a winner. This extended uncertainty can be detrimental to political stability and can hinder effective governance.

In summary, while Prop 140 aims to address certain shortcomings of traditional voting systems, it introduces complexity, undermines majority rule, encourages strategic voting, and prolongs election cycles. These drawbacks outweigh any potential benefits, making Prop 140 a problematic choice for electoral reform.

### **Kristan Culbertson, Parks**

"Prop 140 is an unwieldy constitutional amendment putting all primary candidates on one ballot and for certain races using ranked choice voting. This will create confusing patchwork ballots and lead to unfair results. This California style election measure is not right for Arizona. Prop 140 will be a burden to voters causing long and confusing ballots and longer waits for election results.

Arizona does not want one party rule as has happened in California. This has caused many voters to be disenfranchised leading to less interest in participating in the election system.

Prop 140 also includes a very odd provision that allows just the Secretary of State to unilaterally determine how many candidates proceed from the primary to the general election. Even in their own race. This makes no sense at all and is without a doubt going to lead to gamesmanship.

Vote No on Prop 140!"

**Rose Smilgys, Anthem***Sponsored by Kaaren Sherrell*

---

"Arizona should reject Prop 140, as these voting systems are not only complex but also costly and not needed. In a time of rampant inflation, we should prioritize the responsible use of taxpayer money - not funnel it to California election schemes that don't work.

Prop 140 will lead to a dilution of the candidate pool as well as unpopular candidates winning. Implementing Prop 140 will also require significant new investments in voter education and system infrastructure, adding unnecessary costs to the electoral process. That's why the drafters of Prop 140 exempted themselves from the constitutional requirement that costly measures like this one identify a funding source. Instead, it will require our overburdened taxpayers to pick up the tab as counties buy all new equipment to try to make it work.

In Arizona, where budget constraints are a pressing issue, it is irresponsible to propose such expensive and complicated changes to the voting system. Instead, we should focus on improving voter turnout, enhancing election security, and addressing more pressing issues facing our state.

We must be wise stewards of public funds and prioritize the efficient use of taxpayer money. Rejecting Prop 140 is a step towards preserving a transparent, fair, and cost-effective electoral process for all residents. Let's focus on solutions that truly benefit the people of Arizona and oppose unnecessary and costly voting systems like those being sold in Prop 140. Vote No!"

**Trisha Sours, El Mirage***Sponsored by Kaaren Sherrell*

---

"The new schemes in Prop 140 are a threat to the fundamental values of individual liberty and the freedom of choice in Arizona's electoral system – they are NOT fair. These methods limit the autonomy of voters by adding more complexities and constraints, ultimately undermining the principles of democracy.

In states like California, Maine, Nevada, and Alaska where these schemes have been implemented, many voters have experienced unintended consequences and confusion. Alaskans, for example, are now actively working to repeal RCV due to the challenges it has brought to their electoral process. This movement shows that these systems are flawed and not the solution they claim to be.

By rejecting Prop 140, we can protect the integrity of our electoral system and ensure that every voter's voice is heard without manipulation or confusion. These methods only serve to complicate the voting process, making it harder for voters to make informed decisions and express their preferences clearly.

Let us stand together to uphold the principles of liberty and freedom in our electoral system. Reject attempts to meddle with our voting process by political consultants and out of state special interest groups. Voting 'No' on Prop 140 will reserve the rights of every citizen to choose their representatives without unnecessary obstacles. Rejecting California election schemes is essential to safeguarding the core values of democracy and ensuring that the will of the people prevails in Arizona's elections."

**Lou Sniderman, Sun City***Sponsored by Kaaren Sherrell*

Vote no on Prop 140! Jungle primaries and ranked choice voting is California-style voting. Instead of a primary followed by a general election, it's more like a general followed by a run off, and then several more run offs. All candidates from both parties are on the same "primary" ballot. The Secretary of State decides how many candidates advance to the general. Thus, one partisan politician decides who gets cut. The primary winners can come from either party, or could come from just one party. This means one or several parties could be completely excluded from the general election, leaving only one option. Ranked choice voting is used in the general election, where several "run offs" happen at once until a "winner" emerges.

The downsides of these California-style election schemes are...

- It's more complicated and confusing. Voters will struggle to rank candidates.
- The person with the most votes could end up losing.
- It's more expensive, relying on a complicated tabulation process.
- It takes even longer to figure out results.
- Worst of all, a single politician gets to decide who gets eliminated from the general ballot.

Vote NO on Prop 140!

### **Don Hayles, Tucson**

"Arizona should reject Prop 140, as these voting systems are not only complex but also costly and not needed. In a time of rampant inflation, we should prioritize the responsible use of taxpayer money - not funnel it to California election schemes that don't work."

Prop 140 will lead to a dilution of the candidate pool as well as unpopular candidates winning. Implementing Prop 140 will also require significant new investments in voter education and system infrastructure, adding unnecessary costs to the electoral process. That's why the drafters of Prop 140 exempted themselves from the constitutional requirement that costly measures like this one identify a funding source. Instead, it will require our overburdened taxpayers to pick up the tab as counties buy all new equipment to try to make it work.

In Arizona, where budget constraints are a pressing issue, it is irresponsible to propose such expensive and complicated changes to the voting system. Instead, we should focus on improving voter turnout, enhancing election security, and addressing more pressing issues facing our state.

We must be wise stewards of public funds and prioritize the efficient use of taxpayer money. Rejecting Prop 140 is a step towards preserving a transparent, fair, and cost-effective electoral process for all residents. Let's focus on solutions that truly benefit the people of Arizona and oppose unnecessary and costly voting systems like those being sold in Prop 140. Vote No!"

### **Mark David Smith, Prescott**

*Sponsored by Kaaren Sherrell*

"As a concerned parent, I strongly oppose the imposing of jungle primaries and ranked choice voting in Arizona with Prop 140. These voting schemes may sound fancy, but they actually make things more complicated and confusing for voters, especially young and elderly people. Imagine a newly registered 18 year old voter trying to understand how to rank a bunch of candidates, many whom they probably know little to nothing about. Or as an elderly Arizonan who has spent many years voting the current way, navigating this new method of voting that is far more complicated than the current process.

Young and elderly voters already face numerous challenges in engaging with the democratic process. Introducing complex voting systems like those proposed in Prop 140 will further alienate them and discourage their participation. We should be making voting as simple and accessible as possible to encourage all voters to actively participate.

In a time when misinformation and division are already rampant, we need to prioritize clarity and transparency in our electoral processes. Complicated voting systems will lead to alienation and a lack of trust in the system. As parents, we must advocate for straightforward and understandable voting procedures to ensure that our children grow up in a society where their voices are heard and their votes truly matter.

Let's not gamble with the future of our democracy by introducing overly complex voting systems from California. Instead, let's focus on making the voting process more user-friendly and inclusive for all citizens, especially the younger ones who are just beginning to understand the importance of civic participation. Our children deserve a clear and straightforward electoral system that empowers them to engage in democracy with confidence and enthusiasm. Vote NO on Prop 140.  
"

**Brenda Marts, Tucson**

*Sponsored by Kaaren Sherrell*

---

"The proposal to introduce jungle primaries and ranked choice voting in Proposition 140 should be strongly opposed. These systems, though appearing to offer benefits on the surface will actually create many problems and complications for the state during a time of economic uncertainty and societal division. Proposition 140 should be strongly opposed.

Ranked choice voting may seem appealing as it allows voters to rank candidates in order of preference. But the complexity of this system leads to confusion among voters, which will lower their trust in elections. Additionally, jungle primaries do not ensure that the most qualified candidates reach the general election after winning in the primary. Instead, they result in situations where two candidates from only a single party advance to the final round, limiting voters' choices and restricting political diversity. This diminishes the representation of different perspectives within the state.

The provisions in this measure will also require spending a lot of our taxpayer money and making major changes to the current election infrastructure. That is why the drafters of this measure EXEMPTED themselves out of a requirement to provide a funding source for the measure. They know it will be costly, and they want you to pay for it.

With our current challenges such as inflation, crime, and a crisis at the border, it is so important to prioritize addressing these critical issues instead of introducing unnecessary changes to the election system. Resources should be directed towards supporting struggling businesses, communities, and individuals, rather than being wasted on using costly and complex California-style voting methods. So we should all VOTE NO ON PROP 140."

**Dianna Gates, Glendale**

*Sponsored by Kaaren Sherrell*

---

"At first glance, Prop 140 may seem like an innovative improvement to the electoral process. But upon closer examination, we see that these proposed changes are California ideas that are not as great nor as fair as they seem, and in fact are dangerous and unfair.

Jungle primaries for instance, on the surface, may seem like a way to promote bipartisanship. But it actually leads to a situation where two candidates from the same party dominate the general election. This would shut out smaller parties and independent voices. This lack of diversity restricts choices for voters and limits representation of various political ideas and values.

Ranked choice voting requires voters to rank every single candidate in order of preference, or risk having their ballot not counted. The process of redistributing votes based upon the various rankings is very complicated and confusing for most voters, lacks any transparency, and results in ballots being tossed out and not counted due to simple errors.

Prop 140 is a way for special interests to maintain their power and control over the electoral process. As voters, we must be wary of massive changes to the electoral system, especially Prop 140 that will put power in the hands of a few. Let's not be swayed by slick marketing tactics and instead focus on preserving the fairness, integrity and inclusivity of our current democratic process. Vote No on Prop 140!

"

**Kathy Roper, Phoenix**

*Sponsored by Kaaren Sherrell*

"Vote NO on PROP 140

California-style primaries rob voters of choice. Since all party candidates run on the same ballot, not having a political choice could leave voters with no ideological differences from which to choose. Each party should be permitted to put forth their best candidates as decided by voters of that party, and then voters decide which candidate's platform is best for them in the general election. Without a clear choice, voters could be disenfranchised.

VOTE NO ON PROP 140"

**Laurel Lynn Scott, San Tan Valley**  
*Sponsored by Charles Mackey*

Prop 140 will make a confusing patchwork ballot where some races will be determined by ranked choice voting and others will not. And the choice as to how many candidates proceed to a general election will be decided by one politician, the Secretary of State. Who drafted this measure? It is clearly broken.

Prop 140 is BAD because it will lead to:

1. Longer and more confusing ballots
2. Delayed election results
3. Ballots being tossed out due to simple mistakes being made by confused voters
4. The wrong candidate being declared the winner.
5. Candidates from only one party on the general election ballot
6. Allowing a candidate with as little as 13 percent of the vote to win in a general election
7. Giving too much power to one politician

Alaska adopted the schemes of Prop 140 in 2022. Now, they already have a measure to undo their mistake.

Let's not make the same mistake in Arizona. Vote "No" on Prop 140.

**Lynda Patrick-Hayes, Mesa**

VOTE "NO" ON PETITION 140: MAKE ELECTIONS FAIR ARIZONA

Our Current Primary System Works and is Fair

Arizona's current primary system, based on one candidate, one vote, embodies the principles of simplicity, inclusivity, and transparency that are essential for a FAIR and DEMOCRATIC electoral process. Let us prioritize the preservation of the current fundamental principles that underpin a fair and accessible electoral system.

Glaring Problems with this Suggested Constitutional Amendment to Change Our Primaries

Ranked Choice Voting (RCV) and Jungle Primaries are complex, complicated and confusing. Voters will struggle to understand how to rank their preferences or navigate these pointless systems, leading to potential errors, and a lack of confidence in the outcome. Voter engagement is crucial so adding unnecessary layers of complexity could deter participation and undermine the integrity of the elections.

Furthermore, these alternative voting systems will be UNFAIR as they could disproportionately disadvantage smaller parties and independent candidates. In a scenarios, the fragmentation of votes among candidates from the same party could inadvertently boost a candidate from a more dominant political faction, stifling diversity and competition in the electoral landscape.

The lack of transparency in RCV and Jungle Primaries is another major point of concern. Voters may struggle to follow the progression of candidates through multiple rounds or decipher the outcome, eroding trust in the electoral process and potentially disenfranchising certain segments of the electorate.

Moreover, the logistical challenges associated with implementing RCV and Jungle Primaries cannot be overlooked. Overhauling election infrastructure, redesigning ballots, and conducting extensive voter education campaigns would require significant time, resources, and effort. In a state already grappling with various pressing issues, diverting attention and resources to a complicated electoral reform is NOT the most prudent course of action.

Vote “NO” on Petition 140: It will NOT make elections fair in Arizona

**Kathleen Mapes, Voter, Tucson**

---

I am a frustrated voter! Prop 140 is being pushed by New York special interests trying to upend Arizona primaries. It is important Arizonans strongly oppose this scheme because it will have damaging effects on our electoral system and ultimately make voters distrust the election system.

Proponents of Prop 140 try to sell this system as being good for inclusivity and reducing partisanship, in reality, it will erode our choices and hinder voters ability to select their own candidates. This could result in "mystery" candidates advancing that voters don't really know where they stand on important issues. Even worse, it has resulted in candidates from only one party advancing to the general election ballot. Given that 2/3 of Arizona voters identify with a political party, many voters will not bother coming out to vote at all.

Proponents of 140 also claim ranked choice voting will ensure more moderate candidates. But the reality is ranked choice voting can end up favoring obscure candidates that are not popular at all. Typically a special interest candidate being pushed by the Political Class.

As a concerned voter, I think that it is crucial to keep the integrity of our electoral process as it is right now and ensure that every vote counts. Complex systems like Prop 140, that are used in California, will only muddy the waters and make it easier for manipulation and abuse. We must uphold the principles of transparency and accountability in our elections, rather than allow these convoluted schemes that benefit a select few. Let's keep our voting process simple and allow voters to make informed decisions without overly complicated systems. Vote NO on Prop 140!—

**Joyce Haver, Phoenix**

---

AMAC Action represents 2.2 million Americans over the age of 50, including over 70,000 residing in the state of Arizona.

Prop 140 would allow the Jungle Primaries and Ranked-Choice Voting systems into Arizona’s elections despite evidence showing that these systems hurt the democratic process, especially for those over the age of 50 who have spent more than 30 years using the simple and effective one-person, one-vote system.

Our current system’s simplicity is its strongest feature; one person has one vote for one candidate for each open office. Ranked-choice voting does the opposite by forcing voters to choose multiple candidates, including some for whom they have little information, creating confusion. Ranked-choice voting is also more likely to lead to errors on the ballot, which creates systematic unfairness in the election. It also has been shown to delay the vote tabulation process increasing the potential for fraud.

Ranked-choice voting is a complex system that will disenfranchise voters who are unfamiliar with how to rank their choices. It manufactures a majority by throwing out ballots and redistributing votes. Voters should be confident in their elections; ranked-choice voting degrades that confidence.

The financial impact of Prop 140 should not be ignored. Arizona has and should continue to invest in secure voting technology; however, any election using ranked-choice voting requires a much more significant investment in technology to help validate the rankings and recount the votes as candidates are removed. In addition to the technology costs, a massive voter education campaign is necessary to inform voters of the new and different voting system.

Arizona does not need Ranked-Choice Voting and the deprivation of choice that comes with Jungle Primaries.

Please vote “No” on Prop 140.

**Nikki Colletti, AMAC Action Delegate, AMAC Action, Glendale**  
*Sponsored by AMAC Action*

---

"Please vote no on Prop 140. I have a sign on my car that reads "Don't California My Arizona." Prop 140 leads to confused voters, extra-long ballots, and one party controlling the general election ballot. I've sat through at least 4 in-depth explanations on how a winner is selected, and I still cannot adequately explain it. The fact that Alaska had a fiasco last election is proof that voters simply won't understand how to vote. Vote NO!"

**Michal Joyner, Scottsdale**

*Sponsored by Arizona Free Enterprise Club*

Funded by out-of-state special interests, the ironically named "Make Elections Fair Act" imports California's disastrous election system to Arizona. This measure would eliminate our system of "one person one vote" whereby the candidate with the most votes wins, and replace it with an arbitrary ranking system controlled by a single, partisan politician.

The result would be an election scheme that reduces transparency, delays election results, and disenfranchises voters – particularly those registered as independents. Please preserve the integrity of our elections and vote NO on Proposition 140.

**Victor Riches, President & CEO, Goldwater Institute, Phoenix**

This measure is a mash-up of what is often referred to as a "Jungle Primary" and "Ranked Choice Voting". Those of us who have come to Arizona to get away from one-party politics in California saw a very similar proposition on the ballot there about 10 years ago. Since this Arizona measure deals with two subjects, let me break them out for discussion:

A "Jungle Primary" is an election in which all candidates run in the same primary regardless of political party. The candidates may list their party affiliation on the ballot, but they are not required to, nor are they required to have the endorsement of the party they claim to represent. This system can be easily manipulated so that voters from one party vote for the weakest opponent in the opposition party to help their preferred candidate win. Often it results in top candidates from the same party. This is the way it has been done in California for the last decade and how's that worked out? (Answer: one-party rule).

Ranked-Choice Voting (RCV): In this proposal, the partisan Secretary of State (SOS) will determine how many candidates will move on from the "Jungle Primary" to the General Election. In the General Election voters will list on the ballot their order of preference for candidates surviving the primary. This can result in long lines at the polls and if you like getting election results on election night or the next day, forget about it as this system is very complicated. The bottom-dwellers on each round are eliminated and the SOS determines how many get to go on to the next round. It usually takes multiple rounds to determine the winner, and the winner may not be the winner of the popular vote.

Please vote NO on Prop 140!

**Conrad Tolson, Concerned citizen, Eloy**

**California Style Elections (I-14-2024):**

As an Arizonan voter, I oppose the implementation of California-style elections in our state. The proposed jungle primary and ranked-choice voting system may seem appealing at first glance, promising more choices and a fairer representation of voter preferences. However, upon closer inspection, we find that is not accurate and its proposal should cause significant concern.

The jungle primary system could lead to chaotic and crowded ballots. With all candidates, regardless of party, competing in a single primary, voters might face overwhelming choices without adequate information. This could potentially dilute the quality of candidates and make it harder for voters to make informed decisions.

Ranked-choice voting is not the answer for Arizona. The complexity of ranking candidates could confuse voters, especially those unfamiliar with the system, potentially leading to voter errors and disenfranchisement. I have talked with hundreds of Arizonans, and it is clear, they do not want Ranked-choice voting.

Under Arizona's current system, voters can easily identify candidates affiliated with major parties, which helps in understanding each candidate's general platform and policies. This clarity could be lost with the proposed changes, making it harder for voters to distinguish between candidates and their policy stances.

While the California-style elections propose innovative changes, they may not be suitable for Arizona's unique political landscape. The potential confusion and complexity introduced by the jungle primary and ranked-choice voting system could

## NOVEMBER 5, 2024 ★ GENERAL ELECTION

undermine voter confidence and the integrity of our elections. Therefore, I believe maintaining Arizona's current election system, with necessary improvements, is preferable over adopting California-style elections. Please vote NO on I-14-2024.

**Andrew Adams, Gilbert Citizen, Gilbert**  
*Sponsored by LD14GOP*

---

Arizona voters don't need more confusion and opportunities for manipulation. Vote NO on Proposition 140.

Proposition 140 would require ranked choice voting, which is confusing and undemocratic because candidates with the most first-place votes don't always win.

For example, this can happen when voters from one party undermine the primary election by choosing weaker candidates from other parties as their second choice. This strategy aims to increase the chances of their own party's candidate winning in the general election by ensuring the competition is against a weaker opponent.

Vote NO on Proposition 140.

**Bob Pamplin, Mesa**

---

The League of Women Voters of Arizona strongly opposes this amendment to the Arizona Constitution. The League supports a voting system that better represents the voters, such as Ranked Choice Voting for single-seat races and proportional representation for multi-seat races.

The Make Elections Fair citizens' initiative wants Open Primaries (one primary instead of separate Democratic and Republican primaries), saying it will increase participation by independent voters. It also includes additional changes that would equalize signature requirements for all candidates for federal and statewide office, eliminate public funding for party primaries, and allow the legislature to determine how many candidates advance to the general election (a minimum of 2 and up to 5). If more than 2 candidates advance to the general election, the legislature must determine a ranking system for voting. This is one of this proposal's fatal flaws; using a citizens' initiative to give more power to the legislature is against its purpose and sets a bad precedent.

Despite its claim, this initiative does not increase independent voters' participation due to the potential intrusion of partisan legislators to manipulate the general election if they codify a top-two system. This initiative is confusing and misleading and does not help the voters.

THE LEAGUE OF WOMEN VOTERS OF ARIZONA URGES YOU TO VOTE NO

**Pinny Sheoran, President, League of Women Voters of Arizona, Scottsdale**  
*Sponsored by League of Women Voters of Arizona*

---

"Vote NO on Prop 140!"

Prop 140 makes significant changes to our constitution, and imports California-style election schemes into Arizona. Here's why you should oppose it:

- Confusing System: Creates a patchwork of voting styles that make ballots longer and more difficult to understand.
- Disenfranchises Voters: Deprives voters of choice by allowing only one political party to appear on the general election ballot.
- Longer Lines at Polls: Longer wait times at polling stations add unnecessary burdens on Election Day.
- Delays in Getting Results: Similar schemes in California have caused major delays in tabulation; it has even resulted in the wrong candidate being declared the winner.
- Error-Prone: The complexity of the new voting rules increases the likelihood of errors, which will get voters' ballots bounced.
- Costly: Election officials from all 15 counties will need all new equipment, and will need to design a new ballot style every election cycle. \$\$\$
- Partisan Manipulation: Gives unprecedented power to the Secretary of State to decide how many candidates advance from the primary to the general election. This undemocratic provision allows partisan manipulation for personal and political gain.

Don't let Prop 140 undermine our democracy. Vote NO to protect our elections from confusion, disenfranchisement, and partisan manipulation."

**Susan Garvey, Prescott**  
*Sponsored by Charles Mackey*

Prop 140 is a poorly written amendment to Arizona's Constitution that will leave voters regretting its adoption.

New voting schemes like those proposed in Prop 140 have been tried in California already, and the results have been terrible. Many California voters have no one to vote for in the general election, because the primary has already scrubbed the candidate slate of any diversity. This depresses voter turnout.

And ranked choice voting has been equally disastrous. Its complicated algorithmic process for tabulating voter ballots has caused major delays and errors so drastic that, in one local California race, the wrong person was even declared the winner!

A provision completely unique in Prop 140, and untested anywhere else in the states, allows for just one politician, the Secretary of State, to decide how many candidates move from the primary to the general election for every race. This is such a terrible idea it makes me wonder if the drafters of this measure even knew what they were doing. Allowing a partisan politician to pick and choose which scheme will be used for every race to benefit his/her own political party (and even his/her own race) will obviously lead to election manipulation, and is totally undemocratic.

Please vote NO on Prop 140!

**Inger Johnson, Chino Valley**  
*Sponsored by Charles Mackey*

"Prop 140 is a dangerous proposal that could harm the integrity of Arizona's elections. These new systems threaten to undermine the unique character and values that make our state special. By opposing these changes, we can protect our traditions and preserve the authenticity of our election process.

Ranked choice voting is a complicated and confusing system that will confuse voters, particularly those with limited education and familiarity with politics. It requires voters to rank candidates in order of preference, which could lead to mistakes and errors that ultimately distort election outcomes. This system could end up keeping voters away on election day because they do not fully understand how to participate effectively, leading to results that do not truly reflect the will of the people.

Similarly, jungle primaries also pose a threat to the democratic process. By letting candidates from all parties run in a single primary and advancing the top two candidates to the general election, jungle primaries will eliminate representation of smaller parties and limit voter choice. This system could result in only candidates from the same party getting to the general election, effectively marginalizing 50 percent of the electorate, who will not even bother to vote.

As Arizonans who cherish our state's identity and values, we must come together to oppose Proposition 140. Let's protect the way Arizonans like voting by rejecting these California ideas and saying 'No' to Prop 140.

"

**Barbara Mellor, Rio Verde**  
*Sponsored by Arizona Free Enterprise Club*

As a proud Arizonan and American, I value the simple and straightforward process of our current primary system. It ensures every citizen's voice is heard equally, without any confusing ranking systems or extra steps. Changing to Jungle Primaries and Ranked Choice Voting would only complicate things for me and many others who have been voting this way for years. Let's stick to what works and continue to uphold the democratic principles we cherish -- one person, one vote.

I have been proudly casting my vote in Arizona for decades, I strongly oppose the ideas in Prop 140. The current primary

system may not be perfect, but it provides a simple and straightforward way for every citizen's voice to be heard equally and clearly. Prop 140 would not only create obstacles for me and many other long-time voters in Arizona; it would also risk undermining the democratic principles that we hold dear.

I value the tradition and consistency of our current primary system, and I believe that it has served us well over the years. I do not see the need to completely upend the system. Let's stick to what works and continue to uphold the democratic values that we cherish as Americans and Arizonans.

I urge all voters to vote NO on Proposition 140. Let's preserve the simplicity and fairness of our current primary system to ensure that every citizen's voice is heard and respected in the voting process.

**Mary Reitz, Fountain Hills**  
*Sponsored by Arizona Free Enterprise Club*

---

Ranked choice voting (RCV) and jungle primaries, proposed changes to the electoral system in Prop 140, claim to promote fairness and representativeness. However, as someone who values simplicity and efficiency, I strongly oppose these measures, as they bring unnecessary complexity and uncertainty to the electoral process.

If we accept ranked choice voting, this will add layers of time and complexity by requiring voters to rank candidates in order of preference. As tested in other states like Alaska and Maine, RCV has proven to confuse voters and make the electoral process cumbersome. As someone who already juggles various responsibilities, I do not need the added burden of navigating a convoluted voting system.

Prop 140 claims to be inclusive, but in reality, it often results in only candidates from a singular party getting to the general election. That has been the case in California, where they use jungle primaries, and it has all but eliminated a diverse range of candidates that represent different ideas and therefore severely restricted options for voters.

By maintaining the current electoral system in Arizona, we can uphold the simplicity and transparency that are crucial for small businesses to thrive. Let's instead focus on policies that promote economic growth and create a conducive environment for entrepreneurship, rather than introducing changes that complicate and undermine our democratic processes.

I am advocating for straightforward and business-friendly practices. I urge fellow Arizonans to reject Prop 140. Let's prioritize clarity and efficiency in our electoral system, to ensure that the voice of every voter is heard without unnecessary complications.

**Daniel Spencer, Lakeside**  
*Sponsored by Arizona Free Enterprise Club*

---

Prop 140 proposes dramatic changes to the way elections are conducted in Arizona. Few states actually use jungle primaries and ranked choice voting (RCV) on state-wide races, as proposed in Prop 140, because it turns out they wind up being unpopular with voters.

Ranked choice voting is a messy system. The political consultants pushing this system in Prop 140 assure voters that the candidate with the broadest appeal will win the election. In reality, it often leads to bizarre outcomes where the candidate least known or favored by the majority of the electorate can win. Currently, voting is simple. Voters choose the one candidate they want to see win. With RCV, many voters will quickly get overwhelmed by the need to rank multiple candidates, leading to errors or even apathy towards the voting process.

Prop 140 wants to majorly change our primary system also. In Arizona, the current primary system allows voters to choose their preferred candidate without the added burden of ranking multiple choices or getting through a jungle of candidates. It is important to preserve the integrity of our elections by sticking to a system that is simple, efficient, and familiar to voters -- one vote for one candidate.

By saying “No” to Prop 140 in Arizona, we can ensure that the voice of the people is heard loud and clear and fairly. Let's protect our democratic values by rejecting these misguided proposals and preserving the current system that has served us well.

**Charmon Puhlmann, Mesa**  
*Sponsored by Arizona Free Enterprise Club*

---

Proposition 140 “Jungle Primaries (Secretary of state Petition Serial Number: I-14-2024)

Vote NO on Jungle Primaries (Make Elections Fair).

This seemingly innocent name masks a hidden provision in the measure that lets just one politician, the Secretary of State, decide how many candidates move from the primary to the general election.

This could result in some races where candidates from only one political party appear on the general election ballot, depriving many voters of any choice at all.

This is a precursor to Ranked Choice Voting that makes voting more confusion, longer ballots increased election complexity.

Additional reasons for saying NO to this Proposition is that it will lead to manipulation of the voting process, undermine traditional political party structures, limit voter choices and disadvantage minority parties.

The groups pushing this initiative are trying to trick voters into supporting a poorly written constitutional amendment, while arguing it will lead to less partisanship and more centrist candidates on the general election ballot.

This is a blatant attempt to disenfranchise voters and deprive them of their right to choose their candidates. One politician should never have the power to decide who Arizona voters can cast their ballot for.

Vote NO on Jungle Primaries (Make Elections Fair).

**Deborah Kirkland, Mesa**

---

"As a lifelong Arizona voter who has experienced numerous election seasons, I strongly oppose Prop 140. Our current primary and ""first past the post"" voting systems are straightforward and transparent. I don't want to vote how a minority of other states do!"

In fact, this initiative is being funded primarily by a New York state organization called Open Primaries, ironically from a state that doesn't use ""open primaries"" themselves. What they don't even want in New York, they want to force into Arizona.

Prop 140 is clearly being driven by special interests and will impose a chaotic voting system on Arizonans. Older voters like me will find it overwhelming and confusing. Prop 140 will be sure to deter individuals -- many new or old to voting -- from exercising their right to participate in elections. Maybe that is the point for these out-of-state groups, who have no business meddling in Arizona elections.

As someone who values the integrity and reliability of our electoral system, I believe we should focus on maintaining and improving our existing process, rather than introducing convoluted changes. For that reason, I will vote NO on Proposition 140.

Together, we can prioritize preserving a fair and efficient voting process that encourages citizen engagement and upholds the democratic values of OUR state. Vote No!"

**Heather Turley, Mesa**  
*Sponsored by Arizona Free Enterprise Club*

---

VOTE NO on Proposition 140 to defend our democracy and ensure voter rights.

This would change the AZ Constitution and our voting process and implement California-style election systems. First, all candidates, regardless of party affiliation, would appear on the same primary ballot. The general election ballots may have a confusing combination of both voting for a selected candidate (as currently done) or having voters rank all candidates (regardless of party affiliation) in order of the voter's preference. Thus, different voting rules would apply to different races, up and down the ballot. Finally, how these ranked votes would be tabulated is not defined and the « algorithms » used to calculate the winners is complex and not easily certifiable. It will be extremely difficult to validate the results.

There are three main issues with Proposition 140:

This process can lead to candidates from only one party advancing to the general election for an office, thus eliminating choices for voters. Imagine having only the choice between two Democrats or two Republicans for state senate, rather than choosing between a Democrat and a Republican or other party candidate.

Undemocratic complete power can be given to a single individual - the Secretary of State - to determine the number of candidates for each office who may advance from the primary to the general election, including his or her own. This allows a partisan politician to choose which scheme will be used for each race to benefit a chosen political party.

The system is confusing and might lead to voters' ballots being discarded for not being completed correctly. It also could lead to the wrong candidate being declared the winner due to complicated tabulations.

VOTE NO on Proposition 140 to preserve AZ democracy.

**Victoria Craig, Concerned Citizen, Scottsdale**

---

"Prop 140 is being proposed broadly as an alternative to the traditional voting system in Arizona, and in particular as a way to better serve Independent voters. However, I am an independent voter and I strongly oppose implementing these systems in our state. These voting methods, far from making my voice count, will only serve to complicate the process and make it harder for people like me to understand and engage in the electoral process.

Ranked choice voting, in particular, can be difficult to grasp for many voters. Under this system, voters don't just vote for who they like best; they must rank every single candidate, even obscure ones they know nothing about or strongly dislike. Though supporters argue this method ensures that the winning candidate has majority support, it actually confuses and frustrates voters, who may not fully understand how their votes are being counted. As an independent voter, I want a system that is clear and straightforward, not one that adds unnecessary layers of complexity.

Similarly, Jungle Primaries, where all candidates from all parties compete on a single ballot, can also create confusion and uncertainty for voters. Without the clarity of party labels for candidates on the ballot, voters may struggle to make informed decisions about the candidates and their platforms. This lack of transparency could further alienate voters, making them feel disconnected from the electoral process.

I am an independent voter who values clarity and fairness in the voting process, I believe that implementing Prop 140 in Arizona is not the solution. It is essential that any changes to our voting process prioritize transparency and accessibility, to ensure that every vote truly counts. Vote No!"

**Angela Guerrero, Tempe**

*Sponsored by Arizona Free Enterprise Club*

---

**140**

- Vote No on Prop 140

Prop 140 would bring a confusing and error-prone California-style election scheme to Arizona. What do we lose if this election scheme is adopted? You lose the opportunity to vote for the candidates most closely aligned with your ideas and political philosophy. For example, if there are five candidates for an office from all parties, all five would be listed together on the ballot. If a voter only chooses to rank one or two because he does not like the others, his ballot will be thrown out if it goes to a very likely second or third round. In other words, under this scheme, a voter would be forced to vote for candidates he does not agree with, or his ballot will be thrown out if the vote goes to a third round. It could also easily lead to candidates from the same party advancing as the only choice in the general election which would disenfranchise a substantial part of the voters of the excluded political parties (and nonparties).

Another thing we lose would be any chance of getting timely election results. There is already a general dissatisfaction among voters due to the length of time it takes to get election results. Prop 140, if passed, would exacerbate this delay in getting results since the count would likely go through several rounds of elimination until one candidate has a majority of the vote. Another delay would be at the voting centers. Under Prop 140 the ballot would be longer, confusing, and complicated.

The lines at the polls would be longer and would increase the likelihood that voters would make mistakes which could lead to having their ballot thrown out.

Vote No on Prop 140 and preserve our

**James Roth, Arizona Citizen, Rio Verde**

Vote NO on Prop 140!

The term “Fair” Elections is extremely misleading in that it tries to convince voters that major changes are required to our current electoral process. But Jungle Primaries lead to only candidates from one political party appearing on the general election ballot, depriving many voters of any choice, which is not “fair” at all. Those in other states with this Jungle Primary system regret that they have it. They say it is horrible and unfair!

Prop 140 creates risks to our elections without providing any clear benefits.

In addition to being unnecessary, this initiative would complicate and raise the cost of administering elections in the following manner:

1. More Bureaucracy: Managing new voting technologies will create more red tape.
2. Election Integrity Risks: Jungle primaries could compromise the security of our elections.
3. No Funding Plan: There's no clear way to pay for these changes if passed.
4. Voter Confusion: This system will likely confuse many voters, making it harder to cast informed votes.

Voting "NO" on jungle primaries helps ensure our elections remain simple, secure, and well-funded. Groups that promote and fund these types of ballot initiatives have a hidden political agenda that runs counter to their publicly stated objective.

Vote NO to protect our current system and prevent California-style primaries from being enacted in Arizona.

**Lynanne Cottle, Mesa**

*Sponsored by Arizona Free Enterprise Club*

"I was approached six times by people gathering signatures for Prop 140 and each time was the same – when asked what the petition was for, the signature gatherers' uniform response was: “to allow ALL voters to vote in the Primary Elections”.

When I informed these paid circulators that voters already had that right, the signature gatherers would immediately leave to gather signatures elsewhere. Twice I observed the same petition gatherer using the same deception to collect more signatures.

If the idea was good then there would not be any need to use deception to get us to sign. What other easter eggs are they smuggling into this initiative under the guise of what is already allowed under the status quo. Ideas birthed in deception are always destructive.

Please do not be deceived, ALL voters already have the right to vote in the primaries.

Vote No on Prop 140"

**Tom Kouts, Phoenix**

"Maintaining the integrity of Arizona's primary system is crucial in upholding the democratic values that our state was built upon. Ranked choice voting and jungle primaries may be seen as innovative solutions to some, but in reality, they represent unnecessary risks that compromise the fairness and transparency of our elections.

We don't need ranked choice voting. It is a complex process of ranking candidates that will confuse voters, be prone to

errors, and be ripe for manipulation. By straying from the simple and straightforward one candidate, one vote system, we risk undermining the trust in our electoral process that Arizonans have come to rely upon.

Jungle primaries that merge candidates from all parties onto a single ballot, blur the distinctions between candidates and deprive voters of a clear choice between candidates with different political ideologies. This chips away at the importance of political diversity and representation in our democratic system, especially because it can result in candidates from only one political party appearing on the general election ballot.

As Arizona voters, we should not support these changes that will disrupt the fairness and clarity of our elections. The current system has proven its effectiveness over the years, and any attempts to fix what isn't broken should be met with skepticism. Let's honor our electoral process by standing firm against ranked choice voting and jungle primaries. Our democracy is too precious to risk upending it with imported California election schemes that have proven to fail voters. Please vote NO on Prop 140.

"

**Nancy Cottle, Mesa**

*Sponsored by Arizona Free Enterprise Club*

---

Having to rank every candidate in every race makes ballots long and complicated. Many studies show that when you complicate ballots, the less affluent, ESL, less educated, elderly, etc. get left out. This is NOT saying they cannot figure it out, but data shows this type of ballot is easier for them to make mistakes on. It has been found that there is a 650% increase in spoiled ballots. Some voters get confused as to what they are to do and mistakes are made leading to their ballot not being counted.

It is also concerning that one person, the Secretary of State, determines how any people will be on the ballot in the general election. This gives a lot of power to one individual. These decisions should not be left to the whims of one person.

Let's not overcomplicate such an important duty as voting, and let's not hand over all power to one partisan politician. This is a type of voting that has been repealed by 85% of the US jurisdictions that have tried it in the last 100 years. Please vote NO on Prop 140.

**Florence Smith, Phoenix**

---

Vote NO on Prop 140, which proposes to bring California-style Jungle Primaries and Rank Choice Voting to Arizona. With Jungle Primaries, the general election ballot may have candidates of only one political party vying for such important offices as Governor. Voters who want to vote for a candidate of an opposition party in the general election are disenfranchised, their only choice being to cast a normally futile write-in ballot.

If Rank Choice Voting is combined with the Jungle Primary, the situation becomes even more bizarre and unfair. With Rank Choice Voting, long lines at the polls can be expected as voters struggle to rank all of the candidates for every single race. Other delays may ensue due to the complicated nature of the counting. All for nothing. This confusing system does not do anything to elect a better candidate or provide a better election experience for voters.

For the most part, voters are in the dark about the details of how such elections would work, the particulars being left to the Secretary of State. This much power should not be left to one partisan politician. Vote NO on Prop 140 and stop these schemes while we can.

**Brenda Warneka, Voter, Scottsdale**

"Make elections fair" for WHO?????

Prop 140 contains a very large number of ideas that each need to be examined in detail; almost all of them are uniquely bad ideas.

Prop 140 will completely undo the purpose of having a primary election and disenfranchise voters by not allowing them to endorse their party candidates. It also gives power to the Secretary of State, a PARTISAN politician with a vested interest in the outcome (a classic conflict of interest) to choose how many candidates appear in the general election on a race-by-race basis. This is too much power invested in one person, which is undemocratic and UNFAIR.

Prop 140 could allow only one party's candidates to appear on the ballot, thus ignoring the will of many voters as they may not be able to vote FOR the candidate of their choice in the general election because no one from their party may appear on the ballot. This is undemocratic and UNFAIR.

Prop 140 will permit non-party affiliated candidates for President to spend your tax dollars to start their campaign, really? This is a waste of your taxes!

Please vote NO on Prop 140.

Written by:

Bob Pamplin  
Wendy Wayne  
Ashley Stewart  
Clint Stewart  
Don Meyer  
Carol Winstanley  
Peter Anello  
Cherie Anello  
Delia Athey  
David Winstanley

Concerned Citizens of Southeast Mesa and Queen Creek

**Bob Pamplin, Concerned Citizens of Southeast Mesa and Queen Creek, Mesa; Clint Steward, Concerned Citizens of Southeast Mesa and Queen Creek, Mesa; Wendy Wayne, Concerned Citizens of Southeast Mesa and Queen Creek, Mesa; Ashley Stewart, Concerned Citizens of Southeast Mesa and Queen Creek, Mesa; Don Meyer, Concerned Citizens of Southeast Mesa and Queen Creek, Queen Creek; Carol Winstanley, Concerned Citizens of Southeast Mesa and Queen Creek, Mesa; David Winstanleyh, Concerned Citizens of Southeast Mesa and Queen Creek, Mesa; Peter Anello, Concerned Citizens of Southeast Mesa and Queen Creek, Mesa; Cherie Anello, Concerned Citizens of Southeast Mesa and Queen Creek, Mesa; and Delia Athey, Concerned Citizens of Southeast Mesa and Queen Creek, Queen Creek**

---

I oppose the Proposition 140 for Arizona. Many people, including me, strongly oppose these new systems because they are too hard to understand in English, yet alone any other language.

Many voters support a simple voting system where they can vote for one candidate with their one vote as it is much more straightforward and easier to understand. By sticking to the current format of voting, we can be sure that all voters are able to participate in the electoral process without confusion or uncertainty.

Please join me in voting 'No' to Prop 140.

**Peter Anello, Mesa**  
*Sponsored by Arizona Free Enterprise Club*

Prop 140 has been named in such a way that it sounds like a good thing. It's when you get into the details that it fails us. It makes our elections more confusing, makes ballots longer and places a burden on election officials that ends up with votes not getting counted due to simple errors.

Candidates end up on a ballot through a process that takes the control out of the hands of the voters and places it into the hands of ONE politician. This means you may not even have any choices that represent your ideals in the general election. It also plainly states that Rankings may be used (Sec 4. Article VII, section 7) to determine who has the highest number of votes. This has been a disaster in other states such as Alaska and California.

This won't fix anything it will break things further.

Vote NO on Prop 140!

**John Hassett, Phoenix**

---

Did you know the writers of the “Make Elections Fair Arizona” opinion-tested each and every word to ensure you would be fooled with a title that makes you feel warm and fuzzy while BIG MONEY special interests seek to cut off your access to elections where the little guy actually has a chance to win?

It's true! Their entire goal isn't just to manipulate your vote; it's to manipulate every ballot you complete from here on out. It's to make voting so complicated that you lose your will to access your most precious right passed down by the founders and protected by so many who put it all on the line to ensure liberty in our Republic lives on for the next generation.

Jungle primaries and ranked-choice voting lead to single-party rule, favoring politicians backed by dark money who often deceive voters. Phoenix's single-party rule, resulting from jungle primaries, has led to deteriorating infrastructure, high taxes, inflation, and neglect of residents' needs. Alaska is also facing corruption due to these voting schemes and is working to restore partisan primaries to combat it.

Your NO vote on Prop 140 is not just a mark on a ballot; it's a powerful decision. It's a rebuke of the BIG MONEY political class who think you deserve less from your government while their wallets fill up in abundance from the theft of their trade.

Your NO vote on Prop 140 means you keep your neighborhood precinct committeemen elections and you can even run for office to be the voice of your community yourself if you ever so desire.

Your NO vote on Prop 140 means local elections won't cost millions of dollars to win.

Read for yourself why is a boondoggle scam that's bad for AZ at <https://907honest.com/>

**Merissa Hamilton, Chairwoman, EZAZ.org, Phoenix**

# BALLOT FORMAT

## PROPOSITION 140

### PROPOSED BY INITIATIVE PETITION RELATING TO ELECTIONS

#### OFFICIAL TITLE

AMENDING ARTICLE VII, SECTIONS 2, 7, 10, AND 11, CONSTITUTION OF ARIZONA; AMENDING ARTICLE VII, CONSTITUTION OF ARIZONA, BY ADDING SECTION 19; RELATING TO ELECTIONS.

#### DESCRIPTIVE TITLE

ALL PRIMARY ELECTION CANDIDATES FOR A GIVEN OFFICE WILL HAVE THE SAME SIGNATURE REQUIREMENTS FOR BALLOT QUALIFICATION. ELIGIBLE VOTERS MAY VOTE FOR CANDIDATES REGARDLESS OF PARTY AFFILIATION. THE LEGISLATURE MAY PRESCRIBE THE NUMBER OF CANDIDATES ADVANCING TO THE GENERAL ELECTION. PROHIBITS USING PUBLIC MONIES FOR POLITICAL PARTY ELECTIONS.

A “yes” vote shall have the effect of allowing all eligible voters to vote for any primary election candidate, regardless of party affiliation; imposing the same signature requirements on all candidates for a given office who wish to appear on the primary ballot; generally prohibiting the use of public funds for political party elections; allowing future law to determine how many candidates advance from the primary election, as well as the process by which candidates are elected at the general election; and if future law provides that three or more candidates may advance to the general election for an office to which one candidate will be elected, voter rankings shall be used.	YES <input type="checkbox"/>
A “no” vote shall have the effect of maintaining current requirements related to primary and general elections processes.	NO <input type="checkbox"/>

140



Arizona's state fish, the Apache Trout (Oncorhynchus apache), along with its cousin the Gila Trout (Oncorhynchus gilae), are the only species native to the state. Nicknamed "yellowbellies" by early pioneers for their speckled golden-greenish coloring, Apache Trout populations have only recently been restored after decades of near extinction.

# 311 PROPOSITION

Two-Tailed  
Swallowtail Butterfly



## SENATE CONCURRENT RESOLUTION 1006

### A CONCURRENT RESOLUTION

ENACTING AND ORDERING THE SUBMISSION TO THE PEOPLE OF A MEASURE RELATING TO FIRST RESPONDERS.

Be it resolved by the Senate of the State of Arizona, the House of Representatives concurring:

1. Under the power of the referendum, as vested in the Legislature, the following measure, relating to first responders, is enacted to become valid as a law if approved by the voters and on proclamation of the Governor:

#### AN ACT

AMENDING TITLE 12, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 12-116.12; REPEALING SECTION 12-116.12, ARIZONA REVISED STATUTES; AMENDING SECTION 13-1204, ARIZONA REVISED STATUTES; AMENDING SECTION 13-1204, ARIZONA REVISED STATUTES, AS AMENDED BY SECTION 3 OF THIS RESOLUTION; AMENDING TITLE 38, CHAPTER 8, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 4; REPEALING TITLE 38, CHAPTER 8, ARTICLE 4, ARIZONA REVISED STATUTES; RELATING TO FIRST RESPONDERS.

Be it enacted by the Legislature of the State of Arizona:

Section 1. Title 12, chapter 1, article 1, Arizona Revised Statutes, is amended by adding section 12-116.12, to read:

12-116.12. Penalty fee; first responder's supplemental death benefit

A. BEGINNING FROM AND AFTER JUNE 30, 2025, IN ADDITION TO ANY OTHER PENALTY, FINE, FEE, SURCHARGE OR ASSESSMENT AUTHORIZED BY LAW, A PERSON SHALL PAY A PENALTY FEE OF \$20 ON EVERY CONVICTION FOR A CRIMINAL OFFENSE.

B. THE COURT SHALL TRANSMIT THE PENALTY FEE COLLECTED PURSUANT TO THIS SECTION TO THE COUNTY TREASURER, EXCEPT THAT MUNICIPAL COURTS SHALL TRANSMIT THE PENALTY FEE TO THE CITY OR TOWN TREASURER.

C. THE CITY, TOWN OR COUNTY TREASURER SHALL TRANSMIT THE PENALTY FEES TO THE STATE TREASURER. THE STATE TREASURER SHALL DEPOSIT THE PENALTY FEES, PURSUANT TO SECTIONS 35-146 AND 35-147, IN THE STATE SUPPLEMENTAL BENEFIT FUND ESTABLISHED BY SECTION 38-1173.

D. THE COURT MAY NOT WAIVE OR MITIGATE THE PENALTY FEE.

Sec. 2. Delayed repeal

Section 12-116.12, Arizona Revised Statutes, as added by this act, is repealed from and after December 31, 2032.

Sec. 3. Section 13-1204, Arizona Revised Statutes, is amended to read:

13-1204. Aggravated assault; classification; definitions

A. UNTIL JANUARY 1, 2033, a person commits aggravated assault if the person commits assault as prescribed by section 13-1203 under any of the following circumstances:

1. If the person causes serious physical injury to another.
2. If the person uses a deadly weapon or dangerous instrument.

3. If the person commits the assault by any means of force that causes temporary but substantial disfigurement, temporary but substantial loss or impairment of any body organ or part or a fracture of any body part.

4. If the person commits the assault while the victim is bound or otherwise physically restrained or while the victim's capacity to resist is substantially impaired.

5. If the person commits the assault after entering the private home of another with the intent to commit the assault.

6. If the person is eighteen years of age or older and commits the assault on a minor under fifteen years of age.

311

PROPOSITION 311



7. If the person commits assault as prescribed by section 13-1203, subsection A, paragraph 1 or 3 and the person is in violation of an order of protection issued against the person pursuant to section 13-3602 or 13-3624.

8. If the person commits the assault knowing or having reason to know that the victim is any of the following:

(a) A ~~peace officer~~ FIRST RESPONDER or a person summoned and directed by the ~~officer~~ FIRST RESPONDER.

(b) A constable or a person summoned and directed by the constable while engaged in the execution of any official duties or if the assault results from the execution of the constable's official duties.

(c) ~~A firefighter, fire investigator, fire inspector, emergency medical technician or paramedic engaged in the execution of any official duties or a person summoned and directed by such individual while engaged in the execution of any official duties or if the assault results from the execution of the official duties of the firefighter, fire investigator, fire inspector, emergency medical technician or paramedic.~~

(d) A teacher or other person employed by any school and the teacher or other employee is on the grounds of a school or grounds adjacent to the school or is in any part of a building or vehicle used for school purposes, any teacher or school nurse visiting a private home in the course of the teacher's or nurse's professional duties or any teacher engaged in any authorized and organized classroom activity held on other than school grounds.

(e) (d) A health care worker while engaged in the health care worker's work duties or a health care practitioner who is certified or licensed pursuant to title 32, chapter 13, 14, 15, 17 or 25, or a person summoned and directed by the licensed health care practitioner while engaged in the person's professional duties. This subdivision does not apply if the person who commits the assault does not have the ability to form the culpable mental state because of a mental disability or because the person is seriously mentally ill, as defined in section 36-550.

(f) (e) A prosecutor while engaged in the execution of any official duties or if the assault results from the execution of the prosecutor's official duties.

(g) (f) A code enforcement officer as defined in section 39-123 while engaged in the execution of any official duties or if the assault results from the execution of the code enforcement officer's official duties.

(h) (g) A state or municipal park ranger while engaged in the execution of any official duties or if the assault results from the execution of the park ranger's official duties.

(i) (h) A public defender while engaged in the execution of any official duties or if the assault results from the execution of the public defender's official duties.

(j) (i) A judicial officer while engaged in the execution of any official duties or if the assault results from the execution of the judicial officer's official duties.

9. If the person knowingly takes or attempts to exercise control over any of the following:

(a) A ~~peace officer's~~ FIRST RESPONDER'S or other officer's firearm and the person knows or has reason to know that the victim is a ~~peace officer~~ FIRST RESPONDER or other officer employed by one of the agencies listed in paragraph 10, subdivision (a), item (i), (ii), (iii), (iv) or (v) of this subsection.

(b) Any weapon other than a firearm that is being used by a ~~peace officer~~ FIRST RESPONDER or other officer or that the FIRST RESPONDER OR OTHER officer is attempting to use, and the person knows or has reason to know that the victim is a ~~peace officer~~ FIRST RESPONDER or other officer employed by one of the agencies listed in paragraph 10, subdivision (a), item (i), (ii), (iii), (iv) or (v) of this subsection.

(c) Any implement that is being used by a ~~peace officer~~ FIRST RESPONDER or other officer or that the FIRST RESPONDER OR OTHER officer is attempting to use, and the person knows or has reason to know that the victim is a ~~peace officer~~ FIRST RESPONDER or other officer employed by one of the agencies listed in paragraph 10, subdivision (a), item (i), (ii), (iii), (iv) or (v) of this subsection. For the purposes of this subdivision, "implement" means an object that is designed for or that is capable of restraining or injuring an individual. Implement does not include handcuffs.

10. If the person meets both of the following conditions:

(a) Is imprisoned or otherwise subject to the custody of any of the following:

(i) The state department of corrections.

(ii) The department of juvenile corrections.

(iii) A law enforcement agency.

(iv) A county or city jail or an adult or juvenile detention facility of a city or county.

(v) Any other entity that is contracting with the state department of corrections, the department of

311

PROPOSITION 311



juvenile corrections, a law enforcement agency, another state, any private correctional facility, a county, a city or the federal bureau of prisons or other federal agency that has responsibility for sentenced or unsentenced prisoners.

(b) Commits an assault knowing or having reason to know that the victim is acting in an official capacity as an employee of any of the entities listed in subdivision (a) of this paragraph.

11. If the person uses a simulated deadly weapon.

B. UNTIL JANUARY 1, 2033, a person commits aggravated assault if the person commits assault by either intentionally, knowingly or recklessly causing any physical injury to another person, intentionally placing another person in reasonable apprehension of imminent physical injury or knowingly touching another person with the intent to injure the person, and both of the following occur:

1. The person intentionally or knowingly impedes the normal breathing or circulation of blood of another person by applying pressure to the throat or neck or by obstructing the nose and mouth either manually or through the use of an instrument.

2. Any of the circumstances exists that are set forth in section 13-3601, subsection A, paragraph 1, 2, 3, 4, 5 or 6.

C. A person who is convicted of intentionally or knowingly committing aggravated assault on a ~~peace officer~~ FIRST RESPONDER pursuant to subsection A, paragraph 1 or 2 of this section shall be sentenced to imprisonment for not less than the presumptive sentence authorized under chapter 7 of this title and is not eligible for suspension of sentence, commutation or release on any basis until the sentence imposed is served.

D. It is not a defense to a prosecution for assaulting a peace officer or a mitigating circumstance that the peace officer was not on duty or engaged in the execution of any official duties.

E. Except pursuant to subsections F and G of this section, aggravated assault pursuant to subsection A, paragraph 1 or 2, paragraph 9, subdivision (a) or paragraph 11 of this section is a class 3 felony except if the aggravated assault is a violation of subsection A, paragraph 1 or 2 of this section and the victim is under fifteen years of age it is a class 2 felony punishable pursuant to section 13-705. Aggravated assault pursuant to subsection A, paragraph 3 or subsection B of this section is a class 4 felony. Aggravated assault pursuant to subsection A, paragraph 9, subdivision (b) or paragraph 10 of this section is a class 5 felony. Aggravated assault pursuant to subsection A, paragraph 4, 5, 6, 7 or 8 or paragraph 9, subdivision (c) of this section is a class 6 felony.

F. Aggravated assault pursuant to subsection A, paragraph 1 or 2 of this section committed on a ~~peace officer~~ FIRST RESPONDER is a class 2 felony. Aggravated assault pursuant to subsection A, paragraph 3 of this section committed on a ~~peace officer~~ FIRST RESPONDER is a class 3 felony. Aggravated assault pursuant to subsection A, paragraph 8, subdivision (a) of this section committed on a ~~peace officer~~ FIRST RESPONDER is a class 5-4 felony unless the assault results in any physical injury to the ~~peace officer~~ FIRST RESPONDER, in which case it is a class 4-3 felony.

G. Aggravated assault pursuant to:

1. Subsection A, paragraph 1 or 2 of this section is a class 2 felony if committed on a prosecutor.
2. Subsection A, paragraph 3 of this section is a class 3 felony if committed on a prosecutor.
3. Subsection A, paragraph 8, subdivision (e) of this section is a class 5 felony if the assault results in physical injury to a prosecutor.

H. For the purposes of this section:

1. "FIRST RESPONDER" MEANS:
  - (a) A PEACE OFFICER.
  - (b) A FIREFIGHTER, A FIRE MARSHAL, A FIRE INSPECTOR, AN EMERGENCY MEDICAL CARE TECHNICIAN OR A PARAMEDIC WHO IS ENGAGED IN THE EXECUTION OF ANY OFFICIAL DUTIES.
  - (c) A TRIBAL POLICE OFFICER.
2. "Health care worker" means:

(a) A person who is employed by or contracted to work at a health care institution that is licensed pursuant to title 36.

(b) A person who is employed or contracted to provide health care or related services in a fieldwork setting, including:

(i) Home health care, home-based hospice and home-based social work, unless the worker is employed or contracted by an individual who privately employs, in the individual's residence, the worker to perform covered services for the individual or a family member of the individual.

311

PROPOSITION 311



(ii) Any emergency services and transport, including the services provided by firefighters and emergency responders.

~~2-~~ 3. "Judicial officer" means a justice of the supreme court, judge, justice of the peace or magistrate or a commissioner or hearing officer of a state, county or municipal court.

~~3-~~ 4. "Mental disability" means a disabling neurological condition, or brain injury, or involuntary impairment as a result of a medication that is administered by a health care provider or a medical procedure that is performed at a health care treatment site.

~~4-~~ 5. "Prosecutor" means a county attorney, a municipal prosecutor or the attorney general and includes an assistant or deputy county attorney, municipal prosecutor or attorney general.

Sec. 4. Section 13-1204, Arizona Revised Statutes, as amended by section 3 of this resolution, is amended to read:

13-1204. Aggravated assault: classification: definitions

A. BEGINNING FROM AND AFTER DECEMBER 31, 2032, a person commits aggravated assault if the person commits assault as prescribed by section 13-1203 under any of the following circumstances:

1. If the person causes serious physical injury to another.

2. If the person uses a deadly weapon or dangerous instrument.

3. If the person commits the assault by any means of force that causes temporary but substantial disfigurement, temporary but substantial loss or impairment of any body organ or part or a fracture of any body part.

4. If the person commits the assault while the victim is bound or otherwise physically restrained or while the victim's capacity to resist is substantially impaired.

5. If the person commits the assault after entering the private home of another with the intent to commit the assault.

6. If the person is eighteen years of age or older and commits the assault on a minor under fifteen years of age.

7. If the person commits assault as prescribed by section 13-1203, subsection A, paragraph 1 or 3 and the person is in violation of an order of protection issued against the person pursuant to section 13-3602 or 13-3624.

8. If the person commits the assault knowing or having reason to know that the victim is any of the following:

(a) A ~~first responder~~ PEACE OFFICER or a person summoned and directed by the ~~first responder~~ OFFICER.

(b) A constable or a person summoned and directed by the constable while engaged in the execution of any official duties or if the assault results from the execution of the constable's official duties.

(c) A FIREFIGHTER, FIRE INVESTIGATOR, FIRE INSPECTOR, EMERGENCY MEDICAL TECHNICIAN OR PARAMEDIC ENGAGED IN THE EXECUTION OF ANY OFFICIAL DUTIES OR A PERSON SUMMONED AND DIRECTED BY SUCH INDIVIDUAL WHILE ENGAGED IN THE EXECUTION OF ANY OFFICIAL DUTIES OR IF THE ASSAULT RESULTS FROM THE EXECUTION OF THE OFFICIAL DUTIES OF THE FIREFIGHTER, FIRE INVESTIGATOR, FIRE INSPECTOR, EMERGENCY MEDICAL TECHNICIAN OR PARAMEDIC.

~~(d)~~ (d) A teacher or other person employed by any school and the teacher or other employee is on the grounds of a school or grounds adjacent to the school or is in any part of a building or vehicle used for school purposes, any teacher or school nurse visiting a private home in the course of the teacher's or nurse's professional duties or any teacher engaged in any authorized and organized classroom activity held on other than school grounds.

~~(e)~~ (e) A health care worker while engaged in the health care worker's work duties or a health care practitioner who is certified or licensed pursuant to title 32, chapter 13, 14, 15, 17 or 25, or a person summoned and directed by the licensed health care practitioner while engaged in the person's professional duties. This subdivision does not apply if the person who commits the assault does not have the ability to form the culpable mental state because of a mental disability or because the person is seriously mentally ill, as defined in section 36-550.

~~(f)~~ (f) A prosecutor while engaged in the execution of any official duties or if the assault results from the execution of the prosecutor's official duties.

~~(g)~~ (g) A code enforcement officer as defined in section 39-123 while engaged in the execution of any official duties or if the assault results from the execution of the code enforcement officer's official duties.

31

PROPOSITION 31



- (g) (h) A state or municipal park ranger while engaged in the execution of any official duties or if the assault results from the execution of the park ranger's official duties.
- (h) (i) A public defender while engaged in the execution of any official duties or if the assault results from the execution of the public defender's official duties.
- (i) (j) A judicial officer while engaged in the execution of any official duties or if the assault results from the execution of the judicial officer's official duties.
9. If the person knowingly takes or attempts to exercise control over any of the following:
- (a) A ~~first responder's~~ PEACE OFFICER'S or other officer's firearm and the person knows or has reason to know that the victim is a ~~first responder~~ PEACE OFFICER or other officer employed by one of the agencies listed in paragraph 10, subdivision (a), item (i), (ii), (iii), (iv) or (v) of this subsection.
- (b) Any weapon other than a firearm that is being used by a ~~first responder~~ PEACE OFFICER or other officer or that the ~~first responder or other~~ officer is attempting to use, and the person knows or has reason to know that the victim is a ~~first responder~~ PEACE OFFICER or other officer employed by one of the agencies listed in paragraph 10, subdivision (a), item (i), (ii), (iii), (iv) or (v) of this subsection.
- (c) Any implement that is being used by a ~~first responder~~ PEACE OFFICER or other officer or that the ~~first responder or other~~ officer is attempting to use, and the person knows or has reason to know that the victim is a ~~first responder~~ PEACE OFFICER or other officer employed by one of the agencies listed in paragraph 10, subdivision (a), item (i), (ii), (iii), (iv) or (v) of this subsection. For the purposes of this subdivision, "implement" means an object that is designed for or that is capable of restraining or injuring an individual. Implement does not include handcuffs.
10. If the person meets both of the following conditions:
- (a) Is imprisoned or otherwise subject to the custody of any of the following:
- (i) The state department of corrections.
- (ii) The department of juvenile corrections.
- (iii) A law enforcement agency.
- (iv) A county or city jail or an adult or juvenile detention facility of a city or county.
- (v) Any other entity that is contracting with the state department of corrections, the department of juvenile corrections, a law enforcement agency, another state, any private correctional facility, a county, a city or the federal bureau of prisons or other federal agency that has responsibility for sentenced or unsentenced prisoners.
- (b) Commits an assault knowing or having reason to know that the victim is acting in an official capacity as an employee of any of the entities listed in subdivision (a) of this paragraph.
11. If the person uses a simulated deadly weapon.
- B. BEGINNING FROM AND AFTER DECEMBER 31, 2032, a person commits aggravated assault if the person commits assault by either intentionally, knowingly or recklessly causing any physical injury to another person, intentionally placing another person in reasonable apprehension of imminent physical injury or knowingly touching another person with the intent to injure the person, and both of the following occur:
1. The person intentionally or knowingly impedes the normal breathing or circulation of blood of another person by applying pressure to the throat or neck or by obstructing the nose and mouth either manually or through the use of an instrument.
2. Any of the circumstances exists that are set forth in section 13-3601, subsection A, paragraph 1, 2, 3, 4, 5 or 6.
- C. A person who is convicted of intentionally or knowingly committing aggravated assault on a ~~first responder~~ PEACE OFFICER pursuant to subsection A, paragraph 1 or 2 of this section shall be sentenced to imprisonment for not less than the presumptive sentence authorized under chapter 7 of this title and is not eligible for suspension of sentence, commutation or release on any basis until the sentence imposed is served.
- D. It is not a defense to a prosecution for assaulting a peace officer or a mitigating circumstance that the peace officer was not on duty or engaged in the execution of any official duties.
- E. Except pursuant to subsections F and G of this section, aggravated assault pursuant to subsection A, paragraph 1 or 2, paragraph 9, subdivision (a) or paragraph 11 of this section is a class 3 felony except if the aggravated assault is a violation of subsection A, paragraph 1 or 2 of this section and the victim is under fifteen years of age it is a class 2 felony punishable pursuant to section 13-705. Aggravated assault pursuant to subsection A, paragraph 3 or subsection B of this section is a class 4 felony. Aggravated assault pursuant to subsection A, paragraph 9, subdivision (b) or paragraph 10 of this section is a class 5 felony. Aggravated

311

PROPOSITION 311



assault pursuant to subsection A, paragraph 4, 5, 6, 7 or 8 or paragraph 9, subdivision (c) of this section is a class 6 felony.

F. Aggravated assault pursuant to subsection A, paragraph 1 or 2 of this section committed on a ~~first responder~~ PEACE OFFICER is a class 2 felony. Aggravated assault pursuant to subsection A, paragraph 3 of this section committed on a ~~first responder~~ PEACE OFFICER is a class 3 felony. Aggravated assault pursuant to subsection A, paragraph 8, subdivision (a) of this section committed on a ~~first responder~~ PEACE OFFICER is a class ~~4~~ 5 felony unless the assault results in any physical injury to the ~~first responder~~ PEACE OFFICER, in which case it is a class ~~3~~ 4 felony.

G. Aggravated assault pursuant to:

1. Subsection A, paragraph 1 or 2 of this section is a class 2 felony if committed on a prosecutor.
2. Subsection A, paragraph 3 of this section is a class 3 felony if committed on a prosecutor.
3. Subsection A, paragraph 8, subdivision (e) (f) of this section is a class 5 felony if the assault results in physical injury to a prosecutor.

H. For the purposes of this section:

~~1. "First responder" means:~~

~~(a) A peace officer.~~

~~(b) A firefighter, a fire marshal, a fire inspector, an emergency medical care technician or a paramedic who is engaged in the execution of any official duties.~~

~~2. 1. "Health care worker" means:~~

~~(a) A person who is employed by or contracted to work at a health care institution that is licensed pursuant to title 36.~~

~~(b) A person who is employed or contracted to provide health care or related services in a fieldwork setting, including:~~

~~(i) Home health care, home-based hospice and home-based social work, unless the worker is employed or contracted by an individual who privately employs, in the individual's residence, the worker to perform covered services for the individual or a family member of the individual.~~

~~(ii) Any emergency services and transport, including the services provided by firefighters and emergency responders.~~

~~3. 2. "Judicial officer" means a justice of the supreme court, judge, justice of the peace or magistrate or a commissioner or hearing officer of a state, county or municipal court.~~

~~4. 3. "Mental disability" means a disabling neurological condition, or brain injury, or involuntary impairment as a result of a medication that is administered by a health care provider or a medical procedure that is performed at a health care treatment site.~~

~~5. 4. "Prosecutor" means a county attorney, a municipal prosecutor or the attorney general and includes an assistant or deputy county attorney, municipal prosecutor or attorney general.~~

Sec. 5. Title 38, chapter 8, Arizona Revised Statutes, is amended by adding article 4, to read:

#### ARTICLE 4. FIRST RESPONDERS

##### 38-1171. Definitions

IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

1. "FIRST RESPONDER":

(a) HAS THE SAME MEANING PRESCRIBED IN SECTION 13-1204.

(b) INCLUDES A MEMBER OF THE ARIZONA NATIONAL GUARD WHO IS ON STATE ACTIVE DUTY IN THIS STATE AND A CORRECTIONAL OFFICER WHO IS EMPLOYED BY THE STATE DEPARTMENT OF CORRECTIONS.

2. "KILLED IN THE LINE OF DUTY" MEANS KILLED AS THE RESULT OF ANOTHER PERSON'S CRIMINAL ACT WHILE IN THE PERFORMANCE OF THE FIRST RESPONDER'S OFFICIAL DUTIES.

##### 38-1172. State death benefit

IN ADDITION TO ANY OTHER DEATH BENEFIT, BEGINNING FROM AND AFTER JUNE 30, 2025, IF A FIRST RESPONDER IS KILLED IN THE LINE OF DUTY, ON WRITTEN NOTICE TO THE STATE TREASURER FROM THE FIRST RESPONDER'S EMPLOYER THIS STATE SHALL PAY A STATE DEATH BENEFIT OF \$250,000 TO THE FIRST RESPONDER'S SURVIVING SPOUSE. IF THE FIRST RESPONDER DOES NOT HAVE A SURVIVING SPOUSE BUT HAS CHILDREN, THIS STATE SHALL PAY A STATE DEATH BENEFIT OF \$250,000, DIVIDED EQUALLY AMONG THE FIRST RESPONDER'S CHILDREN. THE STATE SHALL PAY THE DEATH BENEFIT WITHIN THIRTY

311

PROPOSITION 311



DAY AFTER RECEIVING THE WRITTEN NOTICE FROM THE FIRST RESPONDER'S EMPLOYER.

38-1173. State supplemental benefit fund

THE STATE SUPPLEMENTAL BENEFIT FUND IS ESTABLISHED CONSISTING OF MONIES DEPOSITED PURSUANT TO SECTION 12-116.12 AND MONIES APPROPRIATED BY THE LEGISLATURE. THE STATE TREASURER SHALL ADMINISTER THE FUND FOR THE PURPOSES SPECIFIED IN SECTION 38-1172. MONIES IN THE FUND ARE CONTINUOUSLY APPROPRIATED. IF AT ANY TIME THE MONIES IN THE FUND EXCEED \$2,000,000 THE LEGISLATURE MAY APPROPRIATE THOSE EXCESS MONIES FOR PEACE OFFICER TRAINING, EQUIPMENT AND OTHER BENEFITS, INCLUDING ASSISTANCE TO FIRST RESPONDERS WHO ARE SERIOUSLY INJURED IN THE LINE OF DUTY AND THE FIRST RESPONDER'S FAMILY.

Sec. 6. Delayed repeal

Title 38, chapter 8, article 4, Arizona Revised Statutes, as added by this act, is repealed from and after December 31, 2032.

Sec. 7. Finding; intent; purpose

A. The people of this state find and declare that:

1. Arizona's first responders are on the front lines for public safety and the peaceful enjoyment of this state's civil society.

2. First responders nationally and in this state have increasingly become targets for criminal assault, causing their injury and death. This has resulted in both heightened early retirements of first responders and difficulty in recruiting new first responders.

B. The intent of this act is to increase the criminal penalties against persons who assault first responders in this state and to increase the death benefits for the families of first responders who are killed in the line of duty in this state.

C. The purpose of this act is:

1. To stem the violence against first responders in this state.

2. To help retain and recruit first responders in this state by better providing for the families of first responders who are killed in the line of duty in this state.

Sec. 8. Severability

If a provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or application of the act that can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

Sec. 9. Short title

This act may be cited as the "Back the Blue Act".

2. The Secretary of State shall submit this proposition to the voters at the next general election as provided by article IV, part 1, section 1, Constitution of Arizona.

311

PROPOSITION 311



**ANALYSIS BY LEGISLATIVE COUNCIL**

Proposition 311 would establish a new state death benefit of \$250,000 to the surviving spouse or children of a first responder who is killed in the line of duty as the result of another person's criminal act. Proposition 311 would establish a \$20 penalty fee on every criminal conviction to provide funding for the new state death benefit. The new state death benefit and penalty fee would begin on July 1, 2025. The state death benefit and penalty fee would be repealed on January 1, 2033.

Beginning on July 1, 2025, the state treasurer would be required to pay the \$250,000 benefit to the surviving spouse of a first responder who is killed in the line of duty within 30 days after being notified of the death by the first responder's employer. If the first responder does not have a surviving spouse, the death benefit would be divided equally among the first responder's children. The state supplemental benefit fund would be established for the penalty fees and administered by the state treasurer. If the monies in the fund exceed \$2,000,000, the Legislature would be allowed to appropriate those excess monies for peace officer training, equipment and other benefits, including assistance to first responders who are seriously injured in the line of duty and the first responder's family. A first responder for purposes of the new state death benefit would be a peace officer, firefighter, fire marshal, fire inspector, emergency medical care technician, paramedic, tribal police officer, national guard member who is on state active duty in Arizona, and correctional officer who is employed by the Arizona Department of Corrections.

Proposition 311 also would increase criminal punishment for committing an aggravated assault against peace officers and would add other first responders as possible victims of this crime. A first responder, for purposes of the increased punishment, would be a peace officer, firefighter, fire marshal, fire inspector, emergency medical care technician or paramedic who is engaged in the execution of any official duties. First responders would also include tribal police officers. If the person knows or has reason to know that the victim of an aggravated assault is a first responder or a person summoned and directed by the first responder, the classification of the crime would increase from a class 5 felony to a class 4 felony. If the aggravated assault results in any physical injury to the first responder, the classification of the crime would increase from a class 4 felony to a class 3 felony. The increased criminal punishment would be repealed on January 1, 2033.

**Notice:** Pursuant to proposition 105 (1998), these measures cannot be changed in the future if approved on the ballot except by a three-fourths vote of the members of each house of the legislature and if the change furthers the purpose of the original ballot measure, by an initiative petition or by referring the change to the ballot.

311

PROPOSITION 311



# ARGUMENTS “FOR” PROPOSITION 311



Arizona's first responders are a vital part of our community. They work hard to keep us safe and make our state a great place to live.

But they are under attack - not just police, but our firefighters and paramedics too. Violent assaults on first responders are happening at record levels. Staffing shortages and rising crime are putting an increased strain on already difficult job.

This won't get any better until the community stands up and says “enough is enough.”

As a lifelong Arizonan and business owner, I know how important these men and women are to our state. It's why I was proud to sign on as chairman of Back the Blue.

Back the Blue will strengthen penalties on criminals who assault our first responders and establish a \$250,000 survivor benefit to be paid to families of first responders who are killed in the line of duty, paid for by a \$20 surcharge on criminal convictions. Best of all, it sends a strong message that Arizona stands with our first responders.

Back the Blue gives us all a chance to show our support for the men and women who keep us all safe. They have our backs - it's time for us to have theirs.

I hope you will join me in voting YES on Proposition 311 to Back the Blue.

**Tom Hatten, Chairman, Back the Blue, Scottsdale**  
*Sponsored by Back the Blue*

Our police and first responders have a difficult job even on the best of days. I don't think I need to tell you that these are not the best days. Every year, we ask them to take on a tougher job with fewer resources and less support. The results aren't surprising: recruitment is down and crime is on the rise.

My husband is a currently active 37 year police officer so I've seen firsthand the toll this takes on our first responders.

Something has to change.

Proposition 311 is a step in the right direction. It tells our first responders that the community has their backs. It protects them directly by increasing penalties on criminals who attack them and it gives them a little extra peace of mind knowing that their families will be taken care of if the worst were to happen.

Please vote YES on Prop 311. Thank you.

**Cynthia Hill, M.Ed.; President and Founder, AZ Law Enforcement Outreach and Support, Scottsdale**  
*Sponsored by Back the Blue*

## Vote YES on Prop 311 - Back the Blue

Right now, police officers across Arizona are working tirelessly to protect you and keep our neighborhoods safe. They are putting their lives on the line to defend yours.

It's an important job, one that we are honored to do. But we need your help.

Political and physical attacks on police are driving good officers away from our state and we aren't able to recruit enough new applicants to replace them. The City of Phoenix alone is over a thousand officers short of our current needs. The men and women of the Phoenix Police Department have done a remarkable job in spite of that but every year it gets harder. And Phoenix isn't the only city facing this crisis - it's affecting multiple departments and agencies in Arizona.

What our officers need most is to know that the community supports them. Prop 311 won't solve all of our problems but it is an important step towards addressing these challenges.

I urge you to vote YES on Prop 311.

**Ben Leuschner, President, Phoenix Police Sergeants and Lieutenants Association, Glendale**  
*Sponsored by Back the Blue*

---

Please offer your strongest support for this Back the Blue measure. As an elected official, I saw the ranks of our police department drop to dangerously low levels because of the attacks on our heroes and their families. This measure says we support our men and women in blue, we support those protecting our families.

Police officer ranks have dropped to dangerously low levels throughout the entire state of Arizona.

We need our police officers and they need us to send a strong message of support.

This measure is extremely simple, it increases penalties on those who attack all first responders, protects the family of the officer if they are killed in action, and requires criminals to fund the expense.

Thank you again. Please help send a strong message to the rest of the state that we back those in blue.

**Sal DiCiccio, Former Phoenix City Councilman, Phoenix**  
*Sponsored by Back the Blue*

---

In jurisdictions all across Arizona, there is a growing shortage of police officers and other first responders. In Phoenix, the shortage is critical. Assaults against police officers and other first responders are becoming more and more frequent while, at the same time, "defund police" rhetoric from radical elements in our society fuels this serious problem. This "Back the Blue" ballot measure will change the narrative in Arizona to reverse this trend, to encourage more police and fire recruits, not fewer. By passing this simple measure, we will clearly demonstrate that, in Arizona, we stand with cops, not criminals.

**Sydney Hay, Scottsdale**

---

311

ARGUMENTS "FOR" PROPOSITION 311

# ARGUMENTS “AGAINST” PROPOSITION 311



Please vote no on Proposition 311. This ballot measure mistakenly shifts away some of the solemn responsibility we owe to fallen first responders by mandating that convicted criminals pay into a death benefit fund. The families of first responders killed while working on our behalf should not rely on the criminal class to help meet their financial needs. The legislature should fund the full death benefit directly in the state budget as a sign of gratitude to those who risk enduring the ultimate sacrifice. Establishing a line item in the budget to fully fund death benefits for first responders is just the right thing to do. Making matters worse, Proposition 311 has legislative language that allows the collected funds to be diverted to other uses under certain circumstances. The political class has demonstrated far too frequently that they can make a million good-sounding reasons why such monies should be redirected to some new urgent issue. Hopefully, a high visibility budget line item might prevent such unscrupulous financial diversions. Asking the families of fallen first responders to accept money from criminals is embarrassing. Reject this ballot measure and let's tell the legislature to do better.

**Kurt Neumann, Pima County, Tucson**

311

# BALLOT FORMAT

## PROPOSITION 311

### REFERRED TO THE PEOPLE BY THE LEGISLATURE RELATING TO FIRST RESPONDERS

#### OFFICIAL TITLE

AMENDING TITLE 12, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 12-116.12; REPEALING SECTION 12-116.12, ARIZONA REVISED STATUTES; AMENDING SECTION 13-1204, ARIZONA REVISED STATUTES; AMENDING SECTION 13-1204, AS AMENDED BY SECTION 3 OF THIS RESOLUTION; AMENDING TITLE 38, CHAPTER 8, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 4; REPEALING TITLE 38, CHAPTER 8, ARTICLE 4, ARIZONA REVISED STATUTES; RELATING TO FIRST RESPONDERS.

#### DESCRIPTIVE TITLE

REQUIRES THE STATE TO PAY \$250,000 TO THE SURVIVING SPOUSE OR CHILDREN OF A FIRST RESPONDER KILLED IN THE LINE OF DUTY. ESTABLISHES STATE SUPPLEMENTAL BENEFIT FUND, WHICH SHALL CONTINUOUSLY BE APPROPRIATED THROUGH A PENALTY FEE ON EVERY CRIMINAL CONVICTION. INCREASES PUNISHMENTS FOR AGGRAVATED ASSAULTS AGAINST FIRST RESPONDERS.

A “yes” vote shall have the effect of requiring the State of Arizona to pay \$250,000, which would be referred to as the State Death Benefit, to the surviving spouse or children of a first responder killed in the line of duty; creating a State Supplemental Benefit Fund to pay the State Death Benefit; increasing criminal punishments for aggravated assaults against peace officers and other first responders; and require a \$20 penalty fee be imposed on every criminal conviction to fund the State Supplemental Benefit Fund. The State Death Benefit, \$20 penalty fee, and increased criminal punishments for aggravated assaults would expire on January 1, 2033.	YES <input type="checkbox"/>
A “no” vote shall have the effect of not requiring the State of Arizona to provide a State Death Benefit for first responders killed in the line of duty.	NO <input type="checkbox"/>



The Two-Tailed Swallowtail Butterfly became the state butterfly of Arizona in 2001. Swallowtails are the largest species of butterflies in the United States. Upon its yellow wings bearing two distinctive tails are seven iridescent blue, rectangular-shaped markings, and two red crescent-shaped marks.

311

# 312 PROPOSITION

Gambel's Quail



## HOUSE CONCURRENT RESOLUTION 2023

### A CONCURRENT RESOLUTION

ENACTING AND ORDERING THE SUBMISSION TO THE PEOPLE OF A MEASURE RELATING TO PROPERTY TAX.

Be it resolved by the House of Representatives of the State of Arizona, the Senate concurring:

1. Under the power of the referendum, as vested in the Legislature, the following measure, relating to property tax, is enacted to become valid as a law if approved by the voters and on proclamation of the Governor:

#### AN ACT

AMENDING TITLE 42, CHAPTER 17, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 9; REPEALING TITLE 42, CHAPTER 17, ARTICLE 9, ARIZONA REVISED STATUTES; RELATING TO PROPERTY TAX.

Be it enacted by the Legislature of the State of Arizona:

Section 1. Title 42, chapter 17, Arizona Revised Statutes, is amended by adding article 9, to read:

#### ARTICLE 9. REFUNDS

##### 42-17451. Refund; failure to abate public nuisance; applicability; definitions

A. NOTWITHSTANDING ANY OTHER LAW, SUBJECT TO SUBSECTION C, PARAGRAPH 3 AND SUBSECTION I OF THIS SECTION, BEGINNING IN TAX YEAR 2025, A PROPERTY OWNER MAY APPLY FOR A REFUND IN AN AMOUNT DETERMINED PURSUANT TO SUBSECTION B OF THIS SECTION IF EITHER OF THE FOLLOWING OCCURS:

1. THE CITY, TOWN OR COUNTY IN WHICH THE REAL PROPERTY IS LOCATED ADOPTS AND FOLLOWS A POLICY, PATTERN OR PRACTICE OF DECLINING TO ENFORCE EXISTING LAWS, ORDINANCES OR OTHER LEGISLATION PROHIBITING ILLEGAL CAMPING, OBSTRUCTING PUBLIC THOROUGHFARES, LOITERING, PANHANDLING, PUBLIC URINATION OR DEFECATION, PUBLIC CONSUMPTION OF ALCOHOLIC BEVERAGES OR POSSESSION OR USE OF ILLEGAL SUBSTANCES AND THE PROPERTY OWNER INCURS DOCUMENTED EXPENSES TO MITIGATE THE EFFECTS OF THE POLICY, PATTERN OR PRACTICE OR THE PUBLIC NUISANCE ON THE PROPERTY OWNER'S REAL PROPERTY.

2. THE CITY, TOWN OR COUNTY IN WHICH THE REAL PROPERTY IS LOCATED MAINTAINS A PUBLIC NUISANCE AND THE PROPERTY OWNER INCURS DOCUMENTED EXPENSES TO MITIGATE THE EFFECTS OF THE POLICY, PATTERN OR PRACTICE OR THE PUBLIC NUISANCE ON THE PROPERTY OWNER'S REAL PROPERTY.

B. THE AMOUNT OF THE REFUND IS EQUAL TO THE DOCUMENTED EXPENSES INCURRED BY THE PROPERTY OWNER THAT WERE REASONABLY NECESSARY TO MITIGATE THE EFFECTS OF THE POLICY, PATTERN OR PRACTICE OR THE PUBLIC NUISANCE ON THE PROPERTY OWNER'S REAL PROPERTY.

##### C. THE REFUND ALLOWED UNDER THIS SECTION:

1. SHALL BE PAID IN THE SAME MANNER PRESCRIBED BY SECTION 42-1118.  
2. NOTWITHSTANDING SECTION 12-1134, SUBSECTION H, IS IN LIEU OF ANY CLAIM FOR MONETARY DAMAGES OR ANY RIGHTS UNDER TITLE 12, CHAPTER 8, ARTICLE 2.1.

3. MAY NOT EXCEED THE AMOUNT THE PROPERTY OWNER PAID FOR THE PRIOR TAX YEAR IN PRIMARY PROPERTY TAXES FOR THE TAX YEAR TO THE AFFECTED CITY, TOWN OR COUNTY. IF THE TOTAL AMOUNT OF THE REFUND DETERMINED PURSUANT TO SUBSECTION B OF THIS SECTION IS MORE THAN THE AMOUNT THE PROPERTY OWNER PAID FOR THE PRIOR TAX YEAR IN PRIMARY PROPERTY TAXES TO THE AFFECTED CITY, TOWN OR COUNTY FOR THE TAX YEAR AND THE REFUND IS ACCEPTED, THE DEPARTMENT SHALL ISSUE THE REFUND FOR THAT TAX YEAR IN AN AMOUNT EQUAL TO THE AMOUNT THE PROPERTY OWNER PAID FOR THE PRIOR TAX YEAR IN PRIMARY PROPERTY TAX TO

312

PROPOSITION 312



THE AFFECTED CITY, TOWN OR COUNTY. THE PROPERTY OWNER MUST APPLY TO THE DEPARTMENT FOR THE REMAINING PORTION OF THE REFUND THE FOLLOWING AND SUCCESSIVE TAX YEARS, AS NEEDED.

D. WITHIN FIFTEEN DAYS AFTER THE DEPARTMENT RECEIVES AN APPLICATION FROM A PROPERTY OWNER FOR A REFUND UNDER THIS SECTION, THE DEPARTMENT SHALL NOTIFY THE AFFECTED CITY, TOWN OR COUNTY. WITHIN THIRTY DAYS AFTER RECEIVING THE NOTICE, THE AFFECTED CITY, TOWN OR COUNTY SHALL ACCEPT OR REJECT THE REFUND AND NOTIFY THE DEPARTMENT OF THAT DETERMINATION. IF THE AFFECTED CITY, TOWN OR COUNTY:

1. ACCEPTS THE REFUND, THE DEPARTMENT SHALL PAY THE REFUND TO THE PROPERTY OWNER PURSUANT TO SUBSECTION C OF THIS SECTION.

2. REJECTS THE REFUND, THE DEPARTMENT MAY NOT PAY THE REFUND TO THE PROPERTY OWNER. THE PROPERTY OWNER MAY FILE A CAUSE OF ACTION IN THE SUPERIOR COURT OF THE COUNTY IN WHICH THE REAL PROPERTY IS LOCATED TO CHALLENGE THE REJECTION OF THE REFUND. THE QUESTIONS OF WHETHER THE PROPERTY OWNER IS ENTITLED TO THE REFUND AND WHETHER THE AMOUNT OF THE REFUND IS REASONABLE ARE JUDICIAL QUESTIONS. IN A CAUSE OF ACTION FILED PURSUANT TO THIS PARAGRAPH:

(a) THE CITY, TOWN OR COUNTY SHALL BEAR THE BURDEN OF DEMONSTRATING THAT ITS ACTIONS ARE LAWFUL OR THAT THE AMOUNT OF THE REFUND IS UNREASONABLE.

(b) THE PROPERTY OWNER IS NOT LIABLE TO THE CITY, TOWN OR COUNTY FOR ATTORNEY FEES OR COSTS.

(c) A PREVAILING PROPERTY OWNER SHALL BE AWARDED REASONABLE ATTORNEY FEES AND COSTS.

3. DOES NOT RESPOND TO THE DEPARTMENT WITHIN THE THIRTY-DAY PERIOD, THE REFUND IS DEEMED ACCEPTED AND THE DEPARTMENT SHALL PAY THE REFUND TO THE PROPERTY OWNER.

E. ON NOTICE FROM THE DEPARTMENT, THE STATE TREASURER SHALL WITHHOLD FROM THE DISTRIBUTION OF MONIES PURSUANT TO SECTION 42-5029, SUBSECTION D TO THE AFFECTED CITY, TOWN OR COUNTY THE RESPECTIVE AGGREGATE AMOUNT OF REFUNDS ISSUED UNDER THIS SECTION. THE STATE TREASURER SHALL CONTINUE TO WITHHOLD MONIES PURSUANT TO THIS SUBSECTION UNTIL THE ENTIRE AMOUNT PROVIDED BY THE DEPARTMENT HAS BEEN WITHHELD. THE STATE TREASURER SHALL CREDIT ANY MONIES WITHHELD PURSUANT TO THIS SUBSECTION TO THE DEPARTMENT AS REIMBURSEMENT FOR ISSUING THE REFUNDS. THE STATE TREASURER MAY NOT WITHHOLD ANY PAYMENTS FOR DEBT SERVICE ON BONDS OR OTHER LONG-TERM OBLIGATIONS OF THE AFFECTED CITY, TOWN OR COUNTY THAT WERE ISSUED OR INCURRED BEFORE THE REFUND WAS ISSUED.

F. THE PROPERTY OWNER MAY NOT BE REQUIRED TO SUBMIT ANY CLAIM AS A PREREQUISITE TO DEMANDING OR RECEIVING JUST COMPENSATION IN THE FORM OF A REFUND PURSUANT TO THIS SECTION.

G. A PROPERTY OWNER MAY APPLY FOR A REFUND UNDER THIS SECTION ONCE PER TAX YEAR.

H. IF THE POLICY, PATTERN, PRACTICE OR PUBLIC NUISANCE REMAINS IN PLACE AFTER THE PROPERTY OWNER APPLIES FOR A REFUND PURSUANT TO THIS SECTION, THE PROPERTY OWNER IS ENTITLED TO ANOTHER REFUND UNDER THIS SECTION IN A SUBSEQUENT TAX YEAR, UNLESS THE AFFECTED CITY, TOWN OR COUNTY AND THE PROPERTY OWNER ENTER INTO A KNOWING AND VOLUNTARY SETTLEMENT, OR THE AFFECTED CITY, TOWN OR COUNTY ENDS THE POLICY, PATTERN OR PRACTICE OR ABATES THE PUBLIC NUISANCE.

I. A PROPERTY OWNER WHOSE REAL PROPERTY IS LOCATED IN THE CORPORATE BOUNDARIES OF A CITY OR TOWN IS ELIGIBLE TO APPLY FOR A REFUND ONLY FROM THAT CITY OR TOWN. A PROPERTY OWNER WHOSE REAL PROPERTY IS LOCATED IN AN UNINCORPORATED AREA OF A COUNTY IS ELIGIBLE TO APPLY FOR A REFUND ONLY FROM THAT COUNTY.

J. EXCEPT FOR ANY RIGHTS UNDER TITLE 12, CHAPTER 8, ARTICLE 2.1 THAT ARE

312

PROPOSITION 312

FULLY WAIVED BY RECEIVING A REFUND UNDER THIS SECTION PURSUANT TO SUBSECTION C, PARAGRAPH 2 OF THIS SECTION, THE REMEDY ESTABLISHED BY THIS SECTION IS IN ADDITION TO ANY OTHER REMEDY THAT IS PROVIDED BY THE LAWS AND CONSTITUTION OF THIS STATE OR THE UNITED STATES AND IS NOT INTENDED TO MODIFY OR REPLACE ANY OTHER REMEDY.

K. THE DEPARTMENT SHALL PRESCRIBE THE PROCEDURE AND FORM REQUIRED TO ADMINISTER THIS SECTION.

L. THIS SECTION DOES NOT APPLY TO:

1. DECISIONS BY CITY, TOWN OR COUNTY AUTHORITIES TO EXERCISE PROSECUTORIAL DISCRETION NOT TO PROSECUTE ALLEGED OFFENDERS IF THE DECISIONS ARE MADE ON A CASE-BY-CASE BASIS AND THE JUSTIFICATIONS FOR EACH DECISION ARE PUBLISHED ON A MONTHLY BASIS BY THE CITY, TOWN OR COUNTY.

2. ACTS OF EXECUTIVE CLEMENCY.

3. ACTS OR OMISSIONS TAKEN PURSUANT TO SECTION 26-303.

4. ACTS OR OMISSIONS MANDATED BY FEDERAL LAW.

M. FOR THE PURPOSES OF THIS SECTION:

1. "AFFECTED CITY, TOWN OR COUNTY" MEANS A CITY, TOWN OR COUNTY IN WHICH A PROPERTY OWNER IS APPLYING FOR A REFUND PROVIDED UNDER THIS SECTION.

2. "PROPERTY OWNER" MEANS THE HOLDER OF FEE TITLE TO THE REAL PROPERTY.

Sec. 2. Delayed repeal

Title 42, chapter 17, article 9, Arizona Revised Statutes, as added by this act, is repealed from and after December 31, 2035.

Sec. 3. Legislative intent

The legislature intends that a city, town or county prioritize the funding of public health and safety services from monies received pursuant to section 42-5029, subsection D, Arizona Revised Statutes.

2. The Secretary of State shall submit this proposition to the voters at the next general election as provided by article IV, part 1, section 1, Constitution of Arizona.

312

PROPOSITION 312



**ANALYSIS BY LEGISLATIVE COUNCIL**

Beginning in tax year 2025 through tax year 2035, Proposition 312 would allow a property owner to apply for a refund once per tax year of the documented, reasonable expenses incurred to mitigate the effects of a city, town or county:

1. Maintaining a public nuisance on the property owner's real property or

2. Adopting and following a policy, pattern or practice that declines to enforce existing laws prohibiting illegal camping, obstructing a public thoroughfare, loitering, panhandling, urinating or defecating in public, consuming alcoholic beverages in public or possessing or using illegal substances and the property owner incurs documented expenses to mitigate the effects of the policy, pattern, practice or public nuisance on their real property.

Proposition 312 would require a property owner to apply to the Arizona Department of Revenue to initiate the refund process. The property owner would be eligible for a refund from the city or town in which their real property is located or from the county in which their real property is located if the real property is located in the unincorporated area of the county. After receiving the refund application, the department would notify the appropriate city, town or county, which would accept or reject the refund. If the refund is accepted or unacknowledged for at least 30 days, the department would pay the refund. If the refund is rejected, the property owner would be eligible to file a cause of action for a court to determine whether the property owner is entitled to the refund and whether the amount of the refund is reasonable.

Proposition 312 would set the refund amount as the documented, reasonable expenses that the property owner incurred to mitigate the effects of the policy, pattern or practice or the public nuisance on their real property. However, if the refund amount is more than the amount the property owner paid in primary property taxes on the real property for the prior tax year, the refund for that tax year would be limited to the amount paid in primary property taxes to the city, town or county, and the property owner must reapply in subsequent tax years to receive the remaining balance of the refund. Additionally, if a public nuisance or policy, pattern or practice remains in place, the property owner would be eligible to apply for another refund in a subsequent tax year, unless the property owner entered into a settlement with the city, town or county.

Proposition 312 would require the state treasurer to withhold the refund amount from monies otherwise due to the appropriate city, town or county from transaction privilege tax revenues and credit that amount to the Department of Revenue as reimbursement for the refunds issued.

A property owner who receives a refund would waive their rights under the Private Property Rights Protection Act, which prohibits a government from taking private property without just compensation, but the property owner could pursue other remedies provided in Arizona law, the Arizona Constitution or the United States Constitution.

Finally, refunds would not apply to case-by-case, published decisions of city, town or county authorities that exercise prosecutorial discretion not to prosecute alleged offenders, acts of executive clemency, acts or omissions taken during a state of emergency or acts or omissions required by federal law.

**Notice:** Pursuant to proposition 105 (1998), these measures cannot be changed in the future if approved on the ballot except by a three-fourths vote of the members of each house of the legislature and if the change furthers the purpose of the original ballot measure, by an initiative petition or by referring the change to the ballot.

312

PROPOSITION 312

# ARGUMENTS “FOR” PROPOSITION 312



Sadly, Arizona has seen a massive surge in criminal activities associated with homelessness. These crimes include assault, vandalism, and the selling of illicit drugs, particularly fentanyl. Unfortunately, the response from cities such as Phoenix and Tucson has been a refusal to enforce the law. In fact, Phoenix’ inaction resulted in the largest homeless encampment in the country, the Zone in downtown Phoenix, in which crime and health issues were so rampant the city had to be sued to clean it up.

The result of this refusal to enforce the law is that homeowners and business owners have not only been forced to pay for mitigation efforts themselves, they’ve also seen their property values plummet. Prop 312 remedies this situation by giving property owners back their tax dollars when cities fail to use those funds for their intended purpose: to protect residents from crime. Not only will this greatly help those most impacted by the homeless epidemic, it will also encourage municipalities to use our tax dollars appropriately.

Please vote “YES” on Prop 312.

**Victor Riches, President & CEO, Goldwater Institute, Phoenix**

---

I am writing this comment in support of Prop 312 as a private citizen, not in my official capacity as Gilbert Town Councilman. Prop 312 is a common sense, practical solution that helps businesses and property owners at a time when they desperately need it. Due to local government failure, many property and business owners have been left to take matters into their own hands to keep their employees safe, keep their doors open, or simply to keep their homes and businesses clean.

The homeless crisis in Arizona has created inhumane conditions for individuals who are forced to live on the streets. I work hard to make sure that Gilbert does not have a “Zone” situations like Phoenix but as homelessness continues to be an issue in the Valley, encampments are sure to spread to other metro cities.

Prop 312 will have no effect on municipalities who do their job in addressing the homelessness issue. In fact, Prop 312 encourages municipalities to continue finding solutions to these complex and difficult issues. That why I support Prop 312.

**Jim Torgeson, Town Councilman, Gilbert Arizona (in his personal capacity), Mesa**

---

My husband, Joe, and I have owned and operated Old Station Sub Shop off Jefferson for almost four decades. For over thirty years we were able to successfully run our business and provide for our customers without fearing for our customers, employees, or our own safety as well as the livelihood of our business. That all changed the day the first tent came up in ‘The Zone.’ Due to the city of Phoenix creating and maintaining the nuisance that was ‘The Zone’, we had no clue what to expect when we would drive into work every morning. Many days we would arrive to our shop having been broken into and vandalized, people passed out or overdosed on our patio, urine and feces scattered across our parking lot and entryway, and a fear that we would never be able to get out of this nightmare situation. This financial loss is nothing in comparison to the mental and emotional toll this has taken on me and my husband. This is why we are asking you to please Vote YES for PROP 312. Even after the court ordered the City of Phoenix to clean up the ‘Zone’ there was nothing that could compensate us for the loss in property value nor the mitigation expenses our small business endured. All the while we paid taxes for public health and safety services we did not receive. We now live in continual fear that the City of Phoenix will let another ‘Zone’ happen again. Prop 312 gives us hope that not only will the City of Phoenix not allow another ‘Zone’ to happen, but if so, there would be some compensation for small businesses like ours.

Join us in voting YES for Prop 132.

**Debbie & Joe Faillace, Former Owners, Old Station Sub Shop, Phoenix**  
*Sponsored by Goldwater Institute*

The Flagstaff Chamber of Commerce urges you to vote YES on Prop 312 to protect property rights. It is no secret that the homeless issue has been spreading in our state. No longer is it just Tucson and Phoenix struggling with this problem. However, many cities are turning a blind eye towards it and failing to enforce laws and ordinances designed to protect both homeowners and the homeless. When the cities stop providing public health and safety services, everybody loses. This measure simply allows property owners to get a refund for expenses they have incurred due to a city's purposeful failure to do its job. Please vote YES on Prop 312.

**Joe Galli, Senior Advisor Public Policy, Greater Flagstaff Chamber of Commerce, Flagstaff**  
*Sponsored by Greater Flagstaff Chamber of Commerce*

---

Our America urges you to vote YES on proposition 312 to keep our neighborhoods safe! Our vision is to ensure that all Arizonans take pride in their communities, where people have safer streets, and brighter futures so Americans can pursue the American dream.

Unfortunately, city policies which hamstring vital agencies such as public health and safety, only hurt its community members. Arizona saw the horrors that transpired in Phoenix's 'the zone'. An area in which the city not only turned a blind eye to, but instituted policies which encouraged homeless encampments, drug use, and violent crime. The courts finally intervened and made the city clean up the zone, but nothing helped compensate the property owners who faced damages from it nor gave justice to any of the individuals who were victims of crimes within the zone.

Prop 312 gives property owners the ability to hold their city officials accountable to not only provide protections to ensure safe neighborhoods but to also allow police and fire to do their jobs, without politics getting in the way.

Vote YES for safer Arizona communities, vote YES on Proposition 312!

**Paul Parisi Sr., Our America Arizona Grassroots Director, Our America, Oro Valley**  
*Sponsored by Our America*

---

As a Tucson small business owner, I can attest firsthand how the failure of local governments to enforce laws and provide public health and safety services can be catastrophic for our communities. Increases in crime means that stores get less foot traffic and often results in both businesses and homeowners having to take on additional security expenses. All while still paying taxes to a city who is failing to protect us or provide the services it promised us. That's just wrong. People should feel safe knowing that the investment they make in Arizona is protected, regardless of if that is a business or home. Cities need to stop prioritizing the rights of criminals over the rights of law-abiding property owners. That's why I am voting yes for PROP 312.

-Grant Krueger, Union Hospitality Group

**Grant Krueger, Owner, Union Hospitality Group, Tucson**

---

Cities, towns, and counties across the state are failing or refusing to enforce their own ordinances to protect our communities from the health and safety threats posed by homeless encampments and other public nuisances. For example, the City of Phoenix neglected cleaning up a homeless encampment called "The Zone" rife with violence and drugs, until they were sued, and a judge compelled them to.

Allowing these dangerous encampments to persist harms and endangers surrounding property owners in these cities and towns. Graffiti on walls, broken windows and property, and public defacements that make the area unsafe. To stay in business, or maintain the security of their own homes, property owners are the ones who incur expenses to protect their businesses and homes.

Property owners pay taxes for the services the city is obligated but failing to provide – ensuring public safety. Currently there is no recourse for these property owners. Prop 312 provides a mechanism for property owners to be reimbursed for the expenses and damages they incurred due to the city's negligence. This will not only justly make property owners whole but will incentivize cities to do their job – protecting the safety and welfare of its residents and businesses.

Vote YES on Prop 312!

**Scot Mussi, President, Arizona Free Enterprise Club, Gilbert**

*Sponsored by Arizona Free Enterprise Club*

---

The Tucson Crime Free Coalition supports Prop 312, and we urge you to vote YES. We are a non-partisan coalition of over 7,000 business owners and individuals in Tucson and Pima County. We are tired of being victimized as we have watched our beautiful city become overrun with lawless behavior such as theft, rampant open drug use, vandalism, break ins and prevalent “urban camping” by individuals that are choosing a lifestyle of living on the streets. Citizens fear for the safety of their family, business owners fear for the safety of their employees and customers. Some businesses have even been forced to close.

As a result, citizens, property owners and business owners have been saddled with the enormous financial burden of paying for repairs to property, replacement costs of stolen goods and higher costs of goods and services. These expenses also include costs to upgrade surveillance systems, fencing and even hiring private security. We call these expenses the CRIME TAX.

This has all happened while the elected officials in this area have shown a lack of leadership, a complete dereliction of duty, and an unwillingness to address these issues. All of this is despite years of community members trying to work with our elected officials to help find real solutions to no avail.

Prop 312 will give Arizonans the ability to finally hold their elected officials accountable. It will also give much needed relief to the business and property owners who have had to struggle through this crisis alone for far too long.

Vote YES on Prop 312 to put an end to the lawlessness.

**Kevin Daily, Steering Leader, Tucson Crime Free Coalition, Tucson; Monica Carlson, Steering Leader, Tucson Crime Free Coalition, tucson; and Josh Jacobsen, Steering Leader, Tucson Crime Free Coalition, Tucson**

*Sponsored by Tucson Crime Free Coalition*

---

Tucson’s Mayor and Council has allowed lawlessness to become the norm in Tucson. They have allowed Tucson’s police force to dwindle to dangerously low levels, which has resulted in the inability of the police to respond to most property crimes and trespassing complaints.

As a property owner, my tenants and I are bearing the brunt of this out of control lawlessness. At one commercial property I have spent over One Hundred Thousand dollars to install rod iron fencing to keep the homeless from occupying my property. When a homeless campsite is abandoned, my maintenance personnel must clean up a huge mess, which usually includes hazardous drug paraphernalia and human waste.

I have had to remove electrical boxes and hose bibs to prevent the theft of these services. At another property, because a water faucet was locked, a homeless person took a large rock and broke the entire faucet from the building, which resulted in the cost to repair, but also the loss of hundreds of gallons of water.

Another property had an air conditioner compressor situated on the ground. The homeless, in an attempt to steal copper, cut the freon line and pried the top open to remove the copper wire. The unit was ruined and the cost to replace was over \$13,800.00. Broken storefront/door glass is at epidemic levels.

In at least two instances, tenants and a contractor have been threatened by a homeless person with a knife.

The lack of law enforcement is creating a “CRIME TAX”, that is being paid by the citizens of Tucson, in addition to taxes that we pay for police enforcement of existing laws. Proposition 312 is a fair solution and will incentivize elected officials to enforce our laws. We must again enforce our laws!

**Richard Rodgers, Tucson**

When cities neglect to enforce ordinances against homeless encampments and public nuisances, it's the property owners who suffer the consequences. They face the burden of protecting their homes and businesses, often at great expense. This measure proposes a fair solution: allowing affected property owners to recoup some of those costs through a refund of their property taxes.

Property taxes are intended to fund essential services, including law enforcement, which plays a crucial role in safeguarding communities from crime and degradation. When cities fail to fulfill their duty to uphold ordinances and maintain public order, they essentially breach their contract with taxpayers. As a result, property owners are left to fend for themselves against the adverse effects of neglected encampments and nuisances.

By offering property tax refunds to affected property owners, this measure not only provides relief to those who bear the brunt of city negligence but also serves as a mechanism to hold municipalities accountable. It sends a clear message that cities must fulfill their obligations to maintain public safety and order. Furthermore, it incentivizes local governments to proactively address issues like homelessness and public nuisances rather than turning a blind eye to them.

Ultimately, this measure promotes fairness and accountability in the relationship between cities and their taxpayers. It ensures that property owners are not unfairly burdened by the consequences of municipal inaction and encourages cities to fulfill their responsibilities in protecting their communities. Please vote YES on HCR2023.

**Andrew Adams, Gilbert Citizen, Gilbert**

*Sponsored by LD14GOP*

---

As a member of a city council, I know how an increase in the homeless population impacts residents and businesses. This crisis has affected countless lives and livelihoods, and cost tens of millions of dollars- including tax dollars and the costs to property and business owners who are trying to provide for their families and help grow our economy.

Prop 312 can provide needed relief and helps compensate property and business owners who have been forced to bear this burden. Prop 312 incentivizes cities to enforce existing laws regarding illegal camping, loitering, pollution, and other nuisances. In cities that fail to enforce these laws and ordinances, Prop 312 can help compensate the property owners that have experienced financial loss through no fault of their own.

Please support Prop 312.

Jim Waring (member of the Phoenix City Council writing as a concerned citizen)

**James Waring, Scottsdale**

---

The Arizona Restaurant Association urges you to support Proposition 312. Our restaurant industry is crucial to Arizona's economy, providing jobs, contributing to local commerce, and supporting our communities. However, we face significant challenges due to rampant vagrancy, vandalism, and theft. When individuals loiter, take drugs, or camp illegally near our establishments, it creates an unsafe environment for both customers and employees. This leads to a decline in business, higher employee turnover, and increased operational costs.

These issues stem from local governments failing to enforce laws designed to keep our communities safe. As a result, restaurants have had to spend their own money on security measures, cleaning hazardous waste, and repairing damage—costs that should be covered by the taxes we already pay.

Proposition 312 offers a solution. It allows property owners to claim a refund on their property taxes for expenses incurred due to the government's inaction on enforcing these laws. Additionally, it holds municipalities accountable by deducting these refunds from their state-shared revenue. This proposition also permits property owners to roll over any unused refund for up to ten years, providing long-term relief.

Supporting Proposition 312 means supporting a safer, more secure environment for our restaurant industry. It ensures that local governments fulfill their responsibilities, protecting businesses, employees, and patrons alike. By voting for Proposition

312, you help us build a thriving, prosperous Arizona where businesses can flourish without bearing the undue burden of city negligence.

Please stand with your favorite local restaurant and vote YES on Proposition 312. Let's hold our local governments accountable and create a safer, more vibrant community for everyone.

**Steve Chucri, President & CEO, Arizona Restaurant Association, Paradise Valley**  
*Sponsored by Arizona Restaurant Association*

---

Without public safety, we cannot have prosperity.

Safe neighborhoods and law and order are vital to our quality of life and our economy in Arizona. Proposition 312 helps keep things that way and aims to stem the tide of increased homelessness.

Under Prop. 312, a property owner can apply for a tax refund if the government fails to enforce basic laws regarding illegal camping, obstructing public thoroughfares, loitering, panhandling, public urination, and possessions of illegal substances. The fact is, if these laws are not enforced, property owners pay the price in the form of increased security and upkeep costs and, ultimately, lower property values.

Over the last several years, we've seen a dramatic spike in homelessness. This is both a humanitarian and a public safety crisis. A recent study by the non-partisan Common Sense Institute found that over the last three years, Arizona's homeless population has increased nearly 30%. In total, we are spending more than \$1 billion a year as a state addressing it, according to the study.

Prop. 312 adds accountability. Unfortunately, too often basic laws are not being enforced. In other cities, this has led to increased homelessness and crime spiraling out of control.

We can't let that happen in Arizona.

Prop. 312 helps ensure we don't face some of the problems major cities like Portland, San Francisco and Los Angeles have experienced, and I encourage you to join us in voting "Yes."

**Danny Seiden, President & CEO, Arizona Chamber of Commerce and Industry, Phoenix**

---

Arizonans deserve safe neighborhoods and a strong economy. Those start with enforcing the law.

Sadly, we've seen the opposite approach in some big cities, especially in California. There, lawlessness has taken hold because the law isn't being enforced.

Proposition 312 is about accountability. Hardworking Arizonans expect a return on what they pay in taxes, like safe streets. They also deserve a refund when the government doesn't meet its obligations.

We can no longer turn a blind eye to the homeless encampments that flourish in part of our state. Too often, property owners have been left to fend for themselves, installing fences, hiring security, and cleaning up garbage and even human waste. Something must be done.

Local small business owners are the driving force behind this initiative. Some have been hit hard because customers do not want to go near areas close to homeless camps. It's just not fair to them or their customers.

I hope you will join me in voting "Yes" on Proposition 312, so we can hold government accountable and work to stop the homelessness crisis.

Rachel Mitchell, Maricopa County Attorney

**Rachel Mitchell, Maricopa County Attorney, Phoenix**



## ARGUMENTS “AGAINST” PROPOSITION 312

Many of us are one paycheck or one hard-earned month’s rent away from needing to pitch a tent ourselves. Prop 312 tries the “out of sight, out of mind” approach to people who have fallen on hard times, which is punitive without being effective. Its implications and likely impact are inhumane and do less than nothing to address the issue of people experiencing homelessness. Instead, it criminalizes people who have nowhere to go and no reliable means to survive.

Punishing cities and counties financially when the courts are stopping them from enforcing local laws would lead to a cycle of diminished revenue, making it even harder to assist or relocate the homeless, not to mention the impact on other local services and law enforcement. Ever heard the saying, “the beatings will continue until morale improves?” Why would we try to force cities to do something they can’t do, then punish them for not being able to do it?

Prop 312 was written by the hard-right anti-government Goldwater Institute without regard for its likely illegality. Arizona taxpayers will foot the bill for the inevitable parade of lawsuits, since a Ninth Circuit Court of Appeals ruling from 2018 held that cities cannot enforce anti-camping ordinances if they do not have enough shelter beds available for their homeless population.

We hope the next legislature will have the vision and will to address the underlying causes that force our fellow Arizonans into the broiling streets, and will take real steps to help those experiencing homelessness to gain their bearings and find homes to call their own. Until then, we strongly urge voters to overwhelmingly reject this inhumane and counterproductive measure.

**Catherine Sigmon, Co-Founder, Civic Engagement Beyond Voting, Tempe and Melinda Iyer, Co-Founder & Policy Director, Civic Engagement Beyond Voting, Phoenix**

---

Lutheran Social Services of the Southwest (LSS-SW) opposes Proposition 312, a ballot proposition from the Arizona Legislature that would affect tax revenues available to address homelessness in the community.

LSS-SW is a nonprofit social service organization that stabilizes people during crisis and transition, builds a foundation where people can thrive, and preserves dignity and respect for the most vulnerable.

We provide direct services to people experiencing homelessness, and we advocate for solutions to this pressing problem, including increasing availability of affordable housing, and access to shelter and resources.

Proposition 312 would allow individual taxpayers to request property tax refunds if property owners believe the value of their property was reduced, or if they had to pay to address any public “nuisance issues” from people experiencing homelessness. It is intended to focus on “enforcement” of laws that are currently barred under court injunctions and orders.

LSS-SW believes that Proposition 312 would not benefit the community, its businesses or taxpayers. Rather, loss of tax revenue could reduce the limited resources needed to address the issues this proposition aims to solve. Enforcement of Prop 312 would be difficult and costly. Moreover, the proposition would minimize the dignity and respect that all people deserve.

LSS-SW understands that this is a multifaceted issue. We believe that everyone deserves to feel safe, operate businesses, and live in their homes with a sense of peace and security. LSS-SW also affirms all people, regardless of their housing status, have value and are worthy of respect.

**Connie Phillips, President and CEO, Lutheran Social Services of the Southwest, Phoenix and Alan Field, Chair of Advocacy Committee, Lutheran Social Services of the Southwest, Phoenix**

---

Opportunity Arizona strongly opposes Prop. 312, and we urge all Arizonans to VOTE NO on this proposal that seeks to criminalize unhoused individuals, and hand out tax giveaways to rich and corporate property owners.

Evictions continue to hit record levels in our state, and Arizona currently has the fourth-highest percentage of people experiencing homelessness nationwide. Aside from being cruel, untested, and fiscally irresponsible, this proposal will worsen

Arizona's housing and homelessness crisis, widen our ever-expanding wealth gap, and deepen the state's revenue crisis, hurting our state's economy and all of our daily lives.

A majority of Arizonans believe our lawmakers should be working to lower rents and mortgages, increase our supply of affordable housing, and make a level playing field for hardworking Arizonans to lift themselves out of housing insecurity and homelessness. Arizonans do NOT believe in handing out tax breaks to the rich that low and middle-income families won't benefit from. VOTE NO on Prop. 312 and help ensure that cities, towns, and counties across our state continue to have the resources they need to address the issues most important to Arizonans.

**Ben Scheel, Executive Director, Opportunity Arizona, Phoenix**  
*Sponsored by Opportunity Arizona*

---

Fuerte Arts Movement and the Rent is Too High campaign stand against Proposition 312. This proposition is fiscally irresponsible and an inhumane approach to our current housing needs for both housed and homeless Arizonans.

People experiencing homelessness are our neighbors. Targeting them with police eliminates a homeless individual's paths to stability, health, gainful employment, and housing opportunities. Criminalization reduces their chances of ever escaping the cycle of homelessness. A Seattle study found that individuals with legal fund debt experienced homelessness for an additional 22 months compared to their counterparts without debt. Prison beds are not homes and this proposition would strip our already underserved homeless populations of critical support and cut funding for permanently affordable housing that lifts up our communities and keeps families off the streets.

Additionally, this tax giveaway would reward the out-of-state equity firms which created our housing crisis through hoarding homes and inflating rental prices. With 32% of homes on the rental market in Arizona, that is a large chunk of money withheld from stagnating city and state budgets. This tax giveaway would strip cities of support for the homeless, but also our parks, roads, firefighters, and other essential city services.

Prop 312 would further reduce the availability of services that support our unhoused neighbors getting back on their feet. Criminalizing someone experiencing eviction and housing insecurity is not only cruel, but also the wrong approach to fixing the housing crisis and solving homelessness in Arizona. Evidence-based solutions include investing in increased shelter bed capacity with a Housing First model, building Permanent Supportive Housing, and removing barriers to naturally affordable housing. The cities and legislators working to get Proposition 312 passed are attempting to wash their hands of their responsibility to create evidence-based and humane solutions.

We oppose Proposition 312 and ask voters to vote no.

**Dominique Medina, Deputy Director, Chair of Advocacy and Campaigns, Fuerte Arts Movement, Phoenix**  
*Sponsored by Fuerte Arts Movement*

---

Prop 312 will dramatically worsen Arizona's housing crisis, which has been impacting almost every Arizonan for years. In a time where too many Arizonans are experiencing homelessness, can't afford rent, or are priced out of the housing market, this law will take funds away from our local governments to do more to make housing more affordable for us all in order to hand out irresponsible tax breaks to wealthy homeowners and criminalize unhoused individuals.

The special-interest proponents of this policy have described Prop 312 as the "first-in-the-nation", leaving us to be a testing ground for the mass policing and incarceration of unhoused Arizonans if this proposal passes. Prop 312 will create a messy and expensive law and process where property owners can apply for a property tax refund if local governments do not police and arrest unhoused individuals.

Arizona's elected officials at every level of government must be taking action to lower rent prices, make home-buying affordable, and ensure people experiencing homelessness are able to find a roof over their head. Instead, with Prop 312, elected officials have put forth to voters a cruel, untested, and ineffective response to the most important issue to so many Arizonans.

The majority of Arizonans want to see our elected officials invest in creating housing supply, eviction and foreclosure prevention, and first-time homebuyer programs. Most of all, the majority of us believe that unhoused individuals are still our fellow Arizonans. That is why I urge you to vote ‘No’ on Prop 312.

**Alejandra Gomez, Executive Director, Living United for Change in Arizona, Phoenix**  
*Sponsored by Living United for Change in Arizona (LUCHA)*

---

The ACLU of Arizona is a non-partisan, civil rights and liberties organization committed to protecting the rights of all Arizonans. The ACLU of Arizona urges a NO vote on Proposition 312.

Proposition 312 criminalizes homelessness, forces cities and towns to act in ways that violate the rights of unhoused people, allows corporations to avoid paying taxes, and threatens the financial well-being of our state. Furthermore, it will worsen Arizona’s housing crisis by reducing resources available to fund housing assistance, infrastructure, and public health programs, all of which have proven effective in addressing housing instability.

Arizona’s homelessness crisis is due to a lack of affordable housing. Punishing people for sleeping in public or asking for money will only drive them further into poverty and away from resources and services that provide assistance.

Proposition 312 forces cities, towns, and counties to enforce unconstitutional laws prohibiting panhandling or requiring the seizure of personal property. In addition, Proposition 312 reduces the tax revenue that towns, cities, and counties may collect from property owners if they claim the municipality is not properly enforcing public nuisance laws. It opens the door for municipalities to face exorbitant court fees and administrative costs – expenses that would likely result in cuts to basic services many Arizonans depend on.

Proposition 312 simultaneously incentivizes local governments to weaponize laws against unhoused people and disincentivizes property owners to pay their fair share of taxes. This dangerous combination will only exacerbate dire situations in communities across the state and drain limited financial resources that could instead be applied to solutions.

Everyone deserves a safe, dignified place to live. Unfortunately, Proposition 312 will not address, but escalate, the systemic problems that lead to increases in homelessness in Arizona. Vote NO on Proposition 312.

**Scott Greenwood, Executive Director, ACLU of Arizona, Phoenix**  
*Sponsored by ACLU of Arizona*

---

312

# BALLOT FORMAT

## PROPOSITION 312

### REFERRED TO THE PEOPLE BY THE LEGISLATURE RELATING TO PROPERTY TAX

**OFFICIAL TITLE**

AMENDING TITLE 42, CHAPTER 17, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 9; REPEALING TITLE 42, CHAPTER 17, ARTICLE 9, ARIZONA REVISED STATUTES; RELATING TO PROPERTY TAX.

**DESCRIPTIVE TITLE**

PROPERTY OWNERS MAY APPLY FOR A TAX REFUND FOR EXPENSES INCURRED DUE TO A GOVERNING AUTHORITY'S FAILURE TO ENFORCE CERTAIN PUBLIC NUISANCE LAWS ON OR NEAR THE OWNER'S REAL PROPERTY. THE REFUND MAY NOT EXCEED THE AMOUNT THE PROPERTY OWNER PAID FOR THE PRIOR TAX YEAR IN PRIMARY PROPERTY TAXES.

A “yes” vote shall have the effect of establishing the right to apply for a refund from a property owner’s most recent property tax payment up to an amount that matches costs incurred by the property owner to mitigate the effects of a governing authority’s repeated failure to enforce laws and ordinances prohibiting illegal camping, loitering, obstructing public thoroughfares, panhandling, public urination or defecation, public consumption of alcoholic beverages, and possession or use of illegal substances. If the documented costs exceed the amount of the most recent property tax bill, the property owner would be permitted to apply for a refund from their next property tax payment(s) to cover the balance of the initial claim. Property owners would be eligible annually for refunds until the taxing entity begins enforcing the relevant public nuisance laws.

**YES**

A “no” vote shall have the effect of retaining the current primary property tax payment laws and regulations.

**NO**



With its distinctive plume of feathered headgear, Gambel's Quail (*Callipepla gambelii*) is easy to spot near Arizona's mesquite springs and mountain foothills — and as far away as the Hawaiian Islands, where a few were introduced during the 1900s.


**PROPOSITION 313**

Ponderosa Pine

**SENATE CONCURRENT RESOLUTION 1021****A CONCURRENT RESOLUTION**

ENACTING AND ORDERING THE SUBMISSION TO THE PEOPLE OF A MEASURE RELATING TO SENTENCING.

Be it resolved by the Senate of the State of Arizona, the House of Representatives concurring:

1. Under the power of the referendum, as vested in the Legislature, the following measure, relating to sentencing, is enacted to become valid as a law if approved by the voters and on proclamation of the Governor:

**AN ACT**

AMENDING TITLE 13, CHAPTER 7, ARIZONA REVISED STATUTES, BY ADDING SECTION 13-720;  
RELATING TO SENTENCING.

Be it enacted by the Legislature of the State of Arizona:

Section 1. Title 13, chapter 7, Arizona Revised Statutes, is amended by adding section 13-720, to read:

13-720. Child sex trafficking; felony; natural life; sentencing

NOTWITHSTANDING ANY OTHER LAW, IF A PERSON IS CONVICTED OF A CLASS 2 FELONY FOR CHILD SEX TRAFFICKING PURSUANT TO SECTION 13-3212, THE PERSON SHALL BE SENTENCED TO IMPRISONMENT IN THE CUSTODY OF THE STATE DEPARTMENT OF CORRECTIONS FOR NATURAL LIFE. A PERSON WHO IS SENTENCED TO NATURAL LIFE IS NOT ELIGIBLE FOR ANY FORM OF RELEASE.

2. The Secretary of State shall submit this proposition to the voters at the next general election as provided by article IV, part 1, section 1, Constitution of Arizona.

**ANALYSIS BY LEGISLATIVE COUNCIL**

Under current law, child sex trafficking is classified as a class 2 or a class 5 felony. Depending on the age of the victim, the nature of the offense and whether a person has previously been convicted of child sex trafficking or certain other felonies, a person who is convicted of a class 2 felony for child sex trafficking may serve a sentence that ranges from a minimum of seven years in prison to the remainder of the person's natural life without any form of release.

Proposition 313 would require a person who is convicted of a class 2 felony for any child sex trafficking offense to serve a prison sentence for the remainder of the person's natural life and make the person ineligible for any form of release.

**Notice:** Pursuant to proposition 105 (1998), these measures cannot be changed in the future if approved on the ballot except by a three-fourths vote of the members of each house of the legislature and if the change furthers the purpose of the original ballot measure, by an initiative petition or by referring the change to the ballot.

313

PROPOSITION 313

# ARGUMENTS “FOR” PROPOSITION 313



I am a wife, mother, and protector of our children. The passage of Proposition 313 will send a powerful message: Arizona's children are not for sale. If you buy or sell our minor children, you are going to prison for natural life. It is time to hold criminals accountable for trafficking minor children.

Every two minutes a child from the United States is trafficked for the sole purpose of human exploitation. According to the Arizona Attorney General's Office, the average age of entry into sex trafficking is 14 years old. Traffickers steal our children as young as five years old to sell them into a life of misery and despair. It doesn't matter if they are boys or girls. These adolescents lose everything to be thrown into the sex trade business. They are removed from their families and often sold over and over and forced to perform unspeakable acts. With the rise of social media and internet capabilities, these same innocent children often have an internet presence against their own will where predators share and sell their images and videos repeatedly across the Dark Web.

Child sex trafficking is a form of child abuse that occurs when a child under 18 is advertised, solicited, or exploited through a commercial sex act.

Child sex trafficking occurs among all socioeconomic classes, races, ethnicities, and gender identities in urban, suburban, tribal, and rural communities.

Child sex trafficking is modern day slavery.

Your YES vote on Proposition 313 will protect children from sexual exploitation. Our neighbor's daughter or son needs your YES vote for protection.

Please join me in saving our most precious resource by being on the side of saving children.

**STOP CHILD SEX TRAFFICKING.** Vote Yes on Proposition 313.

State Senator Shawnna Bolick

**Shawnna Bolick, State Senator, Arizona State Senate, Phoenix**

Vote yes on Proposition 313 to harshly deal with sex traffickers. Society, as represented by the legal system, should not tolerate the degradation and destruction of its most vulnerable members, children. Therefore, we should reserve our harshest punishments for those who commit the worst crimes against children. Sex trafficked children suffer repercussions throughout their lives yet currently an offender could be sentenced to prison for a relatively short amount of time. Allowing sex traffickers to walk amongst us sends an unacceptable message to the physically and psychologically tortured trafficked children: we as a society are unwilling to properly respond to evil deeds. The suffering of trafficked children demands that the perpetrators of such heinous crimes should never experience freedom again. Vote yes on Proposition 313.

**Brook Doty, Chairman, LD17 Republicans, Tucson**

I am a wife, mother, and protector of our children. The passage of Proposition 313 will send a powerful message: Arizona's children are not for sale. If you buy or sell our minor children, you are going to prison for natural life. It is time to hold criminals accountable for trafficking minor children.

Every two minutes, a child from the United States is trafficked for the sole purpose of human exploitation. According to the Arizona Attorney General's Office, the average age of entry into sex trafficking is fourteen years old. Traffickers steal our children as young as five years old to sell them into a life of misery and despair. It doesn't matter if they are boys or girls. These adolescents lose everything to be thrown into the sex trade business. They are removed from their families and often sold over and over and forced to perform unspeakable acts. With the rise of social media and internet capabilities, these same innocent children often have an internet presence against their own will, where predators share and sell their images and videos repeatedly across the Dark Web.

Child sex trafficking is a form of child abuse that occurs when a child under 18 is advertised, solicited, or exploited through a commercial sex act.

Child sex trafficking occurs among all socioeconomic classes, races, ethnicities, and gender identities in urban, suburban, tribal, and rural communities.

Child sex trafficking is modern-day slavery.

Your YES vote on Proposition 313 will protect children from sexual exploitation. Our neighbor's daughter or son needs your YES vote for protection.

Please join me in saving our most precious resource by being on the side of saving children.  
STOP CHILD SEX TRAFFICKING. Vote Yes on Proposition 313.

**Shawnna Bolick, State Senator, Phoenix**

---

Frequently, people think that child sex trafficking is something that happens “over there.” However, it occurs here at home, in every Arizona community. Since it is a dark topic, our natural tendency may be to try to ignore the issue. But we cannot. Our children deserve better! Saying “Yes on Prop. 313” is a great step toward protecting our children and sending a clear message to traffickers that they are NOT welcome in Arizona.

**Jim Miller, Board Chair, Cece’s Hope Center, Chandler**

---

A yes vote on Prop 313 means you are willing to protect our kids and give our law enforcement the tools needed to hold sex traffickers accountable for their actions. Help us to send a strong message to those who wish to exploit the most vulnerable populations that our children are not for sale.

**Mark Lamb, Pinal County Sheriff, San Tan Valley**

---

It’s heartbreaking when our deputies come in contact with minors who have been sex trafficked – these innocent children forced to do such inhumane acts.

Currently, when caught, the people who traffic these children face prison sentences that do not match the crime. But now, with Prop. 313, these monsters can meet true justice when apprehended and convicted in an Arizona court of law.

The sheriffs across Arizona fully support the simplicity of Prop. 313 – convicted of 2nd-degree felony child sex trafficking and face a lifetime in an Arizona prison cell with no opportunity for an early release. Natural life behind bars for a conviction on child sex trafficking charges means just that.

Arizona isn’t just a thruway for sex trafficking to other parts of the country. We face our own problems. And it is most common to find children between 11 and 14 years old victimized – both by traffickers and rapists. In 2021 alone, the National Human Trafficking Hotline received 650 tips from Arizona that led to finding 337 victims. It’s reprehensible that these vulnerable children—often from foreign shores, must undergo such horrible acts.

Arizona voters can send a clear and convincing message to the people who engage in such heinous acts: Get caught and spend the rest of your life behind barbed wire in a state prison.

No justification or defense exists for these crimes against human decency. The sheriffs hope voters support Prop. 313 to increase the prison sentence not just because Arizona is a law and order state but to deter child sex trafficking in the first place. We must do everything we can to eliminate the incentive to sell children into the sex trade. By substantially increasing the penalties for sex trafficking, Arizona’s sheriffs hope we eliminate this stain on modern society.

**David Rhodes, President, Yavapai County Sheriff, Arizona Sheriff Association, Phoenix**

---

This heinous crime has become too prevalent in our community. It permeates all socio-economic classes, races, and demographics, and worst of all is the stealing of the innocents of our children. Passing Proposition 313 tells anyone choosing to ruin the lives of children will have the rest of their life choices taken from them. We need to protect our children by

removing these traffickers from our community permanently. Please say YES on Prop 313.

**Rene Lopez, Co-Founder, Cece's Hope Center, Chandler**

---

I firmly support the proposed bill mandating life sentences for sex traffickers of minors. This legislation is crucial in protecting our most vulnerable population—our children—from the horrific crime of sex trafficking. The severity of this punishment underscores the gravity of exploiting minors and serves as a powerful deterrent to potential traffickers.

Life sentences for sex traffickers of minors ensure that those who commit these heinous acts are permanently removed from society, preventing them from harming other children. This approach prioritizes the safety and well-being of our youth, sending a clear message that our society will not tolerate the exploitation of minors.

Moreover, the prospect of a life sentence acts as a strong deterrent. Potential traffickers will think twice before engaging in such crimes, knowing that the consequences are severe and non-negotiable. The law serves not only to punish but also to prevent future offenses by creating a legal environment where the risks far outweigh any perceived benefits of trafficking minors.

Several states have enacted laws allowing for life sentences for individuals found guilty of trafficking minors, reflecting the severity of the crime and their commitment to combating human trafficking:

- California: Life sentences under Penal Code Section 236.1 for trafficking minors with force, fear, fraud, or coercion.
- Florida: Life imprisonment under Statutes Section 787.06 if the victim is under 15 and the crime involves sexual battery, coercion, or force.
- Texas: Life sentences without parole under Penal Code Section 20A.02 for trafficking children for labor or sexual exploitation.

These states, among others, have recognized the profound harm of human trafficking and imposed stringent penalties to deter traffickers, provide justice for victims, and protect vulnerable populations. These efforts are part of a broader national and global movement to combat human trafficking and uphold the rights and dignity of all individuals.

**Heidi Chance, Retired Phoenix Police Department, Goodyear**

---

As a mother, I understand the fear parents face when child sex trafficking is rampant in our society. Arizona is the U.S. epicenter of child sex trafficking, and we have an obligation to do everything in our power to stop this heinous crime and hold those responsible for it to account. I wholeheartedly support Proposition 313, the Children Are Not For Sale ballot measure, and urge Arizona voters to stand united in protecting the most vulnerable members of our society.

**Kari Lake, Senate Candidate, karilake.com, Phoenix**

---

As co-chair of the Children are Not For Sale campaign in Arizona, I am proud to support the pro-proposition ballot measure that aims to ensure justice for victims of child sex trafficking. By mandating natural life imprisonment for individuals convicted of a Class 2 felony related to child sex trafficking, we are sending a clear message that such heinous crimes will not be tolerated in our society. This measure prioritizes the safety and well-being of Arizona's children – our most vulnerable population — by holding perpetrators fully accountable for their actions. It also serves as a powerful deterrent to those who may consider engaging in such despicable acts. We believe that by enacting this measure, we are taking a significant step towards protecting our communities and preventing future instances of child sex trafficking. Join us in supporting this important initiative to ensure that those who commit these abhorrent crimes face the harshest consequences possible, sending a strong signal that Arizona's children are not for sale.

**Kayleigh Kozak, Co-Chair of Children Are Not For Sale, <https://www.childrenarenotforsale.com>, Buckeye**

---

Child sex trafficking is modern-day slavery and it is pure evil. There has been a dramatic increase in missing children in recent years fueled by our open border. Estimates are that as high as 30% of these children are being sold for sex.

Traffickers steal our children as young as four years old to sell them into a life of misery and despair. The average age of a first victim is between 12 and 14. These children lose everything to be thrown into the sex trade often sold over and over and forced to perform unspeakable acts.

These same innocent victims are then splashed across the internet where predators share and sell their images and videos repeatedly on the Dark Web.

I want these predators to know that, in Arizona, we mean business. If you do this crime -- you will do the time. Life in prison. Forever. Join me in sending a loud and clear message that, in Arizona, our children are not for sale! Please vote YES.

### **Sydney Hay, Scottsdale**

---

Arizonans have no greater collective duty than to protect the most vulnerable. Crimes against children should result in penalties appropriate to the offense.

Prop 313 protects children by making it a class 2 felony to participate in child sex trafficking, punishable as a dangerous crime against children. Adult offenders would face natural life imprisonment without the possibility of parole.

Center for Arizona Policy urges Arizonans to vote YES on Prop 313.

Child sex trafficking is inarguably one of the worst possible human rights abuses and is a growing problem. Predators are increasingly using social media to more easily identify potential child victims to abduct for prostitution and child pornography. Along with this, the crisis of unaccompanied minors crossing our southern border has intensified the already urgent need to protect children.

Predators and smugglers need to hear the message loud and clear that if they commit heinous acts against children in Arizona, they will be punished severely.

Arizona should be a safe place for children. Prop 313 helps to make our state safer for every child.

Vote YES on Prop 313.

### **Cathi Herrod, Esq., President, Center for Arizona Policy, Phoenix and Greg Scott, Vice President of Policy, Center for Arizona Policy, Phoenix**

---

A child who is a victim of sex trafficking is affected by those events for the rest of their natural life. The person who is convicted of child sex trafficking should also be affected for the rest of their natural life with imprisonment and no eligibility for release. As a parent and grandparent, I would not want someone to be released who could harm more children. We need to hold our citizenry accountable for their actions, send a message to others and protect our children.

Vote YES on Prop 313!

### **John Hassett, Phoenix**

---

I am in support of this measure to increase penalties for a person convicted of a class 2 felony for child sex trafficking to a mandatory sentence of natural life. It is important to point out that a class 2 felony means UP TO 12 years in prison. This amount of time is often pleaded down to much less time and/or reduced time for "good behavior" while incarcerated. Meanwhile, the child who has been sold MANY TIMES EACH DAY for many years is subject to a lifetime of trauma; physical, emotional and psychological. The DAMAGE done by these predators leaves a scar that only fades over time but NEVER erased and only if the survivor is fortunate to recover. Therefore, it seems fitting that the convict is "sentenced" to life in prison. Additionally, lifetime incarceration for such a predator removes 1 more child sex trafficker off the streets and saves countless of children from such evil. I implore your to please vote FOR this ballot measure. SAVE THE CHILDREN.

### **PATTY PORTER, First Vice Chair, LD12, Maricopa County Republican Party of Arizona, Phoenix**

# ARGUMENTS “AGAINST” PROPOSITION 313



Arizonans should reject the Prop 313. This is an extreme measure based on an emotional and unscientific response to a situation rather than developing an evidence-based plan to protect the most vulnerable among us.

Sex trafficking is a term applied to a wide variety of actions and is generally presented in the media in ways that create confusion and obscurification.

What is needed is a comprehensive and accurate understanding of the problem so it can be addressed intelligently. That calls for research, adequate resources for community-wide education and preventive programs, and proven deterrence activities.

What is not needed are actions by those who find value in sensationalizing this problem, such as legislators trying to enhance their image by devising “tough on crime” responses to complex issues that fail to consider the intricacies involved.

Measures such as this bill lead the public to believe the problem has been adequately addressed when in fact it is simply a glib, poorly thought-out “solution” that will not enhance the safety of children.

Arizona already has severe punishments for such crimes involving many years in prison, making lifetime punishment unnecessary. In addition, the deterrent value of such stiff punishment has long been doubted. The federal government’s National Institute of Justice has found that severe punishment has only limited effectiveness in discouraging crime since those who commit offenses do not know, let alone keep in mind, the penalties for specific offenses.

This proposition should be rejected, and legislators urged to deal with the issue based on science, not emotion.

Arizonans for Rational Sex Offense Laws (AZRSOL) advocates for fact-based legislation which safeguards our communities without infringing on constitutional rights and we endeavor to forge a more rational, humane, and evidence-based approach to sexual offense policy. Go to [www.azrsol.org](http://www.azrsol.org) to get the facts.

#### **Patricia Borden, Director, Arizonans for Rational Sex Offense Laws, Phoenix**

The League of Women Voters of Arizona strongly opposes Proposition 313, which seeks to establish a life sentence for individuals convicted of a Class 2 felony for child sex trafficking in Arizona. Currently, the state law allows for a range of sentences depending on the age of the child involved, with up to 10 to 24 years for a first-time offense involving children aged 15 to 17 and a minimum of 13 years for those under 15 under the dangerous crimes against children sentencing statute. The League argues against mandatory minimum sentencing, advocating for judges to have discretion to consider individual circumstances such as role in the offense, mental health, remorse, addiction, and background. In cases such as child sex trafficking, victims of sex trafficking are often charged with trafficking offenses due to coercion by their abusers. We cannot codify a law that would subject victims to mandatory minimum sentences.

Thus, the League opposes Proposition 313 for shifting sentencing decisions from judges to prosecutors, allowing prosecutors to decide whether to charge someone with a mandatory-eligible offense, effectively removing power from judges. Sentencing decisions should remain within the purview of judges to ensure fair and balanced justice.

THE LEAGUE OF WOMEN VOTERS OF ARIZONA URGES YOU TO VOTE NO

#### **Pinny Sheoran, President, League of Women Voters of Arizona, Scottsdale**

*Sponsored by League of Women Voters of Arizona*

# BALLOT FORMAT

## PROPOSITION 313

### REFERRED TO THE PEOPLE BY THE LEGISLATURE RELATING TO CHILD SEX TRAFFICKING SENTENCING

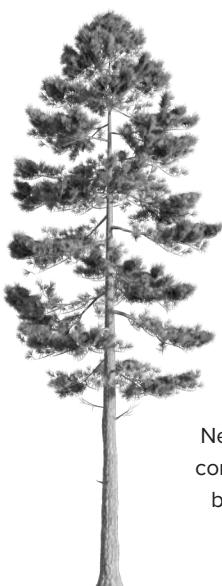
#### OFFICIAL TITLE

AMENDING TITLE 13, CHAPTER 7, ARIZONA REVISED STATUTES, BY ADDING SECTION 13-720; RELATING TO SENTENCING.

#### DESCRIPTIVE TITLE

REQUIRES THAT A PERSON CONVICTED OF A CLASS 2 FELONY FOR CHILD SEX TRAFFICKING BE SENTENCED TO IMPRISONMENT IN THE CUSTODY OF THE DEPARTMENT OF CORRECTIONS FOR NATURAL LIFE WITHOUT THE POSSIBILITY OF RELEASE.

A “yes” vote shall have the effect of eliminating the current sentencing ranges for a Class 2 child sex trafficking conviction. The sentence for a person convicted of a Class 2 felony for child sex trafficking would be imprisonment for natural life without the possibility of release.	<b>YES</b> <input type="checkbox"/>
A “no” vote shall have the effect of maintaining the current statutory sentencing ranges for those convicted of a Class 2 felony for child sex trafficking. The current sentencing ranges are between 7 years and natural life imprisonment without the possibility of release, depending on the age of the victim, the defendant’s criminal history, and other factors.	<b>NO</b> <input type="checkbox"/>



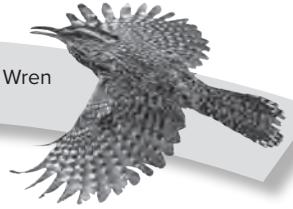
Newcomers to Arizona are often surprised to learn Arizona is home to the largest contiguous Ponderosa Pine (*Pinus ponderosa*) forest in the world. Its characteristic bark looks like a jigsaw puzzle, with a scent that hints of vanilla or butterscotch.

313

BALLOT FORMAT PROPOSITION 313

# 314 PROPOSITION

Cactus Wren



## HOUSE CONCURRENT RESOLUTION 2060

## A CONCURRENT RESOLUTION

ENACTING AND ORDERING THE SUBMISSION TO THE PEOPLE OF A MEASURE RELATING TO RESPONSES TO HARMS RELATED TO AN UNSECURED BORDER.

Be it resolved by the House of Representatives of the State of Arizona, the Senate concurring:

1. Under the power of the referendum, as vested in the Legislature, the following measure, relating to responses to harms related to an unsecured border, is enacted to become valid as a law if approved by the voters and on proclamation of the Governor:

## AN ACT

AMENDING TITLE 1, CHAPTER 5, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 1-503 AND 1-504; AMENDING TITLE 13, CHAPTER 34, ARIZONA REVISED STATUTES, BY ADDING SECTION 13-3424; AMENDING TITLE 13, CHAPTER 38, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 35; AMENDING TITLE 23, CHAPTER 2, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 23-215; RELATING TO RESPONSES TO HARMS RELATED TO AN UNSECURED BORDER.

Be it enacted by the Legislature of the State of Arizona:

Section 1. Short title

This act may be cited as the "Secure the Border Act".

Sec. 2. Findings and declaration of purpose

A. The people of the State of Arizona find and declare as follows:

1. Due to weaknesses in immigration enforcement, a public safety crisis is occurring in Arizona, caused by transnational cartels engaging in rampant human trafficking and drug smuggling across this state's southern border.

2. From 2021 to 2023, United States Customs and Border Protection encountered nearly seven million immigrants illegally entering the United States through the southwest border. This number does not include an estimated two million "gotaways" who evaded encounters with border officials entirely.

3. From 2021 to 2023, United States Customs and Border Protection encountered two hundred eighty-two individuals on the terrorist watchlist illegally entering the southwest border between ports of entry. This is a 3033% increase over the prior three years when only nine such individuals were encountered.

4. From 2021 to 2023, the number of unaccompanied minors illegally crossing the southwest border skyrocketed to over four hundred thousand. Studies have shown that a majority of these children are victims of human trafficking.

5. From 2021 to 2023, the amount of fentanyl seized at the southwest border almost tripled, amounting to billions of doses of fentanyl. Illicit fentanyl, which is primarily produced in foreign nations and smuggled across the southwest border, is a synthetic opioid fifty times stronger than heroin. Even a single dose can be lethal. Synthetic opioids like fentanyl have now become the leading cause of overdose deaths in the United States. Transnational cartels fund their operations by trafficking this deadly drug across the southwest border.

6. In 2022, the Arizona Department of Health Services reported that illicit fentanyl is primarily responsible for an increasing number of overdose deaths in Arizona and that opioid overdose data demonstrates the continued urgency to address the drug overdose crisis in Arizona through comprehensive and collaborative approaches.

7. Many individuals who enter the United States unlawfully are enticed by smugglers with promises of economic incentives, including employment and taxpayer-funded benefits. Human smuggling is a gateway crime for additional offenses, including identity theft, document fraud and benefit fraud, harming Arizona taxpayers. Unchecked and unauthorized employment causes economic hardship to Arizona workers who may face unfair labor competition, wage suppression and reduced working conditions or opportunities.

314

PROPOSITION 314



8. A holistic approach is required to deter human trafficking and drug smuggling into Arizona by:
  - (a) Empowering law enforcement to protect the public.
  - (b) Reducing the incentives for illegal immigration.
  - (c) Punishing criminals who fuel the crisis at Arizona's southern border.

B. Based on the facts outlined in subsection A of this section, the state of Arizona is being "actually invaded" as defined in article I, section 10 of the United States Constitution. The determination of invasion made in this subsection may only be revoked by referendum or by legislation that is duly enacted by the legislature and signed by the governor.

C. Based on these findings, the people of Arizona's purpose in adopting the Secure the Border Act includes protecting the public and responding to the harms related to an unsecured border by:

1. Empowering law enforcement to protect the public by arresting aliens who fail to enter Arizona's southern border through official ports of entry.

2. Reducing the incentive for illegal immigration by creating criminal offenses for a person to knowingly present false documents to obtain public benefits or to evade workplace eligibility detection through the e-verify program.

3. Strengthening Arizona's laws that require documentation of a person's lawful presence in the United States in order to receive public benefits by requiring agencies and political subdivisions of this state to use the systematic alien verification for entitlements program to verify benefit eligibility and validity of documents for people who are not citizens or nationals of the United States.

4. Increasing punishments for criminals who fuel the crisis at the southern border by selling fentanyl that causes the death of another person.

Sec. 3. Title 1, chapter 5, article 1, Arizona Revised Statutes, is amended by adding sections 1-503 and 1-504, to read:

**1-503. Federal, state and local public benefits; false documents; violation; classification; definitions**

A. NOTWITHSTANDING ANY OTHER STATE LAW AND TO THE EXTENT ALLOWED BY FEDERAL LAW, ANY NATURAL PERSON WHO IS NOT LAWFULLY PRESENT IN THE UNITED STATES SHALL NOT KNOWINGLY APPLY FOR A FEDERAL PUBLIC BENEFIT OR A STATE OR LOCAL PUBLIC BENEFIT BY SUBMITTING A FALSE DOCUMENT TO ANY ENTITY THAT ADMINISTERS THE FEDERAL PUBLIC BENEFIT OR THE STATE OR LOCAL PUBLIC BENEFIT.

B. ANY NATURAL PERSON WHO VIOLATES SUBSECTION A OF THIS SECTION IS GUILTY OF A CLASS 6 FELONY.

C. FOR THE PURPOSES OF THIS SECTION:

1. "FEDERAL PUBLIC BENEFIT" HAS THE SAME MEANING PRESCRIBED IN SECTION 1-501.

2. "STATE OR LOCAL PUBLIC BENEFIT" HAS THE SAME MEANING PRESCRIBED IN SECTION 1-502.

**1-504. Document verification; applicants for public benefits; definitions**

A. IF A NATURAL PERSON WHO APPLIES FOR ANY FEDERAL PUBLIC BENEFIT PURSUANT TO SECTION 1-501 OR ANY STATE OR LOCAL PUBLIC BENEFIT PURSUANT TO SECTION 1-502 IS NOT A CITIZEN OR NATIONAL OF THE UNITED STATES, THE AGENCY OR POLITICAL SUBDIVISION OF THIS STATE THAT ADMINISTERS THE PUBLIC BENEFIT SHALL USE THE SYSTEMATIC ALIEN VERIFICATION FOR ENTITLEMENTS PROGRAM THAT IS MAINTAINED BY THE UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES, OR ANY SUCCESSOR PROGRAM THAT IS DESIGNATED BY THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY, IN ORDER TO VERIFY THE VALIDITY OF THE DOCUMENTS PROVIDED BY THE APPLICANT AND TO VERIFY THE APPLICANT'S ELIGIBILITY FOR BENEFITS.

B. THIS SECTION DOES NOT RELIEVE A NATURAL PERSON OF ANY REQUIREMENT TO SUBMIT DOCUMENTATION THAT IS REQUIRED FOR ANY FEDERAL PUBLIC BENEFIT PURSUANT TO SECTION 1-501 OR ANY STATE OR LOCAL PUBLIC BENEFIT PURSUANT TO SECTION 1-502.

C. FOR THE PURPOSES OF THIS SECTION:

1. "FEDERAL PUBLIC BENEFIT" HAS THE SAME MEANING PRESCRIBED IN SECTION 1-501.

2. "STATE OR LOCAL PUBLIC BENEFIT" HAS THE SAME MEANING AS PRESCRIBED IN SECTION 1-502.

314

PROPOSITION 314

Sec. 4. Title 13, chapter 34, Arizona Revised Statutes, is amended by adding section 13-3424, to read:

13-3424. Sale of lethal fentanyl; affirmative defense; classification

A. A PERSON WHO IS AT LEAST EIGHTEEN YEARS OF AGE COMMITS SALE OF LETHAL FENTANYL IF THE PERSON KNOWINGLY SELLS FENTANYL IN VIOLATION OF SECTION 13-3408, SUBSECTION A, PARAGRAPH 7 AND BOTH OF THE FOLLOWING APPLY:

1. THE PERSON KNOWS THAT THE DRUG BEING SOLD CONTAINS FENTANYL.
2. THE FENTANYL CAUSES THE DEATH OF ANOTHER PERSON.

B. IT IS AN AFFIRMATIVE DEFENSE TO A CHARGE BROUGHT UNDER THIS SECTION THAT THE FENTANYL AND ITS PRECURSOR CHEMICALS WERE EITHER MANUFACTURED IN THE UNITED STATES OR WERE LAWFULLY IMPORTED INTO THE UNITED STATES.

C. SALE OF LETHAL FENTANYL IS A CLASS 2 FELONY, EXCEPT THAT THE PRESUMPTIVE, MINIMUM AND MAXIMUM SENTENCES SHALL BE INCREASED BY FIVE YEARS.

Sec. 5. Title 13, chapter 38, Arizona Revised Statutes, is amended by adding article 35, to read:

ARTICLE 35. ILLEGAL ENTRY INTO THIS STATE

13-4295. Definitions

IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

1. "ALIEN" MEANS A PERSON WHO IS NOT A CITIZEN OR NATIONAL OF THE UNITED STATES AS DESCRIBED IN 8 UNITED STATES CODE SECTION 1101.

2. "PORT OF ENTRY" MEANS A PORT OF ENTRY IN THE UNITED STATES AS DESCRIBED IN 19 CODE OF FEDERAL REGULATIONS SECTION 101.1.

13-4295.01. Illegal entry from foreign nation; affirmative defense; probable cause to arrest; prospective applicability; classification

A. IT IS UNLAWFUL FOR A PERSON WHO IS AN ALIEN TO ENTER OR ATTEMPT TO ENTER THIS STATE DIRECTLY FROM A FOREIGN NATION AT ANY LOCATION OTHER THAN A LAWFUL PORT OF ENTRY.

B. IT IS AN AFFIRMATIVE DEFENSE TO A VIOLATION OF SUBSECTION A OF THIS SECTION IF EITHER OF THE FOLLOWING APPLIES:

1. THE FEDERAL GOVERNMENT HAS GRANTED THE DEFENDANT LAWFUL PRESENCE IN THE UNITED STATES OR ASYLUM UNDER 8 UNITED STATES CODE SECTION 1158.

2. THE DEFENDANT'S CONDUCT DOES NOT CONSTITUTE A VIOLATION OF 8 UNITED STATES CODE SECTION 1325(a).

C. A PERSON MAY NOT BE ARRESTED FOR A VIOLATION OF THIS SECTION WITHOUT PROBABLE CAUSE, WHICH SHALL BE ESTABLISHED BY ANY OF THE FOLLOWING:

1. A LAW ENFORCEMENT OFFICER WHO WITNESSES THE VIOLATION.

2. A TECHNOLOGICAL RECORDING OF THE VIOLATION.

3. ANY OTHER CONSTITUTIONALLY SUFFICIENT INDICIA OF PROBABLE CAUSE.

D. THIS SECTION MAY ONLY BE ENFORCED PROSPECTIVELY. THIS SECTION DOES NOT APPLY RETROACTIVELY AND SHALL NOT BE CONSTRUED TO APPLY TO THE CONDUCT OF ANY PERSON WHO ENTERED THIS STATE UNLAWFULLY FROM A FOREIGN NATION AT ANY TIME BEFORE THIS SECTION BECOMES ENFORCEABLE.

E. AN ALIEN LACKS LAWFUL PRESENCE UNDER THIS SECTION IF THE ALIEN WAS EITHER:

1. PAROLED PURSUANT TO A PROGRAMMATIC GRANT OF PAROLE, INCLUDING UNDER ANY PAROLE PROGRAM NOT CREATED UNDER NOTICE-AND-COMMENT RULEMAKING THAT ESTABLISHES SPECIFIC CHARACTERISTICS UNDER WHICH AN ALIEN WOULD BE ENTITLED TO PAROLE AND THAT HAS BEEN APPLIED TO MORE THAN ONE HUNDRED ALIENS DURING ONE CALENDAR YEAR.

2. REQUIRED TO BE DETAINED UNDER THE IMMIGRATION AND NATIONALITY ACT BUT WAS NOT DETAINED AND INSTEAD WAS PAROLED INTO THE UNITED STATES.

F. A VIOLATION OF THIS SECTION IS A CLASS 1 MISDEMEANOR, EXCEPT THAT IT IS A CLASS 6 FELONY IF THE PERSON HAS BEEN PREVIOUSLY CONVICTED OF A VIOLATION OF THIS SECTION. THE PERSON IS NOT ELIGIBLE FOR PROBATION, PARDON, COMMUTATION OR SUSPENSION OF SENTENCE OR RELEASE ON ANY OTHER BASIS UNTIL THE PERSON HAS

314

PROPOSITION 314



SERVED A TERM OF INCARCERATION AS DETERMINED BY THE COURT.

**13-4295.02. Refusal to comply with order to return to a foreign nation; classification**

A. A PERSON WHO IS AN ALIEN COMMITS REFUSAL TO COMPLY WITH AN ORDER TO RETURN TO A FOREIGN NATION IF ALL OF THE FOLLOWING OCCUR:

1. THE PERSON IS CHARGED WITH OR CONVICTED OF AN OFFENSE UNDER THIS ARTICLE.

2. A COURT, AS APPLICABLE, ISSUES AN ORDER PURSUANT TO SECTION 13-4295.03 FOR THE PERSON TO RETURN TO THE FOREIGN NATION FROM WHICH THE PERSON ENTERED OR ATTEMPTED TO ENTER THE UNITED STATES OR THE PERSON'S NATION OF ORIGIN.

3. THE PERSON REFUSES TO COMPLY WITH THE ORDER.

B. A VIOLATION OF THIS SECTION IS A CLASS 4 FELONY.

**13-4295.03. Order to return to foreign nation**

A. AT ANY TIME BEFORE A PERSON IS CONVICTED OF OR ADJUDICATED FOR A VIOLATION OF SECTION 13-4295.01, A COURT MAY DISMISS THE CHARGE PENDING AGAINST THE PERSON AND ISSUE A WRITTEN ORDER IN ACCORDANCE WITH SUBSECTION B OF THIS SECTION.

B. A WRITTEN ORDER AUTHORIZED BY SUBSECTION A OF THIS SECTION SHALL DISCHARGE THE PERSON AND REQUIRE THE PERSON TO RETURN TO THE FOREIGN NATION FROM WHICH THE PERSON ENTERED OR ATTEMPTED TO ENTER THE UNITED STATES OR THE PERSON'S NATION OF ORIGIN AND MAY BE ISSUED IF ALL OF THE FOLLOWING APPLY:

1. THE PERSON AGREES TO THE ORDER.

2. THE PERSON HAS NOT PREVIOUSLY BEEN CONVICTED OF AN OFFENSE UNDER THIS ARTICLE OR PREVIOUSLY OBTAINED A DISCHARGE UNDER AN ORDER ISSUED PURSUANT TO THIS SECTION.

3. THE PERSON IS NOT CHARGED WITH ANOTHER CLASS 1 MISDEMEANOR OR ANY FELONY OFFENSE.

4. BEFORE THE ISSUANCE OF THE ORDER, THE ARRESTING LAW ENFORCEMENT AGENCY DOES BOTH OF THE FOLLOWING:

(a) COLLECTS ALL IDENTIFYING INFORMATION OF THE PERSON, WHICH MUST INCLUDE TAKING FINGERPRINTS FROM THE PERSON AND USING OTHER APPLICABLE PHOTOGRAPHIC AND BIOMETRIC MEASURES TO IDENTIFY THE PERSON.

(b) CROSS-REFERENCES THE COLLECTED INFORMATION WITH ALL RELEVANT LOCAL, STATE AND FEDERAL CRIMINAL DATABASES AND FEDERAL LISTS OR CLASSIFICATIONS THAT ARE USED TO IDENTIFY A PERSON AS A THREAT OR POTENTIAL THREAT TO NATIONAL SECURITY.

C. ON CONVICTION OF AN OFFENSE UNDER THIS ARTICLE, THE JUDGE SHALL ENTER AN ORDER THAT REQUIRES THE PERSON TO RETURN TO THE FOREIGN NATION FROM WHICH THE PERSON ENTERED OR ATTEMPTED TO ENTER THE UNITED STATES OR THE PERSON'S NATION OF ORIGIN. AN ORDER ISSUED UNDER THIS SUBSECTION TAKES EFFECT ON COMPLETION OF ANY TERM OF INCARCERATION OR IMPRISONMENT.

D. AN ORDER THAT IS ISSUED UNDER THIS SECTION MUST INCLUDE AN AUTHORIZATION THAT Allows A STATE OR LOCAL LAW ENFORCEMENT AGENCY TO TRANSPORT THE PERSON TO A PORT OF ENTRY OR TO ANY OTHER POINT OF TRANSFER INTO FEDERAL CUSTODY.

**13-4295.04. Enforcement of article**

NOTWITHSTANDING ANY OTHER LAW, THIS ARTICLE MAY NOT BE ENFORCED IN ANY MANNER UNTIL ANY PART OF SECTION 2 OF S.B. 4, 88TH LEG., 4TH CALLED SESS. (2023) THAT WAS ENACTED IN THE STATE OF TEXAS, OR ANY OTHER LAW OF ANY OTHER STATE SIMILAR THERETO, HAS BEEN IN EFFECT FOR A PERIOD OF SIXTY CONSECUTIVE DAYS AT ANY TIME ON OR AFTER THE EFFECTIVE DATE OF THIS ARTICLE.

**13-4295.05. Civil immunity for state and local public entities, officials, employees and contractors; other laws not affected**

A. A STATE OR LOCAL GOVERNMENT ENTITY, OFFICIAL, EMPLOYEE OR CONTRACTOR IS IMMUNE FROM LIABILITY, FOR DAMAGES ARISING FROM A CAUSE OF ACTION UNDER THE LAWS OF THIS STATE RESULTING FROM AN ACTION TAKEN BY

314

PROPOSITION 314

THE STATE OR LOCAL GOVERNMENT ENTITY, OFFICIAL, EMPLOYEE OR CONTRACTOR TO ENFORCE THIS ARTICLE OR AN ORDER ISSUED PURSUANT TO THIS ARTICLE DURING THE COURSE AND SCOPE OF THE STATE OR LOCAL GOVERNMENT ENTITY'S OFFICIAL'S, EMPLOYEE'S OR CONTRACTOR'S OFFICE, EMPLOYMENT OR PERFORMANCE FOR OR ON BEHALF OF THIS STATE OR THE LOCAL GOVERNMENT.

B. THIS SECTION SHALL NOT AFFECT A DEFENSE, IMMUNITY OR JURISDICTIONAL BAR AVAILABLE TO THIS STATE OR A LOCAL GOVERNMENT OR AN OFFICIAL, EMPLOYEE OR CONTRACTOR OF THIS STATE OR A LOCAL GOVERNMENT.

13-4295.06. Incarceration authorization and agreements

NOTWITHSTANDING ANY OTHER LAW, IF A COUNTY OR LOCAL LAW ENFORCEMENT AGENCY DOES NOT HAVE THE CAPACITY TO HOLD A PERSON WHO IS ARRESTED FOR OR CONVICTED OF AN OFFENSE INCLUDED IN THIS ARTICLE, THE DIRECTOR OF THE STATE DEPARTMENT OF CORRECTIONS SHALL ACCEPT ARRESTED OR CONVICTED PERSONS WHO ARE CHARGED WITH OR CONVICTED OF AN OFFENSE INCLUDED IN THIS ARTICLE AT ANY FACILITY IN THIS STATE THAT HAS AVAILABLE CAPACITY.

Sec. 6. Title 23, chapter 2, article 2, Arizona Revised Statutes, is amended by adding section 23-215, to read:

23-215. Employment eligibility; e-verify program; false documents; violation; classification

A. ANY NATURAL PERSON WHO IS NOT LAWFULLY PRESENT IN THE UNITED STATES SHALL NOT KNOWINGLY SUBMIT FALSE INFORMATION OR DOCUMENTS TO AN EMPLOYER TO EVADE DETECTION OF EMPLOYMENT ELIGIBILITY UNDER THE E-VERIFY PROGRAM.

B. ANY NATURAL PERSON WHO VIOLATES SUBSECTION A OF THIS SECTION IS GUILTY OF A CLASS 1 MISDEMEANOR, EXCEPT THAT IT IS A CLASS 6 FELONY IF THE PERSON HAS BEEN PREVIOUSLY CONVICTED OF A VIOLATION OF THIS SECTION. THE PERSON IS NOT ELIGIBLE FOR PROBATION, PARDON, COMMUTATION OR SUSPENSION OF SENTENCE OR RELEASE ON ANY OTHER BASIS UNTIL THE PERSON HAS SERVED A TERM OF INCARCERATION AS DETERMINED BY THE COURT.

Sec. 7. Right to intervene; lawsuit

A. The president of the senate, the speaker of the house of representatives, the minority leader of the senate or the minority leader of the house of representatives shall be allowed to file a lawsuit or intervene in any action concerning this act if the individual seeks to defend the constitutionality, validity or enforceability of this act.

B. Any settlement of a lawsuit challenging this act cannot be entered before service of a twenty-one-day notice to the president of the senate, speaker of the house of representatives, minority leader of the senate and minority leader of the house of representatives. The failure to comply with this subsection shall invalidate the settlement and constitutes a violation of section 38-443, Arizona Revised Statutes.

Sec. 8. Severability

If a provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

2. The Secretary of State shall submit this proposition to the voters at the next general election as provided by article IV, part 1, section 1, Constitution of Arizona.

314

PROPOSITION 314



**ANALYSIS BY LEGISLATIVE COUNCIL**

Proposition 314 would establish criminal penalties against a person who is not lawfully present in the United States and who submits false documentation when both applying for public benefits and during the employment eligibility verification process. An entity that accepts public benefits applications would have to verify the person's identity by using a federal verification database. Proposition 314 would make it a class 2 felony for a person to knowingly sell fentanyl if the person knows that the drug being sold contains fentanyl, that the fentanyl was not lawfully manufactured or imported into the United States and that the drug caused the death of another person. Proposition 314 would establish state crimes related to entering this state from a location that is not a lawful port of entry or not complying with an order to leave this state.

More specifically, Proposition 314 would:

1. Create a new state crime that prohibits a natural person who is not lawfully present in the United States from knowingly submitting false documentation when applying for a federal, state or local public benefit. The crime would be a class 6 felony. In order to verify the validity of the applicant's documents and eligibility for benefits, the agency or political subdivision of this state that administers the public benefit would be required to use the federal government's systematic alien verification for entitlements program or a successor program if the applicant is not a citizen or national of the United States.
2. Create a new state crime that prohibits a natural person who is not lawfully present in the United States from knowingly submitting false information or documents to an employer to evade detection of employment eligibility under the E-Verify program. Current law requires certain employers to use the E-Verify program to determine if a person is eligible to be employed in this state. The crime would be a class 1 misdemeanor, except that it would be a class 6 felony if the person has previously been convicted of submitting false information or documents to an employer. A person convicted of this crime would be required to be incarcerated for a period of time as determined by the court before the person could be released on probation or any other type of release.
3. Create a new state crime that prohibits a person who is at least 18 years of age from knowingly selling fentanyl in violation of the current drug laws if the person knows the drug sold contains fentanyl and the fentanyl causes the death of another person. The crime would be a class 2 felony and would require that any prison sentence imposed on the person be increased by five years. It would be an affirmative defense to a prosecution of this crime if the fentanyl and the fentanyl's precursor chemicals were manufactured in the United States or were lawfully imported into the United States.
4. Create a new state crime that prohibits a person who is an alien from entering or attempting to enter this state directly from a foreign nation at any location that is not a lawful port of entry. There are affirmative defenses that would apply to aliens who have been granted asylum or lawful presence in the United States or that would apply if the alien's conduct is not a violation of federal immigration laws. The crime would be a class 1 misdemeanor, except that it would be a class 6 felony if the person has been previously convicted of this crime. A person convicted of this crime would be required to be incarcerated for a period of time as determined by the court before the person could be released on probation or any other type of release. Proposition 314 would also create a new state crime for an alien who enters this state at a location other than a lawful port of entry and refuses to comply with an order to return to a foreign nation or the alien's nation of origin. The crime would be a class 4 felony. Proposition 314 would allow a court to dismiss a criminal charge against an alien if the alien agrees to return to the foreign nation from which the alien entered or attempted to enter the United States or to their nation of origin and meets other conditions. An alien could not be prosecuted for any of these crimes until a similar law in the state of Texas or a similar law in any other state has been in effect for at least 60 consecutive days after Proposition 314 is approved by voters and becomes effective. The new crimes related to an alien who enters or attempts to enter this state from a location that is not a lawful port of entry do not apply to a person who entered this state before the new crimes become enforceable. Proposition 314 would also provide that a state or local government entity, official, employee or contractor has civil immunity under state law for an action taken to enforce the laws that prohibit an alien from entering this state from a location that is not a lawful port of entry. If a county or local law enforcement agency does not have the capacity to hold a person who is arrested or convicted under this new law, Proposition 314 would require the Arizona Department of Corrections to accept the arrested or convicted person at any facility in this state that has available room for the person.

**Notice:** Pursuant to proposition 105 (1998), these measures cannot be changed in the future if approved on the ballot except by a three-fourths vote of the members of each house of the legislature and if the change furthers the purpose of the original ballot measure, by an initiative petition or by referring the change to the ballot.

314

PROPOSITION 314

# ARGUMENTS “FOR” PROPOSITION 314



Ignore the gaslighting and vote yes on the Proposition 314 to secure the border. When the federal government fails to control our borders, then the impacted States have no choice but to step into the breech. By any definition, our Country is experiencing an invasion by the world’s unemployed and under-employed. We have no responsibility to ensure the economic well-being of the rest of the world. Nor should we tolerate the obviously fraudulent claims of political persecution. The financial burden of caring for millions of economic migrants will run into the billions that should be instead going to Americans. And even worse, whatever jobs the low-skill illegal entrants do get will be at the expense of the poorest Americans. Proposition 314 looks to first secure our border by criminalizing the cartel-enabled flow through the unsafe and largely lawless deserts. Second, since we are a country of laws, then obviously anyone trying to collect public benefits or gain employment with fake papers should be prosecuted. That’s just straight-up stealing. And for the same reason, state agencies who might be a little confused about who they serve should be mandated to ensure only lawful applicants get access to public benefits. And finally, the measure goes after fentanyl dealers. Fentanyl is a known killer. Anyone selling fentanyl that results in an overdose death should receive a harsh sentence. These are not radical propositions. Proposition 314 is a commonsense response to the man-made disaster occurring at our southern border every day. Until the federal government decides to prioritize Americans over the needs of the rest of the world, Arizona must shoulder this burden to protect its own citizens. Please support this proposition by voting yes.

**Brook Doty, Chairman, LD17 Republicans, Tucson**

Vote YES on the Secure the Border Act Proposition. Most Americans just want a secure southern border, and expect the federal government to actively curtail illegal immigration, human trafficking, and drug smuggling. However, the Biden Administration has failed to secure our southern borders. Therefore, Arizonans must secure our state’s southern border. In 2023, federal benefits paid to Illegals’ cost American taxpayers over \$180 billion annually. Illegals are overwhelming communities by consuming limited affordable housing, crowding our classrooms, and overburdening our hospitals and emergency rooms. The act includes a “Declaration of Invasion” under Article IV, Section 4 of the U.S. Constitution. The act authorizes Arizona law enforcement to arrest and prosecute illegals crossing the border. The act explicitly requires “lawful presence” to collect public benefits, which will exclude the over 10 million illegal border crossers incentivized by the Biden Administration from collecting public benefits. The act requires all employers to use E-Verify for all employees. The act improves Arizona law enforcement’s ability to arrest and prosecute fentanyl traffickers, potentially reducing the number of American fentanyl deaths annually. The act empowers Arizona law enforcement to curtail human trafficking of men, women, children, foreign criminals, and foreign terrorists from crossing our border, which should result in significant reductions in illegal alien crime (burglary, identity theft, hit and runs, assaults, and even murder (think Laken Riley). The FBI and DOD have documented over 100 incidents of illegal alien “gate crashers” attempting to gain access to U.S. military bases. What is next, an illegal alien sponsored 9/11 event? Don’t believe the media gaslighting and disinformation. Arizona voters need to empower Arizona law enforcement to secure Arizona’s southern border. Vote YES on the Secure the Border Act Proposition. Joel Strabala, Concerned Arizona Citizen.

314

**Joel Strabala, Concerned Arizona Citizen, Tucson**

Vote Yes on Prop 314 “Secure the Border Act”  
IT’S GOOD FOR ARIZONA AND GOOD FOR THE NATION!

RidersUSA asks you to vote YES on this Initiative for many important reasons. Since 2020, the Biden administration has created an unprecedented National Crisis by allowing millions of Illegal Immigrants to flood across our Borders through a corrosive and self-destructive “Open Borders” policy.

The downside to this self-inflicted Border Crisis is that tons of drugs, including deadly fentanyl, have been smuggled across our Borders annually since 2020. This has resulted in the deaths of thousands of Americans! Transnational Cartels are not only cashing in on the drug trade but are profiting from the sale of migrant women and children to criminal enterprises dealing in sex trafficking and indentured servitude. This is nothing more than our federal government enabling a form of modern-day slavery!

Voting “Yes” on Prop 314 will allow Arizona law enforcement to do the job the federal government refuses to do.

Voting “Yes” on Prop 314 will make it a State Crime for foreign nationals to illegally enter Arizona by avoiding lawful

immigration ports of entry and allow Arizona policing agencies to arrest and detain these individuals for adjudication and deportation proceedings.

Voting “Yes” on Prop 314 will strengthen the federal E-Verify program and will deny Public Taxpayer Benefits to those here illegally. Opponents of Prop 314 claim that it will cost the State of Arizona “millions of dollars” in enforcement and incarceration costs while conveniently omitting the fact that billions more will be saved by cutting off benefits and services to foreign lawbreakers who shouldn’t be here in the first place.

Do the right thing by restoring law, order, common sense and dignity to a broken Federal Immigration System. Vote “Yes” on Prop 314.

**Tim Rafferty, Secretary, RidersUSA, Gilbert**

*Sponsored by RidersUSA*

Open border policies have allowed 10 million illegal aliens to cross the border into the United States since President Biden took office. American jobs and families are threatened every day by the constant influx of illegal aliens invading the country. Prop 314 is a meaningful, commonsense proposal to protect the safety and well-being of our communities.

Arizona spends \$2.3 billion a year on expenditures for illegal aliens, according to an estimate from the Federation for American Immigration Reform. Prop 314 would limit this strain on social services by ensuring that public benefits are only utilized by those who are lawfully present in the United States.

Runaway government spending has resulted in soaring prices for Arizonans making housing, groceries, and day-to-day life unaffordable and the American dream unattainable. Prop 314 protects jobs by helping employers maintain a legal workforce by strengthening penalties for submitting false employment eligibility documents through E-Verify.

Violent crimes committed by illegal aliens have also spiked during President Biden’s time in office. Prop 314 empowers law enforcement to keep our communities safe by establishing penalties and enforcement against illegal border crossings.

Vote YES on Prop 314 to protect social services, jobs, and communities!

**Nathan Duell, Arizona State Director, Heritage Action for America, Glendale**

*Sponsored by Heritage Action for America*

Arizona finds itself in a dire situation due to the Biden Administration’s negligence of our southern border. This neglect has led to a crisis that demands immediate legislative action, such as the enactment of the Secure the Border Act. This proposed law is crucial for several reasons.

First, the lax border policies under the current administration have resulted in a surge of illegal crossings. This influx not only poses severe national security risks but also allows cartels and adversaries to exploit vulnerabilities, smuggling dangerous drugs like fentanyl into our communities. This has fueled a public health emergency and contributed to escalating rates of violent crime.

Arizona has witnessed a troubling rise in violent crimes linked directly to the influx of illegal immigrants. Communities are grappling with increased incidents of human trafficking, assaults, and property crimes, straining local law enforcement resources that are already stretched thin due to federal inaction.

I believe there is a significant economic impact as Arizona taxpayers bear the burden of providing healthcare, education, and social services to undocumented individuals. The Secure the Border Act draws inspiration from Texas’ SB 4 and empowers state law enforcement to detain and initiate deportation proceedings for those who enter Arizona illegally. This approach not only alleviates pressure on local resources but also serves as a deterrent, sending a clear message that illegal entry will face consequences.

In essence, the Secure the Border Act is essential for restoring order and security along Arizona’s border. It establishes a legal framework that enables state authorities to protect their communities, uphold the rule of law, and mitigate the detrimental effects of uncontrolled immigration and drug trafficking. Arizona cannot afford to wait any longer for decisive action to

safeguard its citizens and resources. Please vote YES on HCR2060.

**Andrew Adams, Gilbert Citizen, Gilbert**  
*Sponsored by LD14GOP*

---

If you care about curbing inflation and making Arizona safe again, then vote YES on Prop 314.

Billions of our tax dollars are currently wasted due to the crime, homelessness, environmental impact, and income inequality caused by the open border. The cost to enforce Prop 314 is a fraction of the cost Arizona currently spends on the consequences of an open border.

- A YES vote on Prop 314 means law enforcement has the tools they need to stop the future flow of human trafficking and fentanyl across the border.

- A YES vote on Prop 314 means current legal immigrant neighborhoods in Arizona do not have to worry about violence from the cartels and gangs being imported onto their streets. As we lose more local enforcement, the most vulnerable neighborhoods face an incredible increase in violence where it's now unsafe for children to play outside with their friends.

- A YES vote on Prop 314 only allows law enforcement to remove people who are witnessed to have crossed illegally over the border after the proposition becomes law.

- A YES vote on Prop 314 does not impact people who cross over the Arizona border through a legal port of entry or who were already in America before the law was passed.

- A YES vote on Prop 314 means less strain on our classrooms and housing where citizens have greater access to the resources funded by our tax dollars.

- A YES vote on Prop 314 means a better quality of life for all Arizonans.

Don't just take our word for it. Read the legislative summary yourself: [https://www.azleg.gov/legtext/56leg/2R/summary/S.HCR2060MAPS\\_AS PASSEDADDCOW.DOCX.htm](https://www.azleg.gov/legtext/56leg/2R/summary/S.HCR2060MAPS_AS PASSEDADDCOW.DOCX.htm)

**Merissa Hamilton, The ROAR PAC, Phoenix**  
*Sponsored by The ROAR PAC*

---

How would you be affected if the government stopped enforcing property laws and just anyone could come and live in your residence with you? When you allow someone to move in with you, you vet that person. Shouldn't our borders be the same?

You want to be sure they aren't going to bring drugs in, steal or harm you or your family and pets. Is it not the same with our borders? There is a process in place to enter our country legally and we welcome those new citizens to Arizona.

But when the government does not protect our borders, that process is bypassed. The result? We see an increase in human trafficking. We see an increase in illegal drugs, overdoses and deaths. We see an increase in robbery and violence.

Currently, the cartels control our border. Without our ability to protect it, these bad actors can extort innocents. 400,000 unaccompanied minors have crossed the southwest border between 2021 and 2023. A bulk of these are believed to be victims of human smuggling. Limiting the crossing of our border to legal access points will make the smuggling of these children much more difficult.

Let state Law Enforcement do what the Federal Officers are being prevented from doing. It's not just good for Arizona, it's good for everyone.

Vote YES on Prop 314.

**John Hassett, Phoenix**



## ARGUMENTS “AGAINST” PROPOSITION 314

As Bishops of the Arizona Catholic Conference, we express our frustration about the current situation at the US-Mexico border. The lack of a federal solution to challenges faced by both vulnerable asylum seekers and American communities is sorely needed and long overdue.

The states and local communities along the border shoulder much of the challenges created by the the federal government’s neglect. Its failure to address increased migration in a pragmatic and humane way has led to an ineffective response at the border and an unacceptable number of migrant deaths.

We do not question the good intentions of those seeking to address these challenges.

Nonetheless, we believe that Proposition 314 will have unanticipated consequences, and that it is not the right solution.

Although proponents argue that Proposition 314 is about border security, the reality is that its passage will create real fear within Arizona communities that will have harmful consequences. In particular, by having state and local law enforcement responsible for enforcing what should be the role of federal immigration authorities, many crime victims and witnesses will be afraid to go to law enforcement and report crimes. As a result, dangerous criminals will not be apprehended and public safety will be threatened.

Additionally, immigration by its nature is a national issue and the regulation of immigration extends beyond the purview of individual states, points consistently affirmed by the U.S. Supreme Court. Rather than holding the federal government accountable, Proposition 314 will only create further disorder and confusion, placing unworkable and unrealistic expectations on state judicial officers and law enforcement personnel.

The federal government needs to do a much better job of managing our national border and providing comprehensive immigration reform. Proposition 314, however, is unlikely to survive legal challenges and is not the right solution to these problems.

**John Dolan, Bishop of Phoenix, Arizona Catholic Conference, Phoenix; Edward Weisenburger, Bishop of Tucson, Arizona Catholic Conference, Phoenix; James Wall, Bishop of Gallup, Arizona Catholic Conference, Phoenix; and Eduardo Nevares, Auxiliary Bishop of Phoenix, Arizona Catholic Conference, Phoenix**

*Sponsored by Arizona Catholic Conference*

---

Prop 314 threatens the well-being and economic stability of Arizona. While it claims to address “border security” and the fentanyl crisis, it fails to address the root issues in public health, and instead targets vulnerable populations and businesses crucial to our state.

Implementing and enforcing this bill would require substantial taxpayer funding. The Department of Public Safety (DPS) projects costs at \$41 million annually, a significant expenditure given the state's current budget deficit. These funds would be diverted from essential services to cover court proceedings, incarceration, and administrative expenses. Additionally, it would strain rural police departments that lack the resources or training to implement this bill.

This bill risks Arizona’s financial stability by driving away workers and businesses due to its hostile environments and the anti immigrant narrative.

Arizona’s agriculture heavily relies on seasonal and migrant labor. Strict verification requirements could lead to severe labor shortages, increased operational costs, and potential crop losses. Arizona businesses depend on a diverse workforce, including the labor and buying power of the immigrant community. Prop 314 would instill fear in communities of color, particularly those concerned about wrongful detention while seeking employment. This fear would hinder businesses' ability to maintain operations, causing economic stagnation and loss of productivity. Companies may hesitate to invest or expand in Arizona due to the unstable regulatory climate, driving them to relocate to more business-friendly states.

Prop 314 would empower police to demand proof of legal status, straining resources and damaging community relations. The bill’s harsh provisions, such as prosecuting asylum seekers and separating families, would lead to significant social and economic repercussions.

## NOVEMBER 5, 2024 ★ GENERAL ELECTION

Prop 314 does not address border security, or the fentanyl public health crisis we are facing. It jeopardizes economic development, undermines our values and hinders progress of rural communities.

**Tom Prezelski, Senior Political Advisor, Rural Arizona Action (RAZA), Coolidge**  
*Sponsored by Rural Arizona Action*

---

Vote No on Proposition 314 ‘Secure the Border Act’

Proposition 314 (aka the ‘Secure the Border Act’) presents a troubling path for Arizona. This proposition is an unfunded mandate that could lead to enormous costs for cities and counties in Arizona. Without a dedicated way to pay for this proposition, the burden turns to local law enforcement, courts, and the jail and prisons to come up with ways to cut their budget in order to fund the mandates of this proposition. This will undoubtedly prevent them from prioritizing the public safety needs relevant to their communities.

If you pass Proposition 314, essential health and public services for many Arizona families could be denied, leading to worsening economic disparities and health inequities among Arizona’s communities. This proposition also imposes unjust and excessive regulations on families working barely above the poverty line in Arizona.

In addition, this proposition has no protections against enforcement actions in sensitive locations like hospitals, schools, or places of worship. This proposition also has no protections for the elderly, children, or other vulnerable individuals.

Additionally, Proposition 314 would deepen existing divides and foster discrimination within our society. It would lead to unfair policing, harassment, and racial profiling, violating basic safeguards like due process that we all deeply value.

Proposition 314 also provides immunity to law enforcement and government officials, meaning they can’t be held accountable by Arizonans.

By voting no on this proposition, we send a clear message: discrimination has no place in Arizona. Our neighbors should not be denied their basic rights.

Please vote no on Proposition 314 to stand for a fair future for all Arizonans.

**Will Humble, Executive Director, Arizona Public Health Association, Phoenix**

---

Vote NO on Proposition 314!

**314**  
Proposition 314 will fail by design. It was drafted by the same kind of radical politicians who, at the Federal level, torpedoed a bipartisan proposal that would have actually helped with immigration issues. They were afraid a real solution would cost them their favorite wedge issue. It is modeled on a Texas law that has accomplished nothing but lawsuits.

Fentanyl is indeed a problem but efforts to deal with dangerous drugs only by draconian policies aimed at restricting the supply always fail. The act itself calls out the need to “address the drug overdose crisis in Arizona through comprehensive and collaborative approaches.: Let’s try that. This proposal doesn’t do it.

In many respects this is a repeat of the failed SB1070 that not only divided the people of Arizona but hurt our reputation nationally. Recently, we have succeeded in attracting employers providing good jobs. Passage of this law could put that at risk.

This proposal assumes that police can tell by sight whether someone is a citizen, a legal immigrant, or undocumented. Even though serious crime is down in Arizona the police have more important things to do than guess at a person’s immigration status.

The drafters of this measure clearly don’t care if people are harassed even if they are citizens or legal immigrants. Common decency requires a no vote on this proposal.

**Cyndi Tuell, chair, Sierra Club - Grand Canyon Chapter, Tucson and Jim Vaaler, vice chair, Sierra Club - Grand Canyon Chapter, Phoenix**

Proposition 314 (the so-called Secure the Border Act) comes with several unacceptable costs – to our communities, our state’s reputation, and notably to our economy. And it does nothing to secure the border.

We must heed lessons learned from SB1070, the "Show Me Your Papers" law that prompted protests and boycotts against Arizona. The anti-immigrant law was overturned in 2010 by the U.S. Supreme Court, which deemed immigration enforcement a federal issue, not a state issue.

But by then, the damage was done.

In addition to Arizona’s bruised reputation, a study found SB1070 cost \$141 million in lost conference revenue in 2010 – or nearly \$200 million in today dollars, when adjusted for inflation. Adverse impact on Arizona’s tourism industry in SB1070’s first year totaled \$253 million in lost economic output, \$9.4 million in lost tax revenues, and the loss of 2,761 jobs.

The harm goes beyond lost tourism dollars. Legal and compliance costs related to racial profiling by Maricopa County Sheriff’s Office and its immigration crackdowns exceed \$300 million. Harm to families was immeasurably costly on a human level.

Simply put, Prop 314 is not the answer and will only create more problems. We believe the responsibility remains squarely in the hands of the federal government. Congress must fix our antiquated immigration system with comprehensive reform.

Arizona and other states must put more pressure on our leaders in Washington, D.C. This ballot measure does not do that.

Instead, it puts the burden on local municipalities to enforce a state mandate with no state dollars allocated for additional police, incarcerations, or court proceedings. Turning police officers into de facto border patrol agents is a bad idea.

Arizona, we’ve gone down this dead-end road before. It’s time to find bipartisan avenues for addressing our immigration challenges. Vote NO on Proposition 314.

#### **Alicia Nunez, President and CEO, Chicanos Por La Causa, Phoenix**

The League of Women Voters of Arizona strongly opposes proposition 314 which would empower state and local law enforcement agencies to arrest people who have entered the country illegally, and it would impose criminal liability on anyone who sells “lethal fentanyl.” Provisions of this proposition include: making it a state crime for noncitizens to enter the state at any location other than the port of entry; allowing state and local police to arrest noncitizens who cross the border unlawfully; allowing state judges to order deportations

This proposition poses a significant threat to those who have been granted Deferred Action for Childhood Arrivals (DACA) status before 2021, potentially subjecting them to increased risks of incarceration and deportation. U.S. district courts have ruled that individuals who obtained DACA status on or before July 16, 2021, are protected, yet this proposition attempts to undermine those protections.

In addition, this proposition would have a negative impact on the safety and well-being of minor children, as it would lead to the separation and detention of families arrested on suspicion of legal violations.

This proposition is an attempt to repeat Senate Bill 1070, the 14-year-old law that led to rampant racial profiling, ongoing legal costs, and a significant blow to Arizona’s reputation. The legacy of economic damage, law enforcement targeting, and incarceration of members of marginalized communities must not be repeated.

THE LEAGUE OF WOMEN VOTERS OF ARIZONA URGES YOU TO VOTE NO.

#### **Pinny Sheoran, President, League of Women Voters of Arizona, Scottsdale**

*Sponsored by League of Women Voters of Arizona*

314

As a middle school social studies teacher, my job is to teach American history and civics to the young people who come through my doors. It doesn’t matter what my students look like, where their families are from, or how long they’ve lived in Arizona; all of them deserve to be challenged, supported, and guided to reach their full potential.

And that’s why I’m so concerned about the consequences of Proposition 314. Heightened anti-immigrant rhetoric, fears about immigration raids, concerns about the possible detention or deportation of family members—all of these things have an immense impact on kids’ well-being and on their ability to learn.

I’m particularly horrified by the possibility that Proposition 314 could allow for immigration raids on school campuses, even during school hours. I remember what it was like to teach during the darkest days of SB1070 and the climate of fear that it created on my school campus. We cannot and will not allow this state to go back.

We need to make sure that schools remain places of learning, not fear. Please vote NO on this hateful and divisive proposal.

#### **Marisol Garcia, President, Arizona Education Association, Phoenix**

Spelling, grammar and punctuation were reproduced as submitted in the “for” and “against” arguments.

In the spirit of compassion and justice that guides my faith, I strongly oppose HCR2060, the "Secure the Border Act."

This proposed legislation threatens the inherent dignity of every human being and stands in stark contrast to our call to love and serve our neighbors. As people of faith, we are compelled to uphold the inherent worth of every individual, knowing that God does not declare anyone illegal.

HCR2060 echoes the divisive and harmful rhetoric of past legislation. This bill has the potential to lead to increased racial profiling, which can foster distrust and fear within our communities. It may deter cooperation with law enforcement among mixed-status families, making our neighborhoods less safe. Additionally, the financial and moral costs imposed on our community by this act are substantial and unjustifiable.

Our faith teaches us to embrace the stranger, to provide sanctuary for those in need, and to work for a society where justice and compassion prevail. This legislation stands in direct opposition to these teachings by promoting division and fear rather than unity and understanding.

The impact of HCR2060 extends beyond the immediate effects on individuals; it damages the moral fabric of our society. It undermines the trust and solidarity that are essential for a healthy and just community. As people of faith, we are called to stand against policies that dehumanize and discriminate.

In this critical moment, we must embody our sacred injunction by actively opposing measures that harm our neighbors and violate the principles of justice and compassion. Let us come together to ensure that our laws reflect the love and dignity that every person deserves, as we affirm that no one is illegal in the eyes of God.

**Rev. Katie Sexton, Glendale**

The U.S. Constitution's Supremacy Clause and Foreign Commerce Clause with the laws addressing unlawful presence and e-verify.

Congress has preempted states from regulating immigration. These issues were previously decided in *Arizona v. US* in 2012. The Court described the U.S. Government's authority to regulate immigration and undocumented as "broad" and "undoubted". It looked to the legislative power of Congress to "establish a uniform Rule of Naturalization", enumerated in Article 1, Section 8, Clause 4 of the Constitution as well as the longstanding interpretation of federal sovereignty in areas pertaining to the control and conduct of relations with foreign nations.

Single Subject under the AZ Constitution:

The Arizona Constitution requires "every act shall embrace but one subject." According to case law, an act should embrace one general subject: and by this is meant, that all matters treated, should fall under one general idea. *Hoffman v. Reagan*, 245 Ariz. 313, 316 ¶ 14, 429 P.3d 70, 73 (2018)

A legislative "subject" entails all matters having a logical or natural connection, and must be essential to the accomplishment of one main objective. Matters should fall under one general idea. The authors of HCR 2060 tried to tie in the fentanyl language. This is a separate crime having largely nothing to do with border security. The court may look to the record the legislature set on this bill to also see if there was a discriminatory intent by those passing the bill. The bill clearly differentiates between foreign made or American made fentanyl. This can be challenged as both having a discriminatory intent, and a discriminatory impact. If the large majority of those prosecuted come from one race or national origin, then there is evidence to say that HCR 2060 now proposition314 has a discriminatory impact.

**Catherine Miranda, Senator, Arizona Senate, Laveen**

The Grand Canyon Institute (GCI) is a non-partisan think tank providing fact-based research and education to decision-makers and the public on policies affecting Arizona's economic, fiscal, and social future.

Arizona faced a \$1.4 billion budget shortfall in this last legislative session due to huge tax reductions provided to wealthy Arizonans during the Ducey Administration. As a consequence, investment in affordable housing was slashed from \$200 million to \$15 million, numerous road construction projects were postponed, aid to universities was cut, including the

termination of state funding for the Arizona Promise Program which was designed to cover tuition and fees for Arizona students from lower and middle income families at the state's universities.

GCI completed a fiscal analysis of this legislation in May 2024 and found it would cost at least \$325 million annually to enforce, prosecute, and incarcerate the nonviolent offenders that it targets. This measure is likely to hinder law enforcement, both by enlarging its scope, but it will also damage the trust of the communities it tries to serve.

Prop. 314 provides no funding source, so its passage will undermine the state's ability to invest in better schools, quality universities, affordable housing, and necessary roads and infrastructure.

Prop. 314 diverts law enforcement toward nonviolent offenders and imperils mixed legal status families who have lived in Arizona for decades, contributing to our economy.

We do face challenges with immigration in the United States, and it's critical that politicians in Washington work together on a bipartisan basis to address the issue, rather than to continue to play politics with it.

For these reasons, the Grand Canyon Institute urges you to vote "No" on Prop. 314.

#### **Rick DeGraw, Board Chair, Grand Canyon Institute, Phoenix**

---

Planned Parenthood Advocates of Arizona (PPAA) is strongly opposed to Prop 314. PPAA is Planned Parenthood's advocacy arm in Arizona and the state's largest nonpartisan advocacy organization dedicated to protecting access to sexual and reproductive health care. We advocate for everyone in our community, no matter their race, gender, sexuality, disability, or immigration status, so we can ensure access to reproductive healthcare and bodily autonomy for everyone.

Immigrant communities and communities of color already face health disparities that impact quality of life. The challenges these communities are forced to overcome just to access responsive, informed, equitable health care further stigmatize immigration status and isolate these communities, exacerbating these issues.

Prop 314 will create a climate of fear that will harm already marginalized members of our community. It will subject Latinx individuals to racial profiling, subject families to the risk of separation and deportation, and deprive individuals of their Constitutional rights. These issues and more will affect access to services and will exacerbate health inequities by inflicting stress and trauma onto those affected. None of the provisions in Prop 314 will address any of the issues facing Arizona today, and they will only further harm those already facing inequities.

It is vital to protect the rights, health, and safety of all Arizonans. Please join Planned Parenthood Advocates of Arizona in voting NO on Prop 314.

#### **Erika Mach, Chief External Affairs Officer, Planned Parenthood Advocates of Arizona, Phoenix**

---

This harmful and punitive measure, referred to the ballot by Republicans desperately seeking a politically motivated "accomplishment" they could run on, remarkably manages to violate 3 areas of the Arizona and US constitutions all at once:

1. The "single subject rule" (Article 4, Part 2, Section 13 of the Arizona Constitution restricts each piece of legislation to covering only one single subject);
2. The "funding source" rule (Article 9, Section 23 of the Arizona Constitution requires ballot referrals that cost the state money to identify a funding source other than the general fund that is "sufficient to cover the entire immediate and future costs");
3. The Supremacy Clause of the US Constitution, which specifies that federal law takes precedence over state law in the case of a conflict.

If you feel like Republicans are rewinding the clock to the anti-immigrant days of 2010's notorious SB1070, you're not mistaken: brown-skinned people could be stopped and interrogated if merely "suspected" of crossing the border illegally.

A similar law in Texas has cost the state's taxpayers some \$10 billion in its first two years. The cost of enforcing this measure is estimated at \$325 million, which would fall on already-stretched local law enforcement and communities. The cost of defending this measure in court will force the people of Arizona to pay, just as we paid hundreds of millions of dollars in legal fees, lost tourism, and defending Sheriff Joe Arpaio against charges of racist enforcement.

We are enriched by our immigrant community, and most of us trace our roots to courageous immigrants bravely facing enormous odds to build a new and fruitful life in our state and country. Our culture and economy are richer for it. Let's honor them by defeating this sledgehammer measure: vote NO on Proposition 314.

**Melinda Iyer, Policy Director, Civic Engagement Beyond Voting, Phoenix and Catherine Sigmon, Co-Founder, Civic Engagement Beyond Voting, Tempe**

---

(Against) Proposition 314

Aliento urges voters to reject Proposition 314. Arizona needs a bipartisan and balanced solution to address the challenges of our outdated immigration system, but Prop. 314's "tough on crime and immigration" approach falls short. It fails to address the root causes of immigration, imposes significant financial burdens, and harms Dreamers and 140,000 United States citizen children living in mixed-status families who contribute positively to our economy and communities.

Prop. 314's broad definition of probable cause provides no meaningful limitation on who may be stopped or arrested for suspected unlawful entry. This jeopardizes Arizona's Dreamers and long-term undocumented families. These individuals pay taxes, work critical jobs, and have built their lives in our Arizona communities. This vague standard for probable cause will lead to increased unjust detentions, disrupting the lives of those integral to our state's social and economic fabric.

In 2022, the American Immigration Council estimated that in Arizona, undocumented immigrants, most of whom have lived in the country for more than five years, paid \$292.3 million in state and local taxes. The DACA-eligible population contributed \$111.9 million in state and local taxes. Prop. 314 tells hardworking families they are not welcome in our state.

This unfunded measure burdens taxpayers with an estimated \$325 million yearly for state-level border enforcement and incarceration costs. Federal authorities currently handle these tasks, and shifting this responsibility to the state is redundant and financially imprudent. Additionally, studies have shown that using deterrence-based policies to address unlawful immigration is ineffective at addressing the root causes of migrants coming to America.

We ask you to stand with Arizona families in advocating for a comprehensive and compassionate approach that truly benefits Arizona and to VOTE NO on Prop—314, which fails to provide a fair, orderly, and humane solution to our immigration challenges.

**314**  
**Reyna Montoya, Founder and CEO, Aliento, Gilbert; Jose Patiño, Vice President of Education and External Affairs, Aliento, Gilbert; Erick Garcia, Director of Digital and Technology, Aliento, Mesa; Ileana Salinas, Cultiva Program Manager, Aliento, Phoenix; Rocio Dorador Madrigal, Arts and Healing Coordinator, Aliento, Phoenix; Aryam Garcia, Arts and Healing Coordinator, Aliento, Mesa; Abril Valenzuela, Leadership Development Coordinator, Aliento, Glendale; Guadalupe Reynoso Jimenez, Leadership Development Coordinator, Phoenix; Sonya Hargrave, Sr. Director of Operations and People Management, Aliento, Tolleson; and Victoria Tenorio Montoya, Arts & Healing Coordinator, Aliento, Phoenix**

**Sponsored by Aliento**

---

The Arizona Dream Act Coalition represents members with and without DACA and our families that are mainly mixed status. HCR2060 known as Prop 314 will racially profile our community members as it gives the power and discretion to stop anyone with suspicion of being undocumented. Although DACA beneficiaries were taken off as a priority group in the proposition, we know that we will still be targeted and if we are transporting family members that are undocumented we could get felony charges which would prevent us from renewing our DACA employment authorization and remove our protection from deportation as we would be ineligible to renew it.

Prop 314 will not solve any problems at the border. It will only create fear among the immigrant community who will have

fear of sending our children to school or going to clinics and hospitals who can question and report to immigration or local authorities our immigration status and lead to deportations causing family separation.

We will not be able to trust local police thus causing abuse and unreported crime and insecurity in our neighborhoods. This will negatively impact the society at large. In addition, law enforcement does not have the budget to stop and detain anyone who they suspect is undocumented including us citizens resulting in racial profiling and costing taxpayers an estimate of \$325 million dollars annually.

Thus we call on voters to vote ‘NO’ on Prop 314 and call on our state legislature to pass local laws that will benefit the community at large like drivers license for all, regardless of immigration status since this will keep our roads safe. Furthermore, we believe Prop 314 is unconstitutional since states do not have jurisdiction on immigration. This Prop will not secure our border, it will only result in racial profiling.

**Karina Ruiz De Diaz, Executive Director, Arizona Dream Act Coalition, Phoenix**

---

Prop 314 is fundamentally anti-Arizonan, reviving SB 1070’s era of racial profiling and mass deportations and threatening to undermine our communities’ values and safety. What’s more, this law would hurt the state’s economic climate, further fostering fear and division instead of unity.

Prop 314 puts everyone at risk of unjust harassment from police and disrupts the social fabric of Arizona. This proposition gives broad powers to law enforcement with civil immunity for enforcing this unconstitutional law. It doesn’t matter if you are in Flagstaff or Phoenix or whether you are an immigrant or multi-generational Arizonan, no one is immune from being targeted, and all Arizonans will foot the \$325 million+ bill and pay the price of this unconstitutional law enforcement.

Prop 314 is seeping in racism and will open the door for black and brown Arizonans to be unlawfully racially profiled by police. This also means churches, hospitals, and schools will be left unprotected and not historically or legally respected as sanctuaries for communities of color or immigrants.

The economic impact on Arizona will be devastating. State and job losses will follow, but it also will cost the state a minimum of \$325 million annually. Taxpayers in Texas have seen enforcement costs of this copy-cat legislation rise upwards of billions of dollars. As a taxpayer, you will not only be subjected to this law, but also bear the financial responsibility for funding its implementation.

Both sides of the aisle - from cities and towns, sheriffs and law enforcement - have heard voters reject and say ‘No’ to Prop 314. Yet, ultra-conservative legislators persisted in putting Arizona’s economy and communities at risk for their political gain. We urge voters to reject Prop 314, and show that this taxpayer-funded extremist and hateful policy has no place in Arizona.

**Alejandra Gomez, Executive Director, Living United for Change in Arizona, Phoenix**  
*Sponsored by Living United for Change in Arizona (LUCHA)*

---

(Against) Proposition 314

We are youth and students part of Aliento’s alumni network and community. As Arizona students, we are deeply concerned about the harm Proposition 314 will cause to our friends, families, and loved ones. As youth leaders, we urgently ask you to reject Proposition 314.

Supporters claim that enforcement for arrests under Proposition 314 of those suspected of entering the state from outside a port of entry will occur only at or near our border. Still, there is no geographical limitation in the measure. Proposition 314 doesn’t have a clause for sensitive areas such as hospitals, places of worship, and schools. No Arizonan wants to see police officers making arrests outside of schools as parents pick up their children, at hospitals during routine checkups or after church services.

Over 500,000 Arizonans are living in mixed-status families, with 140,000 U.S. citizen children living in Arizona households with at least one undocumented family member. Prop. 314 puts Arizona families at risk of separation. We don’t want to see

thousands of U.S. citizen children crying for their moms, dads, or siblings for lacking a driver's license.

This measure harms the ability of U.S. citizens like us, who have undocumented parents, to access crucial resources for food security and health services. We should not face additional scrutiny compared to other Americans because of our parents' immigration status. Arizona state law already prohibits access to public benefits for our undocumented community members. Adding a class 6 felony and mandating agencies to use a federal verification program is costly to Arizona, redundant, and impacts U.S. citizens like us.

Proposition 314 hurts Arizona and its communities. We urge you to reject this measure as it is not a fair, effective, or humane solution to addressing the challenges of our outdated immigration systems.

**Angel Palazuelos, Leadership Youth Council (LYC) Chair, Aliento, Laveen Village; Araceli Lopez, LYC Member, Aliento, Phoenix; Saul Rascon, LYC Member, Aliento, Buckeye; Nathalya Galvez, LYC Member, Aliento, Buckeye; Nico Hernandez, LYC Member, Aliento, Tolleson; Sergio Cipriano, Student, Aliento, Phoenix; Denise Garcia Ornelas, Fellow Alum, Aliento, Mesa; Deya Garcia, Fellow Alum, Aliento, Mesa; Darril Garcia Soto, Student, Aliento, Laveen; Milagros Heredia, Fellow Alum, Aliento, Phoenix; Zabdi Hernandez, Fellow Alum, Aliento, Tolleson; Maria Leon Pena, Fellow Alum, Aliento, Phoenix; Asareli Lopez, Fellow Alum and Student, Aliento, Phoenix; Cynthia Moran, Student, Aliento, Phoenix; Emely Saenz Gomez, Fellow Alum and Student, Aliento, Mesa; Jessica Saenz Gomez, Student, Aliento, Mesa; Karen Velazquez, Student Hub Leader, Peoria; Alexis Torres Castro, Fellow Alum, Aliento, Phoenix; Priscilla Romero, Fellow Alum, Aliento, Mesa; and Ivette Sosa, Fellow Alum, Aliento, Mesa**

*Sponsored by Aliento*

---

The ACLU of Arizona is a non-partisan, civil rights and liberties organization committed to protecting the rights of all Arizonans. The ACLU urges a NO vote on Proposition 314, a dangerous ballot referral that would set the state backwards by reviving its dark history of discriminatory and unworkable immigration laws. This extreme proposal would invite racial profiling, harming citizens and immigrants alike. It would also violate the basic human rights of people seeking asylum and other immigrants.

Just like SB1070 – Arizona's infamous “show me your papers” law enacted fourteen years ago and largely struck down by the Supreme Court – Proposition 314 will open the door to racial profiling and harassment of people of color in Arizona, empowering law enforcement to target individuals based on their assumed immigration status. This will inevitably lead to the detention and separation of families, inflicting trauma and fear upon our communities. Proposition 314 is also a direct assault on the asylum process, disregarding essential safeguards in federal law intended to ensure individuals fleeing persecution in their home countries have a fair chance to seek protection in the United States.

A deeply anti-immigrant measure, Proposition 314 could be enforced anywhere in the state, including against small children and elderly people, and even at sensitive locations like schools, hospitals, or places of worship. When enforced against families, children would be separated from their parents since state and county jails do not allow minors to be detained with adults. Finally, Proposition 314 is an unfunded mandate projected to cost Arizona taxpayers hundreds of millions of dollars annually in court and incarceration costs alone.

A NO vote on Prop 314 ensures that Arizona remains a welcoming place for all our communities, and rejects this cynical attempt to turn back the clock to a darker time.

**Scott Greenwood, Executive Director, ACLU of Arizona, Phoenix**

*Sponsored by ACLU of Arizona*

---

(Against) Proposition 314 -

We are youth and students part of Aliento's alumni network and community. As Arizona students, we are deeply concerned about the harm Proposition 314 will cause to our friends, families, and loved ones. As youth leaders, we urgently ask you to reject Proposition 314.

Supporters claim that enforcement for arrests under Proposition 314 of those suspected of entering the state from outside a

port of entry will occur only at or near our border. Still, there is no geographical limitation in the measure. Proposition 314 doesn't have a clause for sensitive areas such as hospitals, places of worship, and schools. No Arizonan wants to see police officers making arrests outside of schools as parents pick up their children, at hospitals during routine checkups or after church services.

Over 500,000 Arizonans are living in mixed-status families, with 140,000 U.S. citizen children living in Arizona households with at least one undocumented family member. Prop. 314 puts Arizona families at risk of separation. We don't want to see thousands of U.S. citizen children crying for their moms, dads, or siblings for lacking a driver's license.

This measure harms the ability of U.S. citizens like us, who have undocumented parents, to access crucial resources for food security and health services. We should not face additional scrutiny compared to other Americans because of our parents' immigration status. Arizona state law already prohibits access to public benefits for our undocumented community members. Adding a class 6 felony and mandating agencies to use a federal verification program is costly to Arizona, redundant, and impacts U.S. citizens like us.

Proposition 314 hurts Arizona and its communities. We urge you to reject this measure as it is not a fair, effective, or humane solution to addressing the challenges of our outdated immigration systems.

**Marisol Castro, Fellow Alum, Aliento, Phoenix; Helen Sanchez, Fellow Alum, Aliento, Phoenix; Elizabeth Partida, Fellow Alum, Aliento, Mesa, Betsy Arcos Juan, Fellow Alum, Aliento, Mesa; Noelia Flores, Fellow Alum, Aliento, Mesa; Xiomara Flores, Fellow Alum, Aliento, Mesa; Luis Reyes, Fellow Alum, Aliento, Phoenix; Diana Quintana, Fellow Alum, Aliento, Phoenix; Maria Valeria Garcia, Fellow Alum, Aliento, Phoenix; Darian Benitez Sanchez, Fellow Alum, Aliento, Phoenix; Miah Gomez, Fellow Alum, Aliento, Mesa; Esveidy Rodriguez, Fellow Alum, Aliento, Phoenix; Hector Hernandez, Student, Grand Canyon University, Phoenix; Mario Montoya, Fellow Alum, Aliento, Mesa; Karina Espinoza Rios, Community Member, Aliento, Phoenix; Pedro Gonzalez-Aboyte, Community Member, Aliento, Phoenix; Josephine Medina, Community Member, Aliento, Tempe; Susana Nava, Community Member, Aliento, Queen Creek; Brittany Nava, Community Member, Aliento, Litchfield**

**Sponsored by Aliento**

Opposition to Prop 314 in Arizona is grounded in the state's historical commitment to self-governance and the protection of democratic rights. Arizona has a notable tradition of allowing citizens to enact significant changes through initiatives such as legalizing medical marijuana and addressing predatory medical debt practices. These initiatives have demonstrated the power of grassroots movements to shape state laws and reflect the will of the people.

Prop 314 imposes stringent new requirements on ballot initiatives, potentially preventing popular policies from reaching the ballot. It would significantly increase the cost of qualifying initiatives, making the process financially prohibitive and potentially limiting access to direct democracy to those with substantial financial resources.

Rural and smaller counties in Arizona would be disproportionately affected by Prop 314, as they would face the costly burden of reviewing thousands of signatures each election cycle. This unfunded mandate could strain local budgets, diverting resources from essential services and exacerbating economic challenges in these communities.

Additionally, Prop 314 allows a single legislative district to veto an initiative for the entire state, undermining the principle of statewide representation. This provision gives localized interests undue influence over statewide issues, potentially silencing the voices of Arizonans who support initiatives that enjoy broad public support.

The measure also exposes initiatives to arbitrary decisions by local politicians, who could block measures based on personal or political agendas. This introduces an additional barrier that could prevent initiatives supported by a majority of Arizonans from advancing, further limiting democratic participation.

In conclusion, rejecting Prop 314 is crucial to preserving Arizona's democratic integrity, maintaining local autonomy, and ensuring that the initiative process remains accessible to all citizens. Upholding these principles protects the right of every Arizonan to participate in shaping the state's future and rejects efforts to diminish collective democratic voice.

**Ylenia Aguilar, Phoenix**

HCR 2060 allows local law enforcement to stop anyone in Arizona and ask for their papers, and to investigate them when applying for jobs or health care. It promises to address the Fentanyl crisis, but instead creates new problems. We all want a safe and healthy Arizona, but this measure is an attack on personal freedoms and ordinary activities in hard-working communities.

It would threaten the civil rights of Arizonans, allowing invasions of privacy to become routine. Anyone could be targeted, but Latinos and other communities of color will bear the brunt, becoming suspects just for going about their lives. Local police officers would be able to racially profile people at the supermarket or gas station, on their way to work, the gym, or picking up their kids at school.

This ballot measure would be a major step backwards, taking us back to 2010's "Show Your Papers" law that the Supreme Court rejected as unconstitutional. And it would give more power to police with a problematic history: Maricopa County is under a court order for racial profiling, and Phoenix's Police Department has been under investigation for three years for discriminatory policing and excessive force.

It is also a shocking waste of money. It could cost taxpayers one billion dollars—the equivalent of 13,000 public school teachers—money spent persecuting people that could otherwise be used for education, hospitals, or healthcare.

We oppose this measure. UnidosUS represents millions of resilient, contributing Latino families, who form part of the bedrock of Arizona's economy, lead the way in business formation, and contribute to every aspect of life. We will not be told we do not belong here by racist extremists. We urge voters to vote down this harmful measure, ensuring that every Arizonan is free and able to work, play, live, and thrive.

**Enrique Davis-Mazlum, Arizona State Director, UnidosUS, Phoenix**

Proposition 314 would place an unfunded mandate on cities and counties to engage in an immigration enforcement role that has thus far been reserved to the federal government. Whether you are a proponent or opponent of the idea behind this measure, the undeniable fact is that this measure will cost money and likely a lot of it. It was only this past June when the Arizona Legislature had to cut agency budgets and reduce or delay investments in critical programs to successfully fund the government for another year. Yet, in the same year when the state government had to tighten its own belt, it is now asking city and county governments to take on a massive, unfunded immigration enforcement role. If the state does not have revenue to cover the costs of this measure, then it is unlikely that cities and counties will have the finances to do so either.

If this measure is passed, then the very likely reality is that cities and counties will need to raise local sales and property taxes to fund its mandate. These taxes will not be used for schools, delivery of meals to seniors, or to address the rising unaffordability of housing, but to expand the capacity of local jailing systems and cover the daily costs of imprisonment. We should not ask Arizona families to spend a greater portion of their limited budgets to pay for this immigration policy, especially when its total cost could be in the hundreds of millions.

**Joseph Palomino, Director, Arizona Center for Economic Progress, Tempe  
*Sponsored by Arizona Center for Economic Progress***

As someone who has seen firsthand the devastating impact of harmful legislation on my family and community, I am deeply concerned about the potential repercussions of Prop 314. This proposition echoes distressing elements of SB1070, past legislation that caused my family immense fear and ultimately led to their relocation from Arizona. The separation and loss we experienced due to such legislation is irreparable, and I fear that Prop 314 will only heighten similar heart-wrenching experiences for thousands of Arizonian families.

This proposition grants local law enforcement extensive authority to enforce this unconstitutional law without accountability across the entire state of Arizona, not just at our border regions. For instance, while driving an officer can stop you for a broken headlight, and the officer will have civil immunity to enforce this law. This proposed legislation would grant local law enforcement the authority to enforce federal immigration laws at the state level. It also expands the use of E-Verify to confirm employment for contractors/subcontractors and eligibility for social service benefits.

On top of that, I believe Prop 314 poses a significant threat to the values and safety of our community. It revives past policies associated with racial profiling and mass deportations. This proposition perpetuates fear and division rather than fostering unity. It will have negative economic repercussions, coupled with the threat of unjust harassment—a disruption of our social fabric. Prop 314 is alarming for all Arizonans, irrespective of their background or origin.

I strongly oppose Prop 314 and urge my fellow voters to join me in rejecting this divisive and harmful proposition. We must send a clear message that extremist and detrimental policies have no place in Arizona.

**Vanessa Perez, Civic Engagement Director, Mi Familia Vota, Phoenix**

---

HCR2060 is bad for Arizona! HCR2060 is called Unsecured Border but has nothing to do with the border. It legalizes discrimination & gives law enforcement immunity. Today Arizona is thriving economically. Businesses are happy to move here because of the great jobs & opportunities we provide. But if people are discriminated against they will leave. Many Chamber of Commerce have come out publically against this bill. Arizona does not want to foster an environment of fear, hate, and division. This legislation gives law enforcement an overreach of power by granting them immunity to discriminate. Arizona during the SB1070 days, saw a mass amount of lawsuits taxpayers had to pay out due to discrimination. This year the Department of Justice released evidence to show that Phoenix Police are 12 times more likely to ticket Hispanics over Whites for improper window tinting. Hispanics are 8 times more likely than Whites to be ticketed for squealing tires, and 7 times more likely for improper license plate lights. Black Drivers are 144% more likely to be cited or arrested for low-level moving violations.

The next issue is regarding fentanyl. We all want to tackle the Fentanyl epidemic but in this current language form, it reads that if fentanyl is manufactured in the United States (doesn't matter if it was manufactured legally or illegally) you won't be charged with a class 2 felony however if you bring it across a port of entry, you will. It should not matter who or where this drug is made, why are we differentiating that in this legislation, it should just be illegal.

Please VOTE NO on this poorly written legislation.

**Cesar Aguilar, Arizona House of Representatives- Ranking Democrat in Commerce, Self, Phoenix**

---

Chispa Arizona is strongly opposed to Prop 314. Chispa Arizona works to empower Latinx communities to influence policy, protect natural resources, and fight climate change. Through grassroots advocacy and community engagement, we strive for clean air, safe water, and healthy neighborhoods for the communities most impacted by climate change.

Prop 314 is rooted in racism and xenophobia. If passed, it will lead to civil rights violations, increased violence towards communities of color, and harm Arizona's economy, just like SB1070 did. As environmental justice advocates, we are very concerned because the communities affected by racism and xenophobia are the same ones hurt most by environmental injustices and climate change.

Communities of color already struggle to access clean air, water, and safe living conditions, which leads to health disparities. Prop 314 could make people living in areas with poor environmental conditions be afraid to seek medical help, fearing contact with authorities.

In the environmental justice movement, we work to amplify the voices of those most affected by the climate crisis, and these are the voices of our communities of color. Prop 314 will leave our people feeling powerless, not wanting to engage in environmental advocacy or demand justice for issues impacting their neighborhoods.

Please join us in voting NO on Prop 314.

**Jose Martinez Jr., Operations Director, Chispa AZ, Buckeye  
Sponsored by Chispa AZ**

Proposition 314 is harmful to children.

Children's Action Alliance works every day to build an Arizona where all children and families thrive. Proposition 314 is incompatible with this vision. If passed, it will open the door to chaos that makes Arizona less safe than today.

Just six years ago, our country grieved alongside parents and children who were forcibly separated at the border, with a full two-thirds of Americans across political parties opposed to the barbaric actions. A federal task force continues to work to reunify more than 1,000 children who have been deprived of the parents they were separated from. Great trauma was inflicted on children and parents. Proposition 314 opens the door to repeating this shameful chapter.

As a former prosecutor and former attorney for victims of crime, I've seen the sad reality that undocumented victims of abuse, human trafficking, and other crimes will not call local law enforcement for help when they fear that call will lead to deportation. This is backed up by cities that saw declines in reports of domestic violence and sexual assault in Latino communities when anti-immigrant rhetoric was at its most extreme. The crimes were happening, victims were just too afraid to call for help. Proposition 314 will decrease public safety. We cannot allow this for children or any victim of crime no matter their legal status.

Proposition 314 is likely unlawful, certainly unfunded, and deeply harmful for our state. Today, on behalf of the Children's Action Alliance, I urge Arizonans to vote no. We must look to the right authorities for solutions to problems. Here, federal officials must reform and enforce federal immigration laws in ways that do not leave humanity and public safety behind. This initiative is not the answer, and it invites unbearable harm to children in our state.

**January Contreras, President and CEO, Children's Action Alliance, Phoenix**

*Sponsored by Children's Action Alliance*

---

**314**

# BALLOT FORMAT

## PROPOSITION 314

### REFERRED TO THE PEOPLE BY THE LEGISLATURE RELATING TO RESPONSES TO HARMS AT THE BORDER

#### OFFICIAL TITLE

AMENDING TITLE 1, CHAPTER 5, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 1-503 AND 1-504; AMENDING TITLE 13, CHAPTER 34, ARIZONA REVISED STATUTES, BY ADDING SECTION 13-3424; AMENDING TITLE 13, CHAPTER 38, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 35; AMENDING TITLE 23, CHAPTER 2, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 23-215; RELATING TO RESPONSES TO HARMS RELATED TO AN UNSECURED BORDER.

#### DESCRIPTIVE TITLE

MAKES IT A CRIME FOR PERSONS NOT LAWFULLY PRESENT IN THE UNITED STATES TO SUBMIT FALSE INFORMATION IN APPLICATIONS FOR PUBLIC BENEFITS AND EMPLOYMENT, AND TO ENTER ARIZONA OUTSIDE PORTS OF ENTRY, OR REFUSE TO COMPLY WITH ORDERS TO RETURN. CRIMINALIZES SELLING FENTANYL THAT CAUSES THE DEATH OF A PERSON.

A “yes” vote shall have the effect of creating new crimes regarding the following conduct by any person not lawfully present in the United States: (1) applying for a public benefit by submitting a false document; (2) submitting false information to an employer regarding the person’s authorization to work in the United States; (3) entering Arizona from a foreign country at any location other than a lawful port of entry; (4) refusing to comply with a court order to return to the person’s country of origin or entry. Also creates a new crime of selling fentanyl that causes the death of another person. Requires state courts to issue an order to return to a foreign country if a person is convicted of the illegal entry crime. The order to return must include an authorization allowing state and local law enforcement to transport the person to a port of entry or into federal custody.	<b>YES</b> <input type="checkbox"/>
A “no” vote shall have the effect of maintaining the current criminal and procedural laws.	<b>NO</b> <input type="checkbox"/>

Arizona's state bird, the Cactus Wren (*Campylorhynchus brunneicapillus*), is brown with a speckled chest. If you look close, you can see white lines over each eye. They grow to be about 7 to 8 inches long, a little bit bigger than a new pencil.



# 315 PROPOSITION

Bobcat



## SENATE CONCURRENT RESOLUTION 1012

### A CONCURRENT RESOLUTION

ENACTING AND ORDERING THE SUBMISSION TO THE PEOPLE OF A MEASURE RELATING TO RULEMAKING.

Be it resolved by the Senate of the State of Arizona, the House of Representatives concurring:

1. Under the power of the referendum, as vested in the Legislature, the following measure, relating to rulemaking, is enacted to become valid as a law if approved by the voters and on proclamation of the Governor:

#### AN ACT

AMENDING TITLE 41, CHAPTER 6, ARTICLE 4.1, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-1049; RELATING TO RULEMAKING.

Be it enacted by the Legislature of the State of Arizona:

Section 1. Title 41, chapter 6, article 4.1, Arizona Revised Statutes, is amended by adding section 41-1049, to read:

**41-1049. Proposed rulemaking; regulatory costs; legislative ratification; applicability**

A. NOTWITHSTANDING ANY OTHER LAW, AN AGENCY SHALL SUBMIT A PROPOSED RULE THAT IS ESTIMATED TO INCREASE REGULATORY COSTS IN THIS STATE BY MORE THAN \$100,000 WITHIN FIVE YEARS AFTER IMPLEMENTATION TO THE OFFICE OF ECONOMIC OPPORTUNITY FOR REVIEW. IF THE OFFICE OF ECONOMIC OPPORTUNITY CONFIRMS THAT THE PROPOSED RULE IS ESTIMATED TO INCREASE REGULATORY COSTS IN THIS STATE BY MORE THAN \$500,000 WITHIN FIVE YEARS AFTER IMPLEMENTATION, THE PROPOSED RULE MAY NOT BECOME EFFECTIVE UNTIL THE LEGISLATURE ENACTS LEGISLATION RATIFYING THE PROPOSED RULE.

B. THE OFFICE OF ECONOMIC OPPORTUNITY SHALL SUBMIT THE PROPOSED RULE TO THE ADMINISTRATIVE RULES OVERSIGHT COMMITTEE NOT LATER THAN THIRTY DAYS BEFORE THE NEXT REGULAR LEGISLATIVE SESSION. THE COMMITTEE MUST SUBMIT THE PROPOSED RULE TO THE LEGISLATURE AS SOON AS PRACTICABLE.

C. ANY MEMBER OF THE LEGISLATURE MAY INTRODUCE LEGISLATION TO RATIFY THE PROPOSED RULE. THE PROPOSED RULE IS EXEMPT FROM SECTION 41-1024, SUBSECTION B.

D. THE AGENCY MAY NOT FILE A FINAL RULE WITH THE SECRETARY OF STATE BEFORE OBTAINING LEGISLATIVE APPROVAL OF THE RULE THROUGH LEGISLATION RATIFYING THE PROPOSED RULE. IF THE LEGISLATURE DOES NOT ENACT LEGISLATION TO RATIFY THE PROPOSED RULE DURING THE CURRENT LEGISLATIVE SESSION, THE AGENCY SHALL TERMINATE THE PROPOSED RULEMAKING BY PUBLISHING A NOTICE OF TERMINATION IN THE REGISTER.

E. IF A PERSON IS REGULATED BY AN AGENCY THAT IS PROPOSING A RULE, THAT PERSON MAY REQUEST THE OFFICE OF ECONOMIC OPPORTUNITY TO REVIEW THE RULE. A LEGISLATOR MAY ALSO REQUEST THE OFFICE OF ECONOMIC OPPORTUNITY TO REVIEW A PROPOSED RULE.

F. THIS SECTION DOES NOT APPLY TO EMERGENCY RULES ADOPTED PURSUANT TO SECTION 41-1026.

G. BEGINNING ON THE EFFECTIVE DATE OF THIS SECTION, A RULE PRESCRIBED BY SUBSECTION A OF THIS SECTION IS VOID AND UNENFORCEABLE UNLESS THE RULE IS RATIFIED AS PRESCRIBED BY THIS SECTION.

H. THIS SECTION DOES NOT APPLY TO THE CORPORATION COMMISSION.

2. The Secretary of State shall submit this proposition to the voters at the next general election as provided by article IV, part 1, section 1, Constitution of Arizona.

315

PROPOSITION 315



**ANALYSIS BY LEGISLATIVE COUNCIL**

Current law outlines the process in which state agencies adopt rules. A state agency seeking to propose a rule must open a rulemaking docket to provide notice to the public of the proposed rulemaking. The state agency is required to accept comments on the proposed rule for at least 30 days before submitting the final rule to the Governor's Regulatory Review Council (GRRC) for approval.

The Administrative Rules Oversight Committee (AROC) may also review any rulemaking action to ensure conformity with statute and legislative intent. AROC may comment and designate a representative to testify to GRRC on whether the rule is consistent with statute or legislative intent. GRRC is required to consider the comments and testimony AROC and may review and approve the rule or return the rule.

Proposition 315 would require a state agency to submit to the Office of Economic Opportunity (OEO) for review a proposed rule that is estimated to increase regulatory costs in Arizona by more than \$100,000 within five years after implementation. If OEO finds that the proposed rule is estimated to increase regulatory costs in Arizona by more than \$500,000 within five years after implementation, the proposed rule would not become effective until legislation is enacted to ratify the proposed rule. After completing the review, OEO would be required to submit the proposed rule to AROC at least 30 days before the start of the next legislative session. AROC would be required to submit the proposed rule to the Legislature as soon as practicable. Any member of the Legislature would be allowed to introduce legislation to ratify the proposed rule and the proposed rule would be exempt from the statutory time frames and submission requirements. If the Legislature does not ratify the proposed rule during the current legislative session, the state agency would be required to terminate the proposed rulemaking by publishing a notice of termination.

Proposition 315 would also:

1. Allow a legislator or a person who is regulated by a state agency that is proposing a rule to request OEO to review a proposed rule.
2. Exempt any emergency rules from legislative ratification requirements.
3. Beginning on the effective date of this measure, provide that any new rule that is subject to the regulatory cost review process is void and unenforceable unless the Legislature ratified the rule.

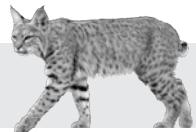
Proposition 315 would not apply to the Corporation Commission.

**Notice:** Pursuant to proposition 105 (1998), these measures cannot be changed in the future if approved on the ballot except by a three-fourths vote of the members of each house of the legislature and if the change furthers the purpose of the original ballot measure, by an initiative petition or by referring the change to the ballot.

315

PROPOSITION 315





## ARGUMENTS “FOR” PROPOSITION 315

This referral is about restoring the principles of representative democracy. It returns legislative powers to the legislature and, by extension, to The People of Arizona. Administrative rulemaking by unelected agency officials circumvents this principle, as the power to make laws should be with the legislature, elected by the people to serve the people.

This referral will require the legislature to approve any regulatory costs of more than \$100,000 within five years of implementation. Such regulations may not be implemented or adopted without the approval of the Arizona legislature. If the legislature does not approve the rule, it will be terminated.

Returning these powers to the legislature will ensure that our voices are heard loud and clear and that our public servants are accountable for all decisions made. This referral will not hinder anyone from performing their duties or public safety; it simply prevents unilateral decision-making, a concept that is at the very core of representative democracy.

### **Stephen Shadegg, State Director, Americans for Prosperity – Arizona, Phoenix**

As a Business Consultant and a former Arizona State Senator, I know too well the power of government and have seen it from both perspectives. Unchecked, the administrative state can regulate businesses right out of existence. Since leaving public office, I have pursued my entrepreneurial passions and have first-hand knowledge of the challenges facing small businesses. I work to help them succeed every day.

Businesses and individuals are celebrating the recent Supreme Court ruling in *Chevron vs. Natural Resources Defense Council*. That ruling overturned a 40-year deference to unelected bureaucrats making rules without legislative oversight.

This act benefits all of us by bringing checks and balances. It makes agency rulemaking consistent with virtually every other government function. If the State's Office of Economic Opportunity determines a proposed agency regulation will have an adverse effect on the economy in excess of \$500,000 over 5 years, the rule would require legislative approval before it can go into effect. It is that simple. With the Legislature involved, you will now have a stronger voice against unfair and onerous regulations.

Waiting to litigate rules and regulations choke Arizona's small business. This act will simply prohibit rules from moving ahead without our voices being heard. Call it transparency, call it oversight, I simply call it common sense.

We elect representatives to make laws, so the rules that flow from them should have a review process to ensure consistency, especially if those rules are costly to small business and individuals. I am voting yes on SCR1012 and I ask you to do the same. Let's ensure rules developed by state agencies are consistent with legislative intent and not kill the proverbial goose that laid the golden egg here in Arizona.

**315**  
Ed Phillips  
Small Business Consultant  
Former Arizona State Senator

### **Ed Phillips, Phoenix**

Arizona has over 64,000 regulatory restrictions. Regulation is supposed to benefit people and help society function, but needless regulation can hurt small businesses and increase the cost of food, gas, and other services for Arizona families. Currently, when a government agency proposes a regulation that will increase costs, that regulation will move forward unless it is stopped by the governor or by a legal challenge.

This measure would allow your elected representatives in the state legislature to review expensive regulations before they go into effect. If a government agency proposes a regulation that is estimated to increase costs on Arizonan's by \$500,000 within five years, the regulation may not be implemented unless the legislature approves it by a majority vote. This measure would not impact inexpensive regulations or regulations needed to protect public health and safety during an emergency.

Arizonans have their voices heard by electing state legislators to represent their values and priorities. However, unelected bureaucrats in government agencies too often create policy on their own through regulations that have the force of law. This measure will bring more accountability to the government by allowing your elected representative to stop unnecessary regulations that increase costs for Arizona families and small businesses.

Please vote YES on SCR1012.

**Allen Cambon, Opportunity Solutions Project, Tallahassee**

315



# ARGUMENTS “AGAINST” PROPOSITION 315

This measure is one of those insidious legislative ballot referrals that makes superficial sense but in practice would create enormous obstacles for reforming government programs such as the runaway spending of Arizona’s ESA voucher program. For example, ClassWallet is an almost universally despised payment processor for ESA accounts. A different vendor could easily cost the same amount or more, but would run afoul of this new obstacle.

Tying the hands of future lawmakers carries vast unforeseen consequences when decisions can easily cost (or save) in the millions. Those attacking “regulation” and “bureaucracy” fail to note that such agencies protect us from contaminated food, fraudulent health care claims, predatory lenders, unscrupulous contractors, and so much more. Agencies fill in essential gaps between statute and implementation with a tightly supervised rulemaking process, and trying to smother that with even more red tape and partisan infighting is a fool’s errand.

Interfering with the regulatory process in this manner means that biased lawmakers could impose their ideological will to supersede the expert and informed decisions of staff. Politicization of the regulatory process is unwelcome, intrusive, and dangerous and we strongly urge a “no” vote.

**Catherine Sigmon, Co-Founder, Civic Engagement Beyond Voting, Tempe and Melinda Iyer, Co-Founder & Policy Director, Civic Engagement Beyond Voting, Phoenix**

---

Protect Our Seniors: Vote NO on Proposition 315

Proposition 315 is an unnecessary and potentially harmful measure that will impede the effective governance of critical sectors, especially healthcare in senior care.

A law already exists for this purpose: Arizona law already mandates that state agencies have statutory authority with guardrails before they enact regulations. Additionally, all final proposed state agency rules must receive final approval from the Governor’s Regulatory Review Council. This existing oversight ensures that any new regulations are carefully vetted and justified, balancing regulatory needs with public interests.

Approving Proposition 315 would add yet another layer of bureaucracy by requiring new regulations to also be approved by the state legislature. This would significantly slow down the process of enacting essential regulations and might even halt necessary health and safety regulations altogether. The negative consequences for healthcare, particularly in senior care facilities could be severe.

As highlighted in detailed reports by The Arizona Republic & the AZ Auditor General, there are already alarming instances of resident harm in senior living facilities. The delay or inability to update regulations promptly could make matters even worse, leading to deteriorating conditions and insufficient safeguards for vulnerable Arizonans.

Without being able to implement new health and safety regulations or change fees to hire inspectors, senior care facilities may continue to operate using outdated rules that fail to address current challenges, like emerging health threats, evolving care standards, and population growth. This could lead to further neglect and mistreatment of residents, undermining their health and well-being.

Proposition 315 poses a significant risk to effective governance and public safety. It threatens to stifle regulatory development crucial for maintaining and improving care standards in Arizona, especially in the most vulnerable sectors like senior care. Please reject this harmful proposition to ensure we protect our elders.

**Will Humble, Executive Director, Arizona Public Health Association, Phoenix**

---

Please Oppose Proposition 315!

Proposition 315 was referred to the ballot by one of the most radically right legislatures in our state’s history. Because they do not have total control over state agencies and also generally oppose implementation of strong rules to protect our air, our

water, and our communities, they are seeking to win passage of Proposition 315 to make it more difficult, if not impossible, to implement rules such as those that help protect our drinking water or that are necessary to meet health-based standards for our air.

Much like the recent decision by the Supreme Court to overturn a long-standing principle that allowed agencies to interpret the laws that they implement—from those ensuring clean air and water, to those governing telecommunications and medical safety—Proposition 315, if approved, would hamstring agencies, and delay clean water and clean air measures, plus it would concentrate more power in the Arizona Legislature. It should be rejected. Please vote no.

**Cyndi Tuell, chair, Sierra Club - Grand Canyon Chapter, Tucson and Jim Vaaler, vice chair, Sierra Club - Grand Canyon Chapter, Phoenix**

---

The League of Women Voters of Arizona strongly opposes the proposition 315, which would give the legislature the power to interfere with the rule-making authority of the state's regulatory agencies.

This proposition would give the legislature the power to approve proposed rules that are estimated to increase the cost of regulation by specified dollar amounts. It undermines the autonomy of state agencies by shifting accountability for spending from the governor's and state attorney's offices to the legislature. State agencies need the authority to operate effectively based on their specific roles, responsibilities, and budgets. Furthermore, regulatory agencies have a level of subject matter expertise and familiarity with the regulatory environment lacking in the legislature.

This attempt at legislative overreach will hamper the regulatory agencies' ability to manage resources efficiently and address issues swiftly, ultimately impacting the quality of services provided to the public.

THE LEAGUE OF WOMEN VOTERS OF ARIZONA URGES YOU TO VOTE NO.

**Pinny Sheoran, President, League of Women Voters of Arizona, Scottsdale**  
*Sponsored by League of Women Voters of Arizona*

---

Opportunity Arizona strongly opposes Proposition 315, which would give the politicians at the State Legislature near-total control over agency rulemaking. Extremists in our State Legislature don't understand agency rulemaking and plan to weaponize the impact of this proposition under a divided government. This is an attempt by corrupt politicians to enforce authoritarian rule by creating yet another obstructionist tool that they can use to block policies they don't agree with.

Rule-making isn't political, so we have experts and regulatory attorneys at the agency level interpret the laws to create the rules. Not politicians. Proposition 315 will hamper the ability of those experts at the state agencies to keep our water safe and our air clean by bringing politics into it.

The Legislature already has multiple avenues for budgetary authority and agency oversight, many of which they are already not meeting deadlines for. Adding additional reviews to work that they are already behind on will worsen this backlog and prevent our state agencies from fulfilling their purpose to work for the people of Arizona. VOTE NO on Proposition 315 to tell extremist politicians in the legislature to keep their hands off our state agencies.

**Ben Scheel, Executive Director, Opportunity Arizona, Phoenix**  
*Sponsored by Opportunity Arizona*

---

The ability to elect our legislators gives us an opportunity to “fire” those that aren’t doing what we “hired” them to do. We don’t have the same control of government agencies. It’s hard to hold a person who is hired into a position at an agency accountable. Government is supposed to represent the will of the people. If the regulations coming from an office are not according to the will of the citizenry, Prop 315 gives us checks and balances to prevent those regulations.

Vote NO on Prop 315 to keep government agencies in line just as we do our elected officials.

**John Hassett, Phoenix**

---

# BALLOT FORMAT

## PROPOSITION 315

### REFERRED TO THE PEOPLE BY THE LEGISLATURE RELATING TO RULEMAKING

**OFFICIAL TITLE**

AMENDING TITLE 41, CHAPTER 6, ARTICLE 4.1, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-1049; RELATING TO RULEMAKING.

**DESCRIPTIVE TITLE**

ANY PROPOSED RULE BY A STATE AGENCY ESTIMATED BY THE OFFICE OF ECONOMIC OPPORTUNITY TO INCREASE REGULATORY COSTS BY MORE THAN \$500,000 WITHIN FIVE YEARS AFTER IMPLEMENTATION, EXCEPT FOR CORPORATION COMMISSION AND EMERGENCY RULES, SHALL NOT BECOME EFFECTIVE UNLESS THE LEGISLATURE RATIFIES THE PROPOSED RULE.

A “yes” vote shall have the effect of requiring state agencies to submit any proposed rule that is estimated to increase regulatory costs by more than \$100,000 within five years after implementation to the Office of Economic Opportunity for review. If the Office of Economic Opportunity determines that the proposed rule is estimated to increase regulatory costs by more than \$500,000 within five years after implementation, the proposed rule shall not become effective unless the legislature enacts legislation ratifying the proposed rule. The Corporation Commission and emergency rules are exempt from this act.

**YES**

A “no” vote shall have the effect of maintaining the current laws related to state agency rulemaking.

**NO**

315



The Bobcat (*Lynx rufus*) gets its name from its short bob-tail. About twice the size of a house cat, these wild felines typically change their habitat each day. Mama Bobcat cleverly keeps several dens to switch her kittens between.



Jackrabbit

## NOTES



## NOTES



The huge ears of the Black-tailed Jackrabbit (*Lepus californicus*) help regulate its body temperature. Large eyes give them a nearly 360° view of their surroundings, always on alert to sprint away at speeds up to 40 mph.

NOVEMBER 5, 2024 ★ GENERAL ELECTION

## NOTES

Jackrabbit



NOTES





## Rattlesnake

## NOTES



## NOTES

Watch your step! The Western Diamondback Rattlesnake (*Crotalus atrox*) escapes the daytime heat by hanging out in the shade under bushes or rocks. Its rattles are made of keratin, the same protein as human fingernails.

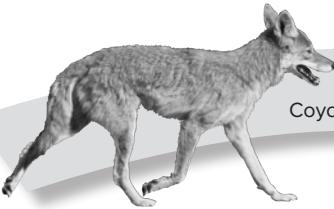
**NOVEMBER 5, 2024 ★ GENERAL ELECTION**

## NOTES

## Rattlesnake



## NOTES



## Coyote

## NOTES



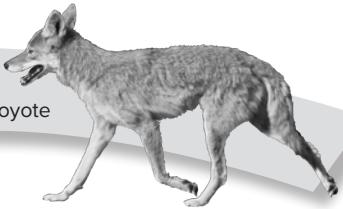
## NOTES



A familiar sight along the open road and in neighborhoods alike, the clever and adaptable Coyote (*Canis latrans*) is considered a powerful symbol in many Native American traditions.

NOVEMBER 5, 2024 ★ GENERAL ELECTION

## NOTES



Coyote



## NOTES





## NOTES

## Gila Monster



## NOTES



Despite its scary-sounding name, the Gila Monster (*Heloderma suspectum*) is actually quite shy and helpful for humans. A peptide discovered in this reptile's venom that slows their digestion for desert survival is now used in an important anti-diabetic medication.

NOVEMBER 5, 2024 ★ GENERAL ELECTION

# NOTES

Gila Monster



NOTES





## Javelina

## NOTES



Roaming desert washes in family groups, Javelinas (*Pecari tajacu*) sometimes sneak into residential areas in search of a tasty ornamental plant or dumpster snack. Babies are called "reds" after the color of their fur when they're born.



NOVEMBER 5, 2024 ★ GENERAL ELECTION

## NOTES

## Javelina



## NOTES



# BALLOT PROPOSITION VOTER'S GUIDE

This page is provided for your convenience to mark your choice after studying each proposition. It may be detached from this booklet and taken to the polling place/vote center on **Election Day, November 5, 2024**, to assist you in voting your ballot.

<b>PROPOSITION 133</b>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
PROPOSED AMENDMENT TO THE ARIZONA CONSTITUTION BY THE LEGISLATURE RELATING TO PRIMARY ELECTIONS		
<b>PROPOSITION 134</b>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
PROPOSED AMENDMENT TO THE ARIZONA CONSTITUTION BY THE LEGISLATURE RELATING TO INITIATIVES AND REFERENDA		
<b>PROPOSITION 135</b>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
PROPOSED AMENDMENT TO THE ARIZONA CONSTITUTION BY THE LEGISLATURE RELATING TO THE GOVERNOR		
<b>PROPOSITION 136</b>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
PROPOSED AMENDMENT TO THE ARIZONA CONSTITUTION BY THE LEGISLATURE RELATING TO BALLOT MEASURES		
<b>PROPOSITION 137</b>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
PROPOSED AMENDMENT TO THE ARIZONA CONSTITUTION BY THE LEGISLATURE RELATING TO THE JUDICIAL DEPARTMENT		
<b>PROPOSITION 138</b>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
PROPOSED AMENDMENT TO THE ARIZONA CONSTITUTION BY THE LEGISLATURE RELATING TO WAGES		
<b>PROPOSITION 139</b>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
PROPOSED BY INITIATIVE PETITION RELATING TO THE FUNDAMENTAL RIGHT TO AN ABORTION		



# BALLOT PROPOSITION VOTER'S GUIDE

This page is provided for your convenience to mark your choice after studying each proposition. It may be detached from this booklet and taken to the polling place/vote center on **Election Day, November 5, 2024**, to assist you in voting your ballot.

<b>PROPOSITION 140</b>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
PROPOSED BY INITIATIVE PETITION RELATING TO ELECTIONS	YES <input type="checkbox"/>	NO <input type="checkbox"/>
<b>PROPOSITION 311</b>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
REFERRED TO THE PEOPLE BY THE LEGISLATURE RELATING TO FIRST RESPONDERS	YES <input type="checkbox"/>	NO <input type="checkbox"/>
<b>PROPOSITION 312</b>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
REFERRED TO THE PEOPLE BY THE LEGISLATURE RELATING TO PROPERTY TAX	YES <input type="checkbox"/>	NO <input type="checkbox"/>
<b>PROPOSITION 313</b>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
REFERRED TO THE PEOPLE BY THE LEGISLATURE RELATING TO CHILD SEX TRAFFICKING SENTENCING	YES <input type="checkbox"/>	NO <input type="checkbox"/>
<b>PROPOSITION 314</b>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
REFERRED TO THE PEOPLE BY THE LEGISLATURE RELATING TO RESPONSES TO HARMS AT THE BORDER	YES <input type="checkbox"/>	NO <input type="checkbox"/>
<b>PROPOSITION 315</b>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
REFERRED TO THE PEOPLE BY THE LEGISLATURE RELATING TO RULEMAKING	YES <input type="checkbox"/>	NO <input type="checkbox"/>

Date of General Election: NOVEMBER 5, 2024

The polls will be open from 6:00 a.m. – 7:00 p.m. on Election Day

Election Results are available online - [www.azsos.gov](http://www.azsos.gov) - starting at 8:00 p.m.

For questions, contact the Arizona Secretary of State's Division of Election Services  
Telephone: 1-877-THE-VOTE (1-877-843-8683) or (602) 542-8683



# BALLOT PROPOSITION VOTER'S GUIDE

This page is provided for your convenience to mark your choice after studying each proposition. It may be detached from this booklet and taken to the polling place/vote center on **Election Day, November 5, 2024**, to assist you in voting your ballot.

<b>PROPOSITION 133</b>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
PROPOSED AMENDMENT TO THE ARIZONA CONSTITUTION BY THE LEGISLATURE RELATING TO PRIMARY ELECTIONS		
<b>PROPOSITION 134</b>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
PROPOSED AMENDMENT TO THE ARIZONA CONSTITUTION BY THE LEGISLATURE RELATING TO INITIATIVES AND REFERENDA		
<b>PROPOSITION 135</b>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
PROPOSED AMENDMENT TO THE ARIZONA CONSTITUTION BY THE LEGISLATURE RELATING TO THE GOVERNOR		
<b>PROPOSITION 136</b>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
PROPOSED AMENDMENT TO THE ARIZONA CONSTITUTION BY THE LEGISLATURE RELATING TO BALLOT MEASURES		
<b>PROPOSITION 137</b>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
PROPOSED AMENDMENT TO THE ARIZONA CONSTITUTION BY THE LEGISLATURE RELATING TO THE JUDICIAL DEPARTMENT		
<b>PROPOSITION 138</b>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
PROPOSED AMENDMENT TO THE ARIZONA CONSTITUTION BY THE LEGISLATURE RELATING TO WAGES		
<b>PROPOSITION 139</b>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
PROPOSED BY INITIATIVE PETITION RELATING TO THE FUNDAMENTAL RIGHT TO AN ABORTION		



# BALLOT PROPOSITION VOTER'S GUIDE

This page is provided for your convenience to mark your choice after studying each proposition. It may be detached from this booklet and taken to the polling place/vote center on **Election Day, November 5, 2024**, to assist you in voting your ballot.

<b>PROPOSITION 140</b>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
PROPOSED BY INITIATIVE PETITION RELATING TO ELECTIONS	YES <input type="checkbox"/>	NO <input type="checkbox"/>
<b>PROPOSITION 311</b>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
REFERRED TO THE PEOPLE BY THE LEGISLATURE RELATING TO FIRST RESPONDERS	YES <input type="checkbox"/>	NO <input type="checkbox"/>
<b>PROPOSITION 312</b>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
REFERRED TO THE PEOPLE BY THE LEGISLATURE RELATING TO PROPERTY TAX	YES <input type="checkbox"/>	NO <input type="checkbox"/>
<b>PROPOSITION 313</b>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
REFERRED TO THE PEOPLE BY THE LEGISLATURE RELATING TO CHILD SEX TRAFFICKING SENTENCING	YES <input type="checkbox"/>	NO <input type="checkbox"/>
<b>PROPOSITION 314</b>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
REFERRED TO THE PEOPLE BY THE LEGISLATURE RELATING TO RESPONSES TO HARMS AT THE BORDER	YES <input type="checkbox"/>	NO <input type="checkbox"/>
<b>PROPOSITION 315</b>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
REFERRED TO THE PEOPLE BY THE LEGISLATURE RELATING TO RULEMAKING	YES <input type="checkbox"/>	NO <input type="checkbox"/>

Date of General Election: NOVEMBER 5, 2024

The polls will be open from 6:00 a.m. – 7:00 p.m. on Election Day

Election Results are available online - [www.azsos.gov](http://www.azsos.gov) - starting at 8:00 p.m.

For questions, contact the Arizona Secretary of State's Division of Election Services  
Telephone: 1-877-THE-VOTE (1-877-843-8683) or (602) 542-8683



**Know someone who  
can't read due to a  
disability?**



**Tell them about Sun Sounds!**

**Call 1-877-791-8820**

**Hear the voter guide read aloud—for free!**



Sun Sounds of Arizona is a non-profit that provides audio access to information for people who cannot read or hold print material due to a disability. Sun Sounds volunteers read over 200 local and national publications 24/7, available on demand, on SunSounds.org, and via your smart speaker or our Sun Sounds app.



**Sun Sounds  
of Arizona**

**480-774-8300    info@sunsounds.org    sunsounds.org**





**ARIZONA SECRETARY OF STATE ADRIAN FONTES**  
Election Services Division  
1700 West Washington Street, 7th Floor  
Phoenix, Arizona 85007-2808

**GENERAL ELECTION  
PUBLICITY PAMPHLET  
NOVEMBER 5, 2024**

NON PROFIT ORG  
U.S. POSTAGE  
PAID  
AZ SECRETARY  
OF STATE

## **OFFICIAL ELECTION MATERIALS**

Only one informational pamphlet has been mailed to each household containing a registered voter. Please make it available to all registered voters in the household.

## **MATERIALES ELECTORALES OFICIALES**

*Sólo se ha enviado por correo un folleto informativo a cada hogar conteniendo a un elector registrado. Por favor póngalo a la disposición de todos los electores registrados en el hogar.*



**TO REGISTERED VOTERS AT:**



# **STATE OF ARIZONA INSIDE THE PUBLICITY PAMPHLET:**

General Voting Information

Judicial Performance Review Information

Ballot Propositions

Ballot Proposition “For/Against” Arguments

**TRUSTED SOURCE FOR  
UP-TO-DATE ELECTION  
INFORMATION**

Visit [Arizona.Vote](http://Arizona.Vote)

**FOR A SPANISH OR LARGE PRINT VERSION OF THIS PUBLICITY  
PAMPHLET, CALL TOLL-FREE 1-877-THE-VOTE (1-877-843-8683).**

**PARA UNA VERSIÓN EN ESPAÑOL Ó EN LETRA GRANDE DE  
ESTE FOLLETO PUBLICITARIO, LLAME AL NÚMERO DE LARGA  
DISTANCIA GRATUITA 1-877-843-8683.**

