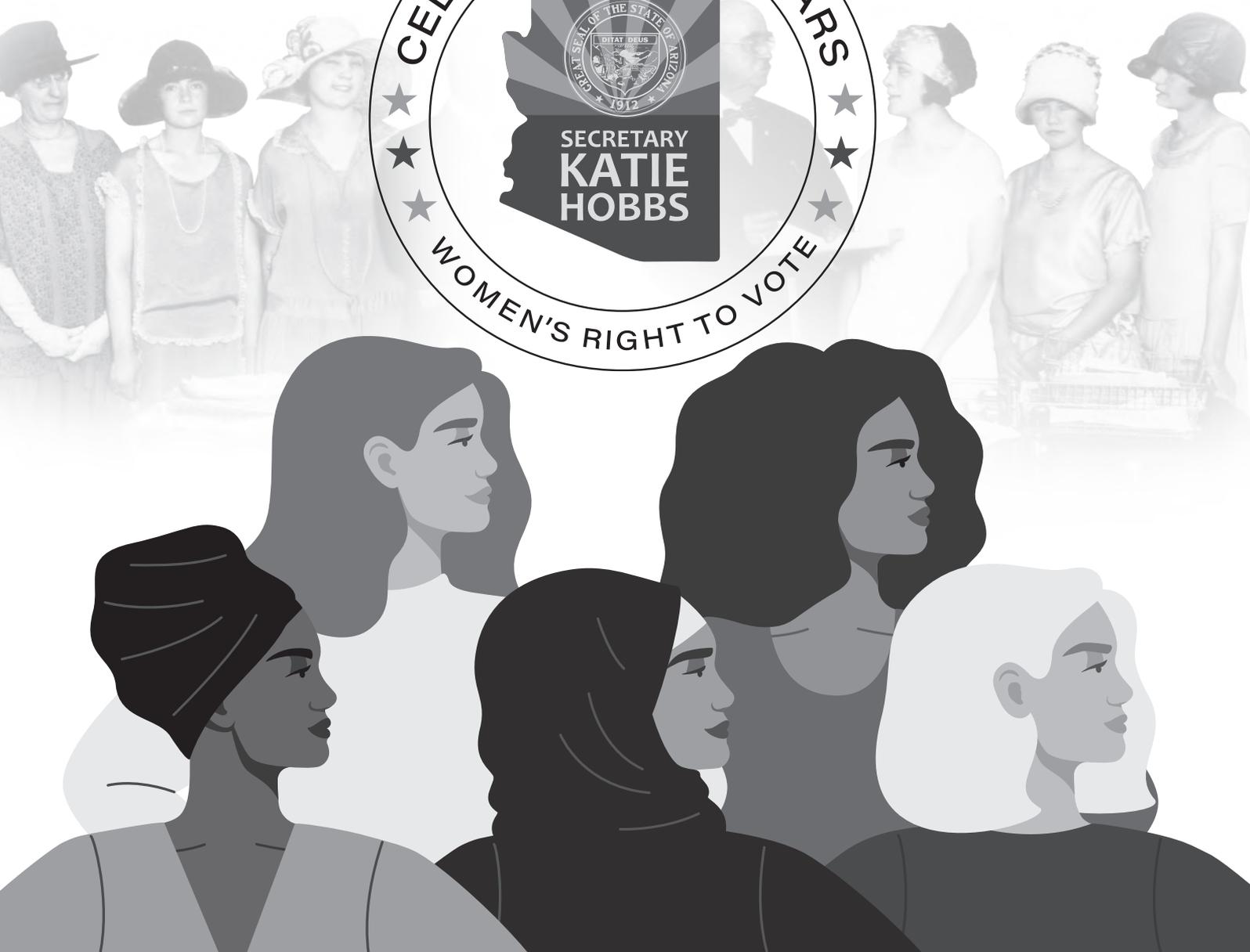




★ ARIZONA 2020 GENERAL ELECTION PUBLICITY PAMPHLET ★
NOVEMBER 3, 2020

WHAT'S ON MY BALLOT?



A MESSAGE TO ARIZONA VOTERS

Dear Arizona Voter:

This publicity pamphlet is intended to support your efforts to participate in the 2020 General Election on November 3 in a way that is most meaningful to you. It is published before every General Election and is significant this year for many reasons, including that it marks the 100th year since the ratification of the 19th Amendment, which states:

“The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex. Congress shall have power to enforce this article by appropriate legislation.”



The commemoration of the 100th year of this milestone provides an opportunity to reflect on the importance of participating in our democracy. Arizona has always embodied an independent spirit, which is likely one of the reasons why some women here were able to vote long before the 19th Amendment made its way into the Constitution.

Since the right to vote is a part of the foundation on which Arizona was built, our efforts to ensure every eligible voter has access to a ballot is part of our state’s legacy. We have a shared duty to contribute to the vision and values of a government that represents and serves us all. With that in mind, the publicity pamphlet highlights ways to participate in this election and provides important information about what is on the ballot.

As our resolve is tested by the pandemic, it is even more important for Arizonans to stay informed about the options and resources available to ensure no one has to choose between their health and their right to vote. Election officials across the state are working together to ensure that voting by mail or in person remain safe and secure. You will find information in this pamphlet about how to join the Permanent Early Voting List or request a one-time ballot-by-mail. There is also information about what you can do to protect the safety of those voting in person.

It takes a partnership between the Office of the Secretary of State, election officials, and the voters to make sure elections are safe, secure, and accurate. I appreciate your ongoing commitment to that partnership, and your participation in this year’s General Election.

Sincerely,

Katie Hobbs
Secretary of State



CONNECT WITH
ARIZONA SECRETARY
OF STATE’S OFFICE
ON SOCIAL MEDIA:



FACEBOOK.COM/
SECRETARYHOBBS



TWITTER
@SECRETARYHOBBS



INSTAGRAM
@AZSECRETARYHOBBS

ON THE COVER

Circa 1920: Arizona’s first governor, George W.P. Hunt meets with a group of women in his office at the Arizona State Capitol in Phoenix. Arizona officially recognized women’s right to vote in 1912, shortly after becoming a state. While it was among the first states to do so, eight years before the 19th Amendment was ratified on February 12, 1920, not all women had access to the ballot. It would be decades before people of color were able to vote. The illustration of five women in 2020 is by Mary Long.



Arizona State Archives Image 05-7661

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IMPORTANT 2020 GENERAL ELECTION DATES



Voter registration deadline



First day of in-person early voting

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

To check if you are on the PEVL, request a ballot-by-mail, or get information on early voting locations, contact your County Recorder or visit [Arizona.Vote](https://www.arizona.gov/vote).



Last day to request a ballot-by-mail or join the PEVL

IMPORTANT 2020 GENERAL ELECTION DATES

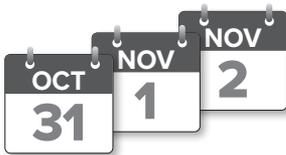


Recommended last day
to mail back a ballot

*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
is 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.

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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 3, 2020 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 Katie Hobbs
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

Register on or before
OCTOBER 5
at [Arizona.Vote](https://www.Arizona.Vote)



DEADLINE: You must register to vote by **October 5, 2020** to participate in the November 3, 2020 General Election.

REGISTER ONLINE: Register to vote online at www.servicearizona.com. A valid Arizona driver's license or nonoperating identification license is necessary to use this website. *Online registration is available through midnight on October 5, 2020.*

PAPER REGISTRATION: Arizona voter registration forms are included in this Publicity Pamphlet (see [pages 171-174](#)). Voter registration forms can also be obtained:

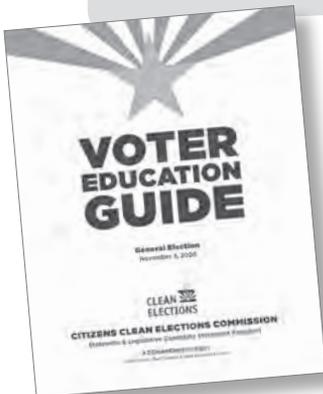
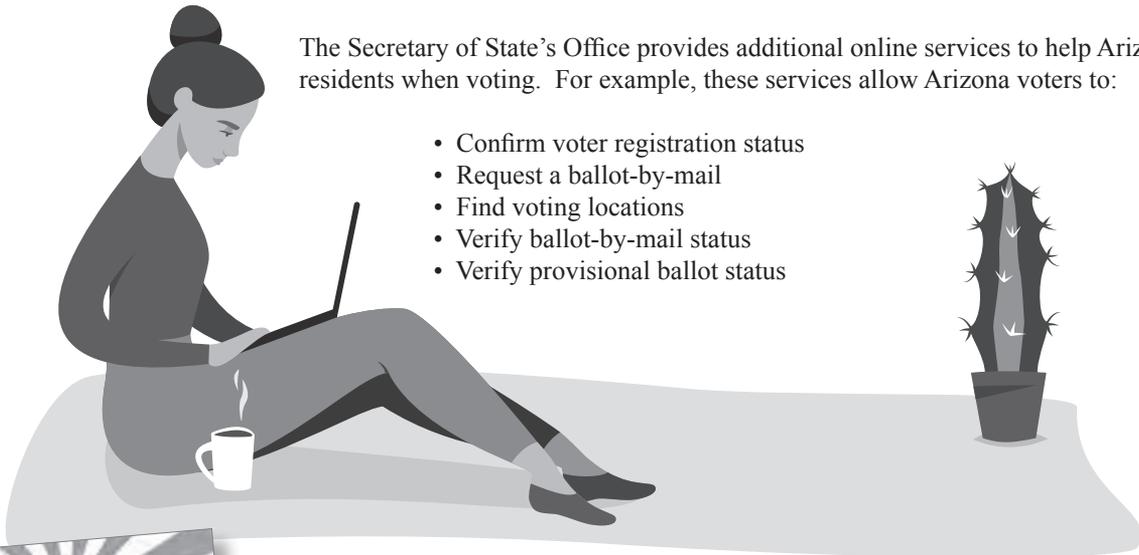
- From the Secretary of State's website at www.azsos.gov/elections/voting-election;
- By contacting the Secretary of State's Office at 1-877-THE-VOTE (1-877-843-8683) or elections@azsos.gov;
- By contacting your County Recorder's Office (listed on [page 12](#)); or
- At any Arizona Motor Vehicle Division Office or any designated voter registration assistance agency throughout the state.

ONLINE VOTER SERVICES

Please visit [Arizona.Vote](https://www.Arizona.Vote).

The Secretary of State's Office provides additional online services to help Arizona residents when voting. 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

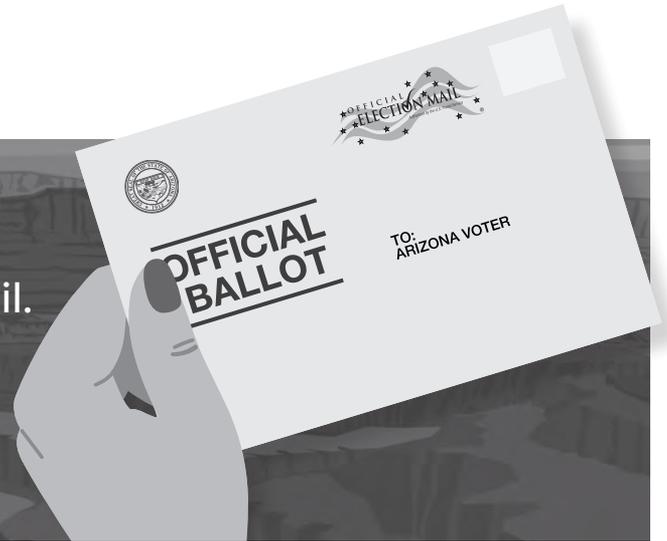


ARIZONA CITIZENS CLEAN ELECTIONS COMMISSION CANDIDATE PAMPHLET

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.azcleaselections.gov; or visit the Commission's Office at 1616 W. Adams, Suite 110, Phoenix, AZ 85007.

BALLOT-BY-MAIL

Arizona has a proud history of secure and reliable voting by mail. Registered voters in Arizona may receive a ballot-by-mail in one of two ways:



GENERAL INFORMATION

1. PERMANENT EARLY VOTING LIST (PEVL)

If you are on the PEVL, a ballot-by-mail will automatically be sent to the address on file with your County Recorder.

Check your voter registration status to see if you are on the PEVL by visiting [Arizona.Vote](https://azsos.gov).

If you are on the PEVL 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.**

If you are not on the PEVL and would like to be, please contact your County Recorder or visit the Secretary of State's website at <https://azsos.gov/votebymail>. You may also complete and return the Ballot-by-Mail & Permanent Early Voting List Request Forms included on [pages 175 and 177](#) of this Publicity Pamphlet.

2. ONE-TIME BALLOT-BY-MAIL REQUEST

If you are **NOT** on the PEVL 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 12](#).

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).

You may also complete and return the Ballot-by-Mail & Permanent Early Voting List Request Forms included on [pages 175 and 177](#) of this Publicity Pamphlet.

BALLOT-BY-MAIL & PERMANENT EARLY VOTING LIST REQUEST FORM
FORMULARIO DE SOLICITUD PARA LA BOLETA-POR-CORREO Y LA LISTA PERMANENTE DE VOTACION TEMPRANA

Use this form (1) to request a ballot-by-mail for the General Election or (2) to be added to the Permanent Early Voting List (PEVL) and permanent residence address to receive by mail the ballot for which you are eligible to participate. Complete, sign, and return this form by mail. Do not send to your County Recorder. For further information on ballot-by-mail and permanent early voting, visit <https://azsos.gov/votebymail>.

Use this form (1) to request a ballot-by-mail and to be added to the Permanent Early Voting List (PEVL) or (2) to be added to the PEVL and permanent residence address to receive by mail the ballot for which you are eligible to participate. Complete, sign, and return this form by mail. Do not send to your County Recorder. For further information on ballot-by-mail and permanent early voting, visit <https://azsos.gov/votebymail>.

* Required fields are indicated. * Campos con un asterisco son obligatorios.

1. I am requesting a ballot-by-mail for (1) my residence and mailing address OR (2) my permanent residence address and mailing address. I am requesting a ballot-by-mail for (1) my residence and mailing address OR (2) my permanent residence address and mailing address.

2. Date of Birth: _____

3. First and Last Name (Include any aliases): _____

4. Voter ID / Identificación de votante: _____

5. Residential Address - Dirección Residencial: _____

6. Mailing Address - Dirección de Correo: _____

7. County of Residence - Condado de Residencia: _____

8. Mailing Address if different from residence address - Dirección de Correo si es diferente de su dirección: _____

9. State of Birth - Estado de Residencia: _____

10. Email Address - Correo Electrónico: _____

11. I am requesting a ballot-by-mail for (1) my residence and mailing address OR (2) my permanent residence address and mailing address. I am requesting a ballot-by-mail for (1) my residence and mailing address OR (2) my permanent residence address and mailing address.

12. I am requesting a ballot-by-mail and to be added to the Permanent Early Voting List (PEVL) OR (2) to be added to the PEVL and permanent residence address to receive by mail the ballot for which you are eligible to participate. I am requesting a ballot-by-mail and to be added to the Permanent Early Voting List (PEVL) OR (2) to be added to the PEVL and permanent residence address to receive by mail the ballot for which you are eligible to participate.

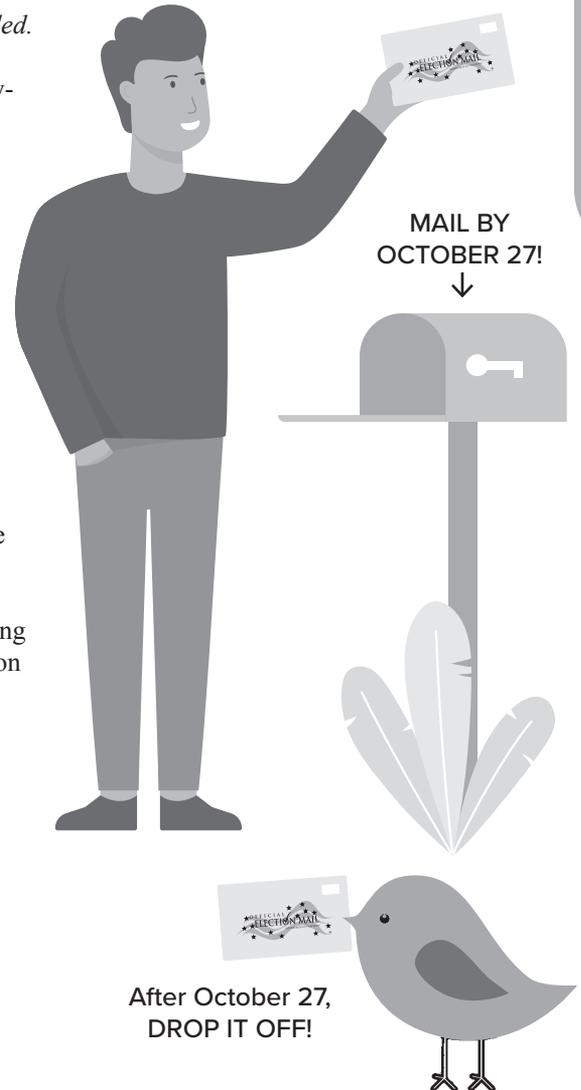
13. I am requesting a ballot-by-mail and to be added to the Permanent Early Voting List (PEVL) OR (2) to be added to the PEVL and permanent residence address to receive by mail the ballot for which you are eligible to participate. I am requesting a ballot-by-mail and to be added to the Permanent Early Voting List (PEVL) OR (2) to be added to the PEVL and permanent residence address to receive by mail the ballot for which you are eligible to participate.

Questions? Call 1-877-THE-VOTE or elections.azsos.gov

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 Permanent Early Voting List, request your ballot-by-mail as soon as possible (and by the October 23, 2020 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 back your ballot as early as possible! The recommended last day to mail back ballots is Tuesday, October 27, 2020 – 7 days before the election.
 - If you do not mail your ballot back by this date, 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.
- ✓ Voters who cannot drop off their ballot for any reason may ask a family member, household member, caregiver, or election official to take their ballot to a voting location or other designated ballot drop-off location for them.
- ✓ After voting and returning your ballot, you can check the status of your ballot at [Arizona.Vote](https://www.arizona.vote).



IN-PERSON EARLY VOTING

In-person early voting begins October 7, 2020 and is available until 5:00 p.m. on October 30, 2020, the Friday before Election Day. Emergency early voting may be available in certain counties between 5:00 p.m. on the Friday before the election and 5:00 p.m. on the Monday before the election. 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 now required to receive a ballot at an early voting location. For more information on acceptable identification, see [page 11](#).

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 www.fvap.gov or the Secretary of State’s website at <https://my.arizona.vote/UOCAVA2/default.aspx>, or by contacting their County Recorder’s Office directly (see [page 12](#)).

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 3, 2020.

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 13](#)).

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.

Maricopa County
Pima County
Santa Cruz County
Yuma County

Apache County
Coconino County
Navajo County

Gila County
Graham County
Pinal County

SPANISH

El Decreto de los Derechos del Voto requiere que los siguientes condados provean materiales electorales en los idiomas especificados para las minorías. Comuníquese con la Oficina del/la Registrador/a de su Condado y el departamento de elecciones para más información con respecto a la asistencia disponible con el idioma.

NAVAJO

Í'ii'nííł Bibee Haz'áanii bik'ehgo díí Áłts'ísí Hadahwíisdzo ádabi'doo'niidgo dóó bee bida'iis'nii'go Í'ii'nííł naaltsoos bee éédahózinígíí A'ohgo Ánéelt'e' Kééhat'íinii Bizaadk'ehgo naaltsoos bee sinil doo. Áłts'ísí Hadaoodzodóo Naaltsoos Íłjigo binanit'a'í dóó Ada'ii'nííł bił Haz'áajj' hane' ádííłíł áko t'áá ni nizaadji bee níká'i'doolwoł.

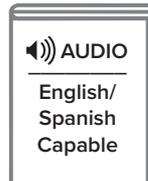
APACHE

Nnee bi-yati' ilta' at'éé hi bighą nałtsoos baa nit'ąą lek'eh. Bił jįdagozi' dołeel highą. Go-dįj itis-go shił įgonizįj nzįh yųgo nałtsoos nandee-hí bee gos'ąą yų ch'į dighą leh naích'įdikid yų.

ALTERNATIVE PAMPHLET FORMATS

The 2020 General Election Publicity Pamphlet is available in alternative formats. Voters who need information about the 2020 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 179



PROVISIONAL BALLOTS

Every person who attempts to vote at any voting location has the right to receive a ballot. If you are not permitted to vote a regular ballot for any reason, you have a right to vote 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 vote 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 by the applicable deadline 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](https://www.azsos.gov).

STATEWIDE TOWN HALL INFORMATION

Due to COVID-19 concerns, the Secretary of State's Office will host virtual 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. The meetings are free and open to the public. If you want to learn more about the statewide ballot measures, please consider attending a Town Hall online.

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



POLLING PLACE/VOTE CENTER INFORMATION

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.

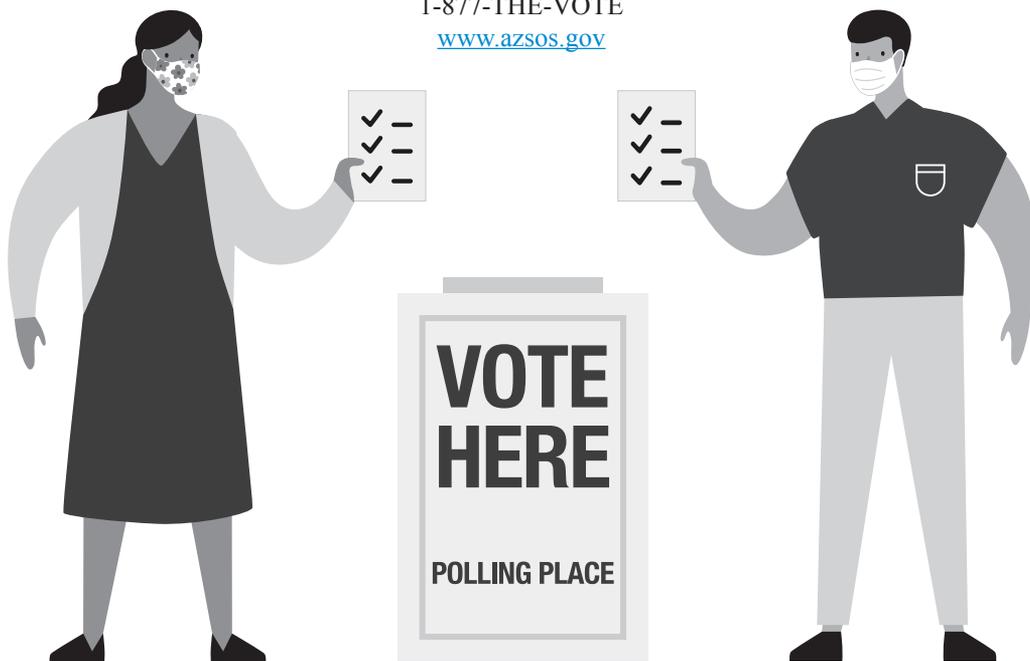
The Secretary of State's Office and county election officials are taking extra precautions to protect the health and safety of poll workers and voters at in-person voting locations.

If you are interested in becoming a poll worker, please visit <https://azsos.gov/pollworker> or contact your County Elections Department (see page 13).

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, which will require you to return and show identification to election officials before your ballot can be counted.
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, and some counties will have drive-up ballot drop-off options at voting locations.

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



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.

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, cell phone, or cable 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;
- 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.

*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.

ARIZONA COUNTY RECORDERS

Edison J. Wauneka
[Apache County Recorder](#)

Physical: 75 West Cleveland Street

Mailing: PO Box 425
St. Johns, Arizona 85936

Phone 928-337-7515

Fax 928-337-7538

TDD 800-361-4402

Email ewauneka@co.apache.az.us
David Stevens
[Cochise County Recorder](#)

1415 Melody Lane, Bldg. B

Bisbee, Arizona 85603

Phone 520-432-8350 or 1-888-457-4513

Fax 520-432-8368

TDD 520-432-8360

Email recorder@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 928-679-7131

Email celections@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 7-1-1

Email sbingham@gilacountyaz.gov
Wendy John
[Graham County Recorder](#)

Physical: 921 Thatcher Boulevard

(zip: 85546)

Mailing: PO Box 747

Safford, Arizona 85548

Phone 928-428-3560 or 1-888-428-3252

Fax 928-428-8828

TDD 928-428-3562

Email recorder@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 928-865-2632

Email smilheiro@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 928-669-8400

Email recorder@lapazcountyaz.org
Adrian Fontes
[Maricopa County Recorder](#)

111 South 3rd Avenue, #103

Phoenix, Arizona 85003

Phone 602-506-1511

Fax 602-506-5112

TDD 602-506-2348

Email voterinfo@risc.maricopa.gov
Kristi Blair
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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 established by voters to evaluate judges' performance during retention elections. While judges initially are appointed, this report can help you decide whether these judges meet judicial performance standards and should be retained. Which judges appear on your ballot depends 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.

JPR Commission Evaluations & Report

Created by a constitutional amendment, the 34-member JPR Commission conducts standards-based performance evaluations of judges. Most of the JPR Commissioners are public members, not lawyers or judges. JPR reports its results to the public. This report provides JPR Commission findings, survey results, and states whether each judge in a retention election "meets" or "does not meet" judicial performance standards.

Judicial Performance Standards

The JPR Commission evaluates each judge up for retention election to assess the judge's:

- Legal Ability: Decides cases based on applicable law, demonstrating competent legal analysis.
- Integrity: Free from personal bias. Administers justice fairly, ethically, and uniformly.
- Communication Skills: Issues prompt and understandable rulings and directions.
- Judicial Temperament: Dignified, courteous, and patient.
- Administrative Performance: Manages courtroom and office effectively. Issues rulings promptly and efficiently.

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 and made its decisions using that input. In 2019, approximately 52,000 surveys on judges were distributed to attorneys, jurors, litigants and witnesses. The JPR Commission held public hearings open to anyone wishing to speak about the judges up for retention this year. The JPR Commission accepts signed, written comments about merit-appointed judges at any time.

Use JPR Results and Checklist

Every voter can take an active role in this judicial review process. Use this JPR summary and report to guide your votes for judges up for retention. After reviewing a judge's information, mark "Yes" or "No" next to the judge's name on the Judge Checklist tear-off sheet in this pamphlet. Refer to your checklist to **Finish Your Ballot!**

Visit www.azjudges.info for more information
or email jpr@courts.az.gov.

For More Information Visit: www.azjudges.info

Reading This Data

Judicial Performance Commission results indicate how JPR Commissioners voted, whether a judge “MEETS” Judicial Performance Standards based on survey information as well as all other information submitted by the public or the judge. Judicial Performance Surveys percentages show results of surveys completed by respondents based on the averaged results of the survey respondents who rated the judge “satisfactory” or better in combined Judicial Performance Standards categories.

Judicial Performance Standards include:

- Legal Ability: Decides cases based on applicable law, demonstrating competent legal analysis.
- Integrity: Free from personal bias. Administers justice fairly, ethically, and uniformly.
- Communication Skills: Issues prompt and understandable rulings and directions.
- Judicial Temperament: Dignified, courteous, and patient.
- Administrative Performance: Manages courtroom and office effectively. Issues rulings promptly and efficiently.

RESULTS OF THE COMMISSION’S VOTE ON THE 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:

Robert Brutinel
 Andrew Gould
 John R. Lopez, IV

COURT OF APPEALS DIVISION I:

Jennifer Campbell	James B. Morse, Jr.
Maria Elena Cruz	Jennifer Perkins
Randall Howe	Samuel A. Thumma
Paul McMurdie	David Weinzweig

COURT OF APPEALS DIVISION II:

Sean Brearcliffe
 Karl Eppich
 Garye Vasquez



For More Information Visit: www.azjudges.info

Appellate Judge	JPR Votes “Meets” Judicial Standards	JPR Votes “Does Not Meet” Judicial Standards	Did Not Vote*	JPR Commission Member Did Not Vote on Self*	Details Page
Robert Brutinel	33	0	0	0	18
Andrew Gould	33	0	0	0	18
John R. Lopez, IV	33	0	0	0	18
Jennifer Campbell	33	0	0	0	19
Maria Elena Cruz	33	0	0	0	19
Randall Howe	33	0	0	0	19
Paul McMurdie	33	0	0	0	20
James B. Morse, Jr.	33	0	0	0	20
Jennifer Perkins	33	0	0	0	20
Samuel A. Thumma	33	0	0	0	21
David Weinzweig	33	0	0	0	21
Sean Brearcliffe	33	0	0	0	21
Karl Eppich	33	0	0	0	22
Garye Vasquez	32	0	0	1	22

*Voting abstentions are procedural matters within the Commission and should not be viewed in any way as a negative factor with respect to a judge’s performance.



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<p><u>BRUTINEL, ROBERT</u> Appointed to Supreme Court: 2011</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 33 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 0 Commissioners did not vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Superior Court Judge Responses
	Legal Ability	100%	100%
	Integrity	100%	100%
	Communication Skills	99%	N/A
	Judicial Temperament	98%	N/A
Administrative Performance	95%	N/A	

<p><u>GOULD, ANDREW</u> Appointed to Supreme Court: 2017</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 33 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 0 Commissioners did not vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Superior Court Judge Responses
	Legal Ability	85%	100%
	Integrity	96%	100%
	Communication Skills	95%	N/A
	Judicial Temperament	93%	N/A
Administrative Performance	100%	100%	

<p><u>LOPEZ, JOHN R., IV</u> Appointed to Supreme Court: 2017</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 33 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 0 Commissioners did not vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Superior Court Judge Responses
	Legal Ability	100%	100%
	Integrity	100%	100%
	Communication Skills	98%	N/A
	Judicial Temperament	98%	N/A
Administrative Performance	100%	100%	

*Voting abstentions are procedural matters within the Commission and should not be viewed in any way as a negative factor with respect to a judge’s performance.

JUDICIAL PERFORMANCE REVIEW

For More Information Visit: www.azjudges.info

Reading This Data

Judicial Performance Commission results indicate how JPR Commissioners voted, whether a judge “MEETS” Judicial Performance Standards based on survey information as well as all other information submitted by the public or the judge. Judicial Performance Surveys percentages show results of surveys completed by respondents based on the averaged results of the survey respondents who rated the judge “satisfactory” or better in combined Judicial Performance Standards categories.

<p><u>CAMPBELL, JENNIFER</u> Appointed to Court of Appeals Division I: 2017</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Superior Court Judge Responses
	Legal Ability	71%	99%
Integrity	90%	98%	
Communication Skills	90%	N/A	
Judicial Temperament	93%	N/A	
Administrative Performance	87%	100%	

<p><u>CRUZ, MARIA ELENA</u> Appointed to Court of Appeals Division I: 2017</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Superior Court Judge Responses
	Legal Ability	86%	97%
Integrity	100%	100%	
Communication Skills	79%	N/A	
Judicial Temperament	81%	N/A	
Administrative Performance	93%	97%	

<p><u>HOWE, RANDALL</u> Appointed to Court of Appeals Division I: 2012</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Superior Court Judge Responses
	Legal Ability	87%	97%
Integrity	95%	97%	
Communication Skills	96%	N/A	
Judicial Temperament	95%	N/A	
Administrative Performance	98%	100%	

*Voting abstentions are procedural matters within the Commission and should not be viewed in any way as a negative factor with respect to a judge’s performance.



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Reading This Data

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<p><u>MCMURDIE, PAUL</u> Appointed to Court of Appeals Division I: 2016</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 33 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 0 Commissioners did not vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Superior Court Judge Responses
	Legal Ability	91%	99%
	Integrity	96%	100%
	Communication Skills	97%	N/A
	Judicial Temperament	96%	N/A
Administrative Performance	100%	100%	

<p><u>MORSE, JAMES B., JR.</u> Appointed to Court of Appeals Division I: 2017</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 33 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 0 Commissioners did not vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Superior Court Judge Responses
	Legal Ability	100%	88%
	Integrity	100%	100%
	Communication Skills	93%	N/A
	Judicial Temperament	97%	N/A
Administrative Performance	100%	96%	

<p><u>PERKINS, JENNIFER</u> Appointed to Court of Appeals Division I: 2017</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 33 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 0 Commissioners did not vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Superior Court Judge Responses
	Legal Ability	88%	87%
	Integrity	95%	91%
	Communication Skills	100%	N/A
	Judicial Temperament	97%	N/A
Administrative Performance	81%	92%	

*Voting abstentions are procedural matters within the Commission and should not be viewed in any way as a negative factor with respect to a judge’s performance.

JUDICIAL PERFORMANCE REVIEW

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Reading This Data

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<p><u>THUMMA, SAMUELA</u> Appointed to Court of Appeals Division I: 2012</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Superior Court Judge Responses
	Legal Ability	96%	97%
	Integrity	99%	100%
Communication Skills	97%	N/A	
Judicial Temperament	98%	N/A	
Administrative Performance	96%	97%	

<p><u>WEINZWEIG, DAVID</u> Appointed to Court of Appeals Division I: 2018</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Superior Court Judge Responses
	Legal Ability	84%	86%
	Integrity	91%	98%
Communication Skills	98%	N/A	
Judicial Temperament	100%	N/A	
Administrative Performance	100%	100%	

<p><u>BREARCLIFFE, SEAN</u> Appointed to Court of Appeals Division II: 2017</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Superior Court Judge Responses
	Legal Ability	95%	92%
	Integrity	98%	93%
Communication Skills	N/A	N/A	
Judicial Temperament	N/A	N/A	
Administrative Performance	100%	100%	

*Voting abstentions are procedural matters within the Commission and should not be viewed in any way as a negative factor with respect to a judge’s performance.



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Reading This Data

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<p><u>EPPICH, KARL</u> Appointed to Court of Appeals Division II: 2017</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 33 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 0 Commissioners did not vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Superior Court Judge Responses
	Legal Ability	91%	100%
	Integrity	100%	100%
	Communication Skills	100%	N/A
	Judicial Temperament	N/A	N/A
Administrative Performance	100%	100%	

<p><u>VASQUEZ, GARYE</u> Appointed to Court of Appeals Division II: 2006</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 32 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 0 Commissioners Did Not Vote* 1 JPR Commission Member-Did Not Vote on Self*</p>		
	Judicial Performance Surveys	Attorney Responses	Superior Court Judge Responses
	Legal Ability	96%	98%
	Integrity	100%	100%
	Communication Skills	100%	N/A
	Judicial Temperament	N/A	N/A
Administrative Performance	100%	100%	

*Voting abstentions are procedural matters within the Commission and should not be viewed in any way as a negative factor with respect to a judge’s performance.

JUDICIAL PERFORMANCE REVIEW

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Judicial Performance Standards include:

- Legal Ability: Decides cases based on applicable law, demonstrating competent legal analysis.
- Integrity: Free from personal bias. Administers justice fairly, ethically, and uniformly.
- Communication Skills: Issues prompt and understandable rulings and directions.
- Judicial Temperament: Dignified, courteous, and patient.
- Administrative Performance: Manages courtroom and office effectively. Issues rulings promptly and efficiently.

RESULTS OF THE COMMISSION’S VOTE ON THE COCONINO COUNTY SUPERIOR COURT JUDGES

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

NONE

The following judges **MEET** Judicial Performance Standards

Mark Moran
Cathleen Brown Nichols

Coconino County Superior Court Judge	JPR Votes “Meets” Judicial Standards	JPR Votes “Does Not Meet” Judicial Standards	Did Not Vote*	JPR Commission Member Did Not Vote on Self*	Details Page
Mark Moran	32	0	1	0	24
Cathleen Brown Nichols	31	0	2	0	24

*Voting abstentions are procedural matters within the Commission and should not be viewed in any way as a negative factor with respect to a judge’s performance.



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<p><u>MORAN, MARK</u> Elected to the Coconino County Superior Court: 2004</p> <p><i>Judge Moran was the Presiding Judge in Coconino County during the survey period.</i></p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	32 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	1 Commissioner did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	100%	N/A
Integrity	100%	88%	
Communication Skills	100%	86%	
Judicial Temperament	100%	88%	
Administrative Performance	100%	92%	

<p><u>NICHOLS, CATHLEEN BROWN</u> Elected to the Coconino County Superior Court: 2013</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	31 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	2 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	95%	N/A
Integrity	96%	85%	
Communication Skills	90%	86%	
Judicial Temperament	96%	87%	
Administrative Performance	77%	85%	

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- Integrity: Free from personal bias. Administers justice fairly, ethically, and uniformly.
- Communication Skills: Issues prompt and understandable rulings and directions.
- Judicial Temperament: Dignified, courteous, and patient.
- Administrative Performance: Manages courtroom and office effectively. Issues rulings promptly and efficiently.

**RESULTS OF THE COMMISSION’S VOTE ON THE
PINAL COUNTY SUPERIOR COURT JUDGES**

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

NONE

The following judges **MEET** Judicial Performance Standards

Patrick Gard	Stephen McCarville
Joseph R. Georgini	Robert Carter Olson
Jason Holmberg	Christopher O’Neil

Pinal County Superior Court Judge	JPR Votes “Meets” Judicial Standards	JPR Votes “Does Not Meet” Judicial Standards	Did Not Vote*	JPR Commission Member Did Not Vote on Self*	Details Page
Patrick Gard	33	0	0	0	26
Joseph R. Georgini	33	0	0	0	26
Jason Holmberg	33	0	0	0	26
Stephen McCarville	32	0	0	1	27
Robert Carter Olson	33	0	0	0	27
Christopher O’Neil	33	0	0	0	27

*Voting abstentions are procedural matters within the Commission and should not be viewed in any way as a negative factor with respect to a judge’s performance.



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<p><u>GARD, PATRICK</u> Appointed to Pinal County Superior Court: 2018</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	96%	N/A
Integrity	100%	100%	
Communication Skills	99%	100%	
Judicial Temperament	99%	100%	
Administrative Performance	99%	100%	

<p><u>GEORGINI, JOSEPH R.</u> Elected to Pinal County Superior Court: 2006</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	96%	N/A
Integrity	100%	98%	
Communication Skills	99%	98%	
Judicial Temperament	99%	98%	
Administrative Performance	100%	96%	

<p><u>HOLMBERG, JASON</u> Appointed to Pinal County Superior Court: 2013</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	100%	N/A
Integrity	99%	95%	
Communication Skills	98%	97%	
Judicial Temperament	95%	100%	
Administrative Performance	100%	100%	

*Voting abstentions are procedural matters within the Commission and should not be viewed in any way as a negative factor with respect to a judge’s performance.

JUDICIAL PERFORMANCE REVIEW

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<p><u>MCCARVILLE, STEPHEN</u> Elected to Pinal County Superior Court: 2001</p> <p><i>Judge McCarville is the Presiding Judge in Pinal County</i></p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	32 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners Did Not Vote*		
	1 JPR Commission Member-Did Not Vote on Self*		
	Judicial Performance Surveys		
	Attorney Responses	Litigant/Witness Responses	
Legal Ability	98%	N/A	
Integrity	99%	98%	
Communication Skills	97%	97%	
Judicial Temperament	97%	98%	
Administrative Performance	98%	96%	

<p><u>OLSON, ROBERT CARTER</u> Appointed to Pinal County Superior Court: 2018</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys		
		Attorney Responses	Litigant/Witness Responses
Legal Ability	100%	N/A	
Integrity	99%	100%	
Communication Skills	98%	100%	
Judicial Temperament	99%	100%	
Administrative Performance	100%	100%	

<p><u>O’NEIL, CHRISTOPHER</u> Appointed to Pinal County Superior Court: 2018</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys		
		Attorney Responses	Litigant/Witness Responses
Legal Ability	100%	N/A	
Integrity	100%	100%	
Communication Skills	100%	100%	
Judicial Temperament	100%	98%	
Administrative Performance	100%	99%	

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JUDICIAL PERFORMANCE REVIEW

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Judicial Performance Standards include:

- Legal Ability: Decides cases based on applicable law, demonstrating competent legal analysis.
- Integrity: Free from personal bias. Administers justice fairly, ethically, and uniformly.
- Communication Skills: Issues prompt and understandable rulings and directions.
- Judicial Temperament: Dignified, courteous, and patient.
- Administrative Performance: Manages courtroom and office effectively. Issues rulings promptly and efficiently.

**RESULTS OF THE COMMISSION’S VOTE ON THE
THE PIMA COUNTY SUPERIOR COURT JUDGES**

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

NONE

The following judges **MEET** Judicial Performance Standards

Renee Bennett	John Hinderaker	Greg Sakall
Deborah Bernini	Kellie Johnson	Paul Tang
Kyle Bryson	Kenneth Lee	Joan Wagener
Michael Butler	Scott McDonald	Wayne Yehling
Richard Gordon	Casey McGinley	
Brenden Griffin	D. Douglas Metcalf	



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Pima County Superior Court Judge	JPR Votes “Meets” Judicial Standards	JPR Votes “Does Not Meet” Judicial Standards	Did Not Vote*	JPR Commission Member Did Not Vote on Self*	Details Page
Renee Bennett	33	0	0	0	30
Deborah Bernini	33	0	0	0	30
Kyle Bryson	33	0	0	0	30
Michael Butler	33	0	0	0	31
Richard Gordon	33	0	0	0	31
Brenden Griffin	33	0	0	0	31
John Hinderaker	33	0	0	0	32
Kellie Johnson	33	0	0	0	32
Kenneth Lee	33	0	0	0	32
Scott McDonald	33	0	0	0	33
Casey McGinley	33	0	0	0	33
D. Douglas Metcalf	33	0	0	0	33
Greg Sakall	33	0	0	0	34
Paul Tang	33	0	0	0	34
Joan Wagener	33	0	0	0	34
Wayne Yehling	33	0	0	0	35

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<p><u>BENNETT, RENEE</u> Appointed to Pima County Superior Court: 2017</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	96%	N/A
Integrity	95%	80%	
Communication Skills	91%	79%	
Judicial Temperament	93%	76%	
Administrative Performance	94%	83%	

<p><u>BERNINI, DEBORAH</u> Appointed to Pima County Superior Court: 1997</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	99%	N/A
Integrity	99%	100%	
Communication Skills	97%	100%	
Judicial Temperament	91%	100%	
Administrative Performance	100%	100%	

<p><u>BRYSON, KYLE</u> Appointed to Pima County Superior Court: 2010</p> <p><i>Judge Bryson is the Presiding Judge in Pima County</i></p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	100%	N/A
Integrity	100%	N/A	
Communication Skills	100%	N/A	
Judicial Temperament	100%	N/A	
Administrative Performance	100%	N/A	

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JUDICIAL PERFORMANCE REVIEW

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<p><u>BUTLER, MICHAEL</u> Appointed to Pima County Superior Court: 2013</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	85%	N/A
	Integrity	98%	98%
Communication Skills	93%	99%	
Judicial Temperament	94%	95%	
Administrative Performance	95%	99%	

<p><u>GORDON, RICHARD</u> Appointed to Pima County Superior Court: 2009</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	100%	N/A
	Integrity	99%	85%
Communication Skills	99%	73%	
Judicial Temperament	99%	83%	
Administrative Performance	100%	83%	

<p><u>GRIFFIN, BRENDEN</u> Appointed to Pima County Superior Court: 2013</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	92%	N/A
	Integrity	99%	93%
Communication Skills	93%	91%	
Judicial Temperament	97%	92%	
Administrative Performance	98%	100%	

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<p><u>HINDERAKER, JOHN</u> Appointed to Pima County Superior Court: 2018</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 33 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 0 Commissioners did not vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	95%	N/A
	Integrity	99%	98%
	Communication Skills	98%	96%
	Judicial Temperament	97%	96%
Administrative Performance	97%	98%	

<p><u>JOHNSON, KELLIE</u> Appointed to Pima County Superior Court: 2017</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 33 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 0 Commissioners did not vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	100%	N/A
	Integrity	100%	100%
	Communication Skills	100%	100%
	Judicial Temperament	99%	99%
Administrative Performance	100%	100%	

<p><u>LEE, KENNETH</u> Appointed to Pima County Superior Court: 1997</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 33 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 0 Commissioners did not vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	97%	N/A
	Integrity	99%	100%
	Communication Skills	98%	96%
	Judicial Temperament	99%	97%
Administrative Performance	99%	98%	

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<p><u>MCDONALD, SCOTT</u> Appointed to Pima County Superior Court: 2018</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	97%	N/A
Integrity	100%	99%	
Communication Skills	100%	100%	
Judicial Temperament	99%	96%	
Administrative Performance	99%	99%	

<p><u>MCGINLEY, CASEY</u> Appointed to Pima County Superior Court: 2018</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	100%	N/A
Integrity	100%	98%	
Communication Skills	100%	97%	
Judicial Temperament	99%	98%	
Administrative Performance	100%	99%	

<p><u>METCALE, D. DOUGLAS</u> Appointed to Pima County Superior Court: 2013</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	97%	N/A
Integrity	100%	100%	
Communication Skills	97%	100%	
Judicial Temperament	100%	100%	
Administrative Performance	98%	100%	

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<p><u>SAKALL, GREG</u> Appointed to Pima County Superior Court: 2017</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	100%	N/A
Integrity	100%	96%	
Communication Skills	100%	96%	
Judicial Temperament	100%	94%	
Administrative Performance	100%	98%	

<p><u>TANG, PAUL</u> Appointed to Pima County Superior Court: 2001</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	89%	N/A
Integrity	95%	95%	
Communication Skills	89%	100%	
Judicial Temperament	85%	90%	
Administrative Performance	100%	100%	

<p><u>WAGENER, JOAN</u> Appointed to Pima County Superior Court: 2014</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	94%	N/A
Integrity	96%	100%	
Communication Skills	85%	100%	
Judicial Temperament	92%	100%	
Administrative Performance	85%	100%	

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JUDICIAL PERFORMANCE REVIEW

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<p><u>YEHLING, WAYNE</u> Appointed to Pima County Superior Court: 2017</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 33 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 0 Commissioners did not vote*</p>		
	<p>Judicial Performance Surveys</p>	<p>Attorney Responses</p>	<p>Litigant/Witness Responses</p>
<p>Legal Ability</p>	<p>99%</p>	<p>N/A</p>	
<p>Integrity</p>	<p>99%</p>	<p>98%</p>	
<p>Communication Skills</p>	<p>96%</p>	<p>100%</p>	
<p>Judicial Temperament</p>	<p>99%</p>	<p>98%</p>	
<p>Administrative Performance</p>	<p>99%</p>	<p>100%</p>	

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Judicial Performance Standards include:

- Legal Ability: Decides cases based on applicable law, demonstrating competent legal analysis.
- Integrity: Free from personal bias. Administers justice fairly, ethically, and uniformly.
- Communication Skills: Issues prompt and understandable rulings and directions.
- Judicial Temperament: Dignified, courteous, and patient.
- Administrative Performance: Manages courtroom and office effectively. Issues rulings promptly and efficiently.

**RESULTS OF THE COMMISSION’S VOTE ON THE
THE MARICOPA COUNTY SUPERIOR COURT JUDGES**

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

NONE

The following judges **MEET** Judicial Performance Standards

Jay Adleman	Margaret Mahoney
Sara Agne	Michael Mandell
Justin Beresky	Suzanne S. Marwil
Scott Blaney	M. Scott McCoy
Lori Bustamante	Kathleen Mead
Rodrick Coffey	Joseph Mikitish
Bruce Cohen	Scott Minder
Suzanne Cohen	Karen A. Mullins
Connie Contes	David Palmer
Christopher Coury	Adele Ponce
Adam Driggs	Timothy Ryan
Ronda Fisk	Teresa Sanders
Pamela Gates	Patricia Starr
Jo Lynn Gentry	Sherry Stephens
Michael Gordon	Timothy Thomason
John R. Hannah, Jr.	Peter Thompson
Michael Kemp	David Udall
Daniel Kiley	Lisa Ann Vandenberg
Margaret LaBianca	Kevin Wein
Todd Lang	Christopher Whitten



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Maricopa County Superior Court Judge	JPR Votes “Meets” Judicial Standards	JPR Votes “Does Not Meet” Judicial Standards	Did Not Vote*	JPR Commission Member Did Not Vote on Self*	Details Page
Jay Adleman	33	0	0	0	39
Sara Agne	33	0	0	0	39
Justin Beresky	33	0	0	0	39
Scott Blaney	33	0	0	0	40
Lori Bustamante	33	0	0	0	40
Rodrick Coffey	33	0	0	0	40
Bruce Cohen	33	0	0	0	41
Suzanne Cohen	32	1	0	0	41
Connie Contes	33	0	0	0	41
Christopher Coury	33	0	0	0	42
Adam Driggs	31	2	0	0	42
Ronda Fisk	33	0	0	0	42
Pamela Gates	33	0	0	0	43
Jo Lynn Gentry	26	6	1	0	43
Michael Gordon	33	0	0	0	43
John R. Hannah, Jr.	33	0	0	0	44
Michael Kemp	33	0	0	0	44
Daniel Kiley	33	0	0	0	44
Margaret LaBianca	33	0	0	0	45
Todd Lang	33	0	0	0	45

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Maricopa County Superior Court Judge	JPR Votes “Meets” Judicial Standards	JPR Votes “Does Not Meet” Judicial Standards	Did Not Vote*	JPR Commission Member Did Not Vote on Self*	Details Page
Margaret Mahoney	33	0	0	0	45
Michael Mandell	33	0	0	0	46
Suzanne S. Marwil	33	0	0	0	46
M. Scott McCoy	33	0	0	0	46
Kathleen Mead	33	0	0	0	47
Joseph Mikitish	33	0	0	0	47
Scott Minder	33	0	0	0	47
Karen A. Mullins	33	0	0	0	48
David Palmer	33	0	0	0	48
Adele Ponce	33	0	0	0	48
Timothy Ryan	33	0	0	0	49
Teresa Sanders	33	0	0	0	49
Patricia Starr	33	0	0	0	49
Sherry Stephens	33	0	0	0	50
Timothy Thomason	33	0	0	0	50
Peter Thompson	33	0	0	0	50
David Udall	33	0	0	0	51
Lisa Ann Vandenberg	33	0	0	0	51
Kevin Wein	33	0	0	0	51
Christopher Whitten	33	0	0	0	52

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<p><u>ADLEMAN, JAY</u> Appointed to Maricopa County Superior Court: 2013</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	100%	N/A
Integrity	100%	100%	
Communication Skills	100%	100%	
Judicial Temperament	100%	100%	
Administrative Performance	100%	100%	

<p><u>AGNE, SARA</u> Appointed to Maricopa County Superior Court: 2018</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	100%	N/A
Integrity	100%	100%	
Communication Skills	100%	99%	
Judicial Temperament	100%	99%	
Administrative Performance	99%	100%	

<p><u>BERESKY, JUSTIN</u> Appointed to Maricopa County Superior Court: 2018</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	97%	N/A
Integrity	98%	97%	
Communication Skills	97%	84%	
Judicial Temperament	91%	83%	
Administrative Performance	96%	90%	

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<p><u>BLANEY, SCOTT</u> Appointed to Maricopa County Superior Court: 2018</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	100%	N/A
Integrity	100%	89%	
Communication Skills	100%	81%	
Judicial Temperament	98%	84%	
Administrative Performance	100%	85%	

<p><u>BUSTAMANTE, LORI</u> Appointed to Maricopa County Superior Court: 2014</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	97%	N/A
Integrity	97%	99%	
Communication Skills	97%	99%	
Judicial Temperament	97%	98%	
Administrative Performance	98%	99%	

<p><u>COFFEY, RODRICK</u> Appointed to Maricopa County Superior Court: 2013</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	95%	N/A
Integrity	99%	95%	
Communication Skills	97%	95%	
Judicial Temperament	99%	95%	
Administrative Performance	98%	95%	

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JUDICIAL PERFORMANCE REVIEW

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<p><u>COHEN, BRUCE</u> Appointed to Maricopa County Superior Court: 2005</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	93%	N/A
Integrity	99%	98%	
Communication Skills	96%	97%	
Judicial Temperament	100%	97%	
Administrative Performance	99%	100%	

<p><u>COHEN, SUZANNE</u> Appointed to Maricopa County Superior Court: 2013</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	32 Commissioners Voted “Meets” Judicial Standards		
	1 Commissioner Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	100%	N/A
Integrity	91%	77%	
Communication Skills	93%	83%	
Judicial Temperament	96%	73%	
Administrative Performance	100%	82%	

<p><u>CONTES, CONNIE</u> Appointed to Maricopa County Superior Court: 2002</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	95%	N/A
Integrity	100%	100%	
Communication Skills	96%	100%	
Judicial Temperament	98%	100%	
Administrative Performance	96%	100%	

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<p><u>COURY, CHRISTOPHER</u> Appointed to Maricopa County Superior Court: 2010</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	92%	N/A
Integrity	97%	100%	
Communication Skills	92%	100%	
Judicial Temperament	93%	100%	
Administrative Performance	97%	100%	

<p><u>DRIGGS, ADAM</u> Appointed to Maricopa County Superior Court: 2017</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	31 Commissioners Voted “Meets” Judicial Standards		
	2 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	89%	N/A
Integrity	100%	94%	
Communication Skills	95%	85%	
Judicial Temperament	97%	92%	
Administrative Performance	87%	89%	

<p><u>FISK, RONDA</u> Appointed to Maricopa County Superior Court: 2017</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	100%	N/A
Integrity	100%	96%	
Communication Skills	100%	88%	
Judicial Temperament	99%	89%	
Administrative Performance	100%	97%	

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<p><u>GATES, PAMELA</u> Appointed to Maricopa County Superior Court: 2009</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	97%	N/A
Integrity	100%	100%	
Communication Skills	96%	100%	
Judicial Temperament	100%	100%	
Administrative Performance	97%	100%	

<p><u>GENTRY, JO LYNN</u> Appointed to Maricopa County Superior Court: 2005</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	26 Commissioners Voted “Meets” Judicial Standards		
	6 Commissioners Voted “Does Not Meet” Judicial Standards		
	1 Commissioner did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	88%	N/A
Integrity	83%	97%	
Communication Skills	86%	92%	
Judicial Temperament	64%	91%	
Administrative Performance	98%	95%	

<p><u>GORDON, MICHAEL</u> Appointed to Maricopa County Superior Court: 2005</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	100%	N/A
Integrity	100%	99%	
Communication Skills	99%	96%	
Judicial Temperament	100%	97%	
Administrative Performance	97%	97%	

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<p><u>HANNAH, JOHN R., JR.</u> Appointed to Maricopa County Superior Court: 2005</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	82%	N/A
Integrity	90%	100%	
Communication Skills	82%	95%	
Judicial Temperament	71%	100%	
Administrative Performance	90%	100%	

<p><u>KEMP, MICHAEL</u> Appointed to Maricopa County Superior Court: 2005</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	100%	N/A
Integrity	98%	100%	
Communication Skills	96%	92%	
Judicial Temperament	96%	96%	
Administrative Performance	98%	100%	

<p><u>KILEY, DANIEL</u> Appointed to Maricopa County Superior Court: 2010</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	95%	N/A
Integrity	98%	96%	
Communication Skills	96%	95%	
Judicial Temperament	97%	95%	
Administrative Performance	98%	100%	

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<p><u>LABIANCA, MARGARET</u> Appointed to Maricopa County Superior Court: 2018</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	100%	N/A
Integrity	100%	100%	
Communication Skills	99%	98%	
Judicial Temperament	99%	98%	
Administrative Performance	100%	100%	

<p><u>LANG, TODD</u> Appointed to Maricopa County Superior Court: 2016</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	98%	N/A
Integrity	99%	92%	
Communication Skills	99%	95%	
Judicial Temperament	99%	89%	
Administrative Performance	100%	92%	

<p><u>MAHONEY, MARGARET</u> Appointed to Maricopa County Superior Court: 2002</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	91%	N/A
Integrity	99%	79%	
Communication Skills	96%	80%	
Judicial Temperament	97%	93%	
Administrative Performance	92%	95%	

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<p><u>MANDELL, MICHAEL</u> Appointed to Maricopa County Superior Court: 2017</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	98%	N/A
Integrity	95%	100%	
Communication Skills	89%	100%	
Judicial Temperament	85%	100%	
Administrative Performance	96%	100%	

<p><u>MARWIL, SUZANNE S.</u> Appointed to Maricopa County Superior Court: 2018</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	95%	N/A
Integrity	94%	96%	
Communication Skills	87%	90%	
Judicial Temperament	92%	93%	
Administrative Performance	99%	91%	

<p><u>MCCOY, M. SCOTT</u> Appointed to Maricopa County Superior Court: 2009</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	96%	N/A
Integrity	97%	100%	
Communication Skills	95%	96%	
Judicial Temperament	95%	98%	
Administrative Performance	97%	98%	

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<p><u>MEAD, KATHLEEN</u> Appointed to Maricopa County Superior Court: 2013</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	98%	N/A
Integrity	100%	95%	
Communication Skills	99%	97%	
Judicial Temperament	100%	92%	
Administrative Performance	100%	96%	

<p><u>MIKITISH, JOSEPH</u> Appointed to Maricopa County Superior Court: 2013</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	95%	N/A
Integrity	99%	100%	
Communication Skills	94%	100%	
Judicial Temperament	96%	100%	
Administrative Performance	99%	100%	

<p><u>MINDER, SCOTT</u> Appointed to Maricopa County Superior Court: 2017</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	100%	N/A
Integrity	96%	95%	
Communication Skills	100%	96%	
Judicial Temperament	98%	96%	
Administrative Performance	100%	99%	

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<p><u>MULLINS, KAREN A.</u> Appointed to Maricopa County Superior Court: 2006</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	98%	N/A
Integrity	99%	93%	
Communication Skills	99%	86%	
Judicial Temperament	93%	84%	
Administrative Performance	99%	92%	

<p><u>PALMER, DAVID</u> Appointed to Maricopa County Superior Court: 2009</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	100%	N/A
Integrity	100%	100%	
Communication Skills	100%	100%	
Judicial Temperament	100%	100%	
Administrative Performance	100%	100%	

<p><u>PONCE, ADELE</u> Appointed to Maricopa County Superior Court: 2018</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	81%	N/A
Integrity	97%	99%	
Communication Skills	83%	96%	
Judicial Temperament	95%	98%	
Administrative Performance	93%	98%	

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<p><u>RYAN, TIMOTHY</u> Appointed to Maricopa County Superior Court: 2005</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	94%	N/A
Integrity	97%	92%	
Communication Skills	85%	92%	
Judicial Temperament	88%	92%	
Administrative Performance	100%	92%	

<p><u>SANDERS, TERESA</u> Appointed to Maricopa County Superior Court: 2001</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	91%	N/A
Integrity	94%	100%	
Communication Skills	92%	100%	
Judicial Temperament	96%	100%	
Administrative Performance	95%	100%	

<p><u>STARR, PATRICIA</u> Appointed to Maricopa County Superior Court: 2014</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	95%	N/A
Integrity	100%	99%	
Communication Skills	97%	100%	
Judicial Temperament	100%	100%	
Administrative Performance	98%	100%	

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<p><u>STEPHENS, SHERRY</u> Appointed to Maricopa County Superior Court: 2001</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	91%	N/A
Integrity	99%	100%	
Communication Skills	96%	100%	
Judicial Temperament	99%	100%	
Administrative Performance	98%	100%	

<p><u>THOMASON, TIMOTHY</u> Appointed to Maricopa County Superior Court: 2014</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	97%	N/A
Integrity	100%	100%	
Communication Skills	97%	100%	
Judicial Temperament	100%	100%	
Administrative Performance	100%	100%	

<p><u>THOMPSON, PETER</u> Appointed to Maricopa County Superior Court: 2010</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	96%	N/A
Integrity	98%	97%	
Communication Skills	98%	94%	
Judicial Temperament	96%	95%	
Administrative Performance	100%	95%	

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<p><u>UDALL, DAVID</u> Appointed to Maricopa County Superior Court: 2001</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	100%	N/A
Integrity	100%	100%	
Communication Skills	100%	95%	
Judicial Temperament	100%	100%	
Administrative Performance	100%	97%	

<p><u>VANDENBERG, LISA ANN</u> Appointed to Maricopa County Superior Court: 2018</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	89%	N/A
Integrity	93%	90%	
Communication Skills	99%	95%	
Judicial Temperament	87%	87%	
Administrative Performance	98%	94%	

<p><u>WEIN, KEVIN</u> Appointed to Maricopa County Superior Court: 2018</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	33 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners did not vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	97%	N/A
Integrity	100%	99%	
Communication Skills	99%	100%	
Judicial Temperament	100%	98%	
Administrative Performance	100%	99%	

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<p><u>WHITTEN, CHRISTOPHER</u> Appointed to Maricopa County Superior Court: 2006</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 33 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 0 Commissioners did not vote*</p>		
	<p>Judicial Performance Surveys</p>	<p>Attorney Responses</p>	<p>Litigant/Witness Responses</p>
<p>Legal Ability</p>	<p>98%</p>	<p>N/A</p>	
<p>Integrity</p>	<p>99%</p>	<p>95%</p>	
<p>Communication Skills</p>	<p>97%</p>	<p>75%</p>	
<p>Judicial Temperament</p>	<p>99%</p>	<p>79%</p>	
<p>Administrative Performance</p>	<p>97%</p>	<p>70%</p>	

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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.

ARIZONA SUPREME COURT (All Voters)		
Robert Brutinel	Yes ___	No ___
Andrew Gould	Yes ___	No ___
John R. Lopez, IV	Yes ___	No ___

COCONINO COUNTY SUPERIOR COURT (Coconino County Voters)		
Mark Moran	Yes ___	No ___
Cathleen Brown Nichols	Yes ___	No ___

COURT OF APPEALS, DIVISION I (Maricopa County Voters)		
Randall Howe	Yes ___	No ___
Paul McMurdie	Yes ___	No ___
James B. Morse, Jr.	Yes ___	No ___
Jennifer Perkins	Yes ___	No ___
Samuel A. Thumma	Yes ___	No ___
David Weinzweig	Yes ___	No ___

PINAL COUNTY SUPERIOR COURT (Pinal County Voters)		
Patrick Gard	Yes ___	No ___
Joseph R. Georgini	Yes ___	No ___
Jason Holmberg	Yes ___	No ___
Stephen McCarville	Yes ___	No ___
Robert Carter Olson	Yes ___	No ___
Christopher O'Neil	Yes ___	No ___

COURT OF APPEALS, DIVISION I (Apache, Coconino, La Paz, Mohave, Navajo, Yavapai & Yuma County Voters)		
Jennifer Campbell	Yes ___	No ___
Maria Elena Cruz	Yes ___	No ___

PIMA COUNTY SUPERIOR COURT (Pima County Voters)		
Renee Bennett	Yes ___	No ___
Deborah Bernini	Yes ___	No ___
Kyle Bryson	Yes ___	No ___
Michael Butler	Yes ___	No ___
Richard Gordon	Yes ___	No ___
Brenden Griffin	Yes ___	No ___
John Hinderaker	Yes ___	No ___
Kellie Johnson	Yes ___	No ___
Kenneth Lee	Yes ___	No ___
Scott McDonald	Yes ___	No ___
Casey McGinley	Yes ___	No ___
D. Douglas Metcalf	Yes ___	No ___
Greg Sakall	Yes ___	No ___
Paul Tang	Yes ___	No ___
Joan Wagener	Yes ___	No ___
Wayne Yehling	Yes ___	No ___

COURT OF APPEALS, DIVISION II (Pima County Voters)		
Sean Brearcliffe	Yes ___	No ___

COURT OF APPEALS, DIVISION II (Cochise, Gila, Graham, Greenlee, Pinal & Santa Cruz County Voters)		
Karl Eppich	Yes ___	No ___
Garye Vasquez	Yes ___	No ___

REMOVABLE JUDGE CHECKLIST



For More Information Visit: www.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 Adleman	Yes ___ No ___	Margaret Mahoney	Yes ___ No ___
Sara Agne	Yes ___ No ___	Michael Mandell	Yes ___ No ___
Justin Beresky	Yes ___ No ___	Suzanne S. Marwil	Yes ___ No ___
Scott Blaney	Yes ___ No ___	M. Scott McCoy	Yes ___ No ___
Lori Bustamante	Yes ___ No ___	Kathleen Mead	Yes ___ No ___
Rodrick Coffey	Yes ___ No ___	Joseph Mikitish	Yes ___ No ___
Bruce Cohen	Yes ___ No ___	Scott Minder	Yes ___ No ___
Suzanne Cohen	Yes ___ No ___	Karen A. Mullins	Yes ___ No ___
Connie Contes	Yes ___ No ___	David Palmer	Yes ___ No ___
Christopher Coury	Yes ___ No ___	Adele Ponce	Yes ___ No ___
Adam Driggs	Yes ___ No ___	Timothy Ryan	Yes ___ No ___
Ronda Fisk	Yes ___ No ___	Teresa Sanders	Yes ___ No ___
Pamela Gates	Yes ___ No ___	Patricia Starr	Yes ___ No ___
Jo Lynn Gentry	Yes ___ No ___	Sherry Stephens	Yes ___ No ___
Michael Gordon	Yes ___ No ___	Timothy Thomason	Yes ___ No ___
John R. Hannah, Jr.	Yes ___ No ___	Peter Thompson	Yes ___ No ___
Michael Kemp	Yes ___ No ___	David Udall	Yes ___ No ___
Daniel Kiley	Yes ___ No ___	Lisa Ann Vandenberg	Yes ___ No ___
Margaret LaBianca	Yes ___ No ___	Kevin Wein	Yes ___ No ___
Todd Lang	Yes ___ No ___	Christopher Whitten	Yes ___ No ___

REMOVABLE JUDGE CHECKLIST



A GUIDE TO ARIZONA BALLOT MEASURES

Initiative and Referendum Measures

Arizona’s Constitution puts legislative power not only in a 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. The Arizona Legislature may also propose new laws or amend existing laws by directly referring the measure to the General Election ballot for voters’ consideration.

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.

DISCLAIMER

Due to the possibility of intervening legal challenges to one or more propositions published in this pamphlet, there may be changes in what actually 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; 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.

207 PROPOSITION

OFFICIAL TITLE

AN INITIATIVE MEASURE

AMENDING SECTION 36-2817, ARIZONA REVISED STATUTES; AMENDING TITLE 36, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 28.2; AMENDING TITLE 42, CHAPTER 5, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 10; AMENDING TITLE 43, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 43-108; RELATING TO THE RESPONSIBLE ADULT USE, REGULATION AND TAXATION OF MARIJUANA.

TEXT OF PROPOSED AMENDMENT

Be it enacted by the People of the State of Arizona:

Section 1. Short title

This act may be cited as the “Smart and Safe Arizona Act”.

Section 2. Findings and declaration of purpose

The People of the State of Arizona find and declare as follows:

1. In the interest of the efficient use of law enforcement resources, enhancing revenue for public purposes, and individual freedom, the responsible adult use of marijuana should be legal for persons twenty-one years of age or older, subject to state regulation, taxation, and local ordinance.
2. In the interest of the health and public safety of our citizenry, the legal adult use of marijuana should be regulated so that:
 - (a) Legitimate, taxpaying business people, and not criminal actors, conduct sales of marijuana.
 - (b) Marijuana sold in this state is tested, labeled and subject to additional regulations to ensure that consumers are informed and protected.
 - (c) Employers retain their rights to maintain drug-and-alcohol-free places of employment.
 - (d) The health and safety of employees in the marijuana industry are protected.
 - (e) Individuals must show proof of age before purchasing marijuana.
 - (f) Selling, transferring, or providing marijuana to minors and other individuals under the age of twenty-one remains illegal.
 - (g) Driving, flying or boating while impaired to the slightest degree by marijuana remains illegal.

Section 3. Section 36-2817, Arizona Revised Statutes, is amended to read:

36-2817. Medical marijuana fund; private donations

- A. The medical marijuana fund is established consisting of fees collected, civil penalties imposed and private donations received under this chapter. The department shall administer the fund. Monies in the fund are continuously appropriated.
- B. The director of the department may accept and spend private grants, gifts, donations, contributions and devises to assist in carrying out the provisions of this chapter.
- C. Monies in the medical marijuana fund do not revert to the state general fund at the end of a fiscal year.
- D. ON THE EFFECTIVE DATE OF THIS AMENDMENT TO THIS SECTION, THE DIRECTOR OF THE DEPARTMENT SHALL TRANSFER THE FOLLOWING SUMS FROM THE MEDICAL MARIJUANA FUND FOR THE FOLLOWING PURPOSES:
 1. \$15,000,000 TO THE ARIZONA TEACHERS ACADEMY FUND ESTABLISHED BY SECTION 15-1655.
 2. \$10,000,000 TO THE DEPARTMENT TO FUND THE FORMATION AND OPERATION OF

COUNCILS, COMMISSIONS AND PROGRAMS DEDICATED TO IMPROVING PUBLIC HEALTH, INCLUDING TEEN SUICIDE PREVENTION, THE MATERNAL MORTALITY REVIEW PROGRAM, IMPROVING YOUTH HEALTH, SUBSTANCE ABUSE PREVENTION, ADDRESSING ADVERSE CHILDHOOD EXPERIENCES, THE ARIZONA POISON CONTROL SYSTEM ESTABLISHED PURSUANT TO SECTION 36-1161, THE ARIZONA HEALTH IMPROVEMENT PLAN, THE CHILD FATALITY REVIEW TEAM ESTABLISHED PURSUANT TO SECTION 36-3501 AND THE CHRONIC PAIN SELF MANAGEMENT PROGRAM.

3. \$10,000,000 TO THE GOVERNOR'S OFFICE OF HIGHWAY SAFETY TO DISTRIBUTE GRANTS FOR THE FOLLOWING PURPOSES:

(a) REDUCING IMPAIRED DRIVING, INCLUDING CONDUCTING TRAINING PROGRAMS AND PURCHASING EQUIPMENT FOR DETECTING, TESTING AND ENFORCING LAWS AGAINST DRIVING, FLYING OR BOATING WHILE IMPAIRED.

(b) EQUIPMENT, TRAINING AND PERSONNEL COSTS FOR DEDICATED TRAFFIC ENFORCEMENT.

4. \$2,000,000 TO THE DEPARTMENT TO IMPLEMENT, CARRY OUT AND ENFORCE CHAPTER 28.2 OF THIS TITLE.

5. \$4,000,000 TO THE DEPARTMENT TO DISTRIBUTE GRANTS TO QUALIFIED NONPROFIT ENTITIES THAT WILL PROVIDE OUTREACH TO INDIVIDUALS WHO MAY BE ELIGIBLE TO FILE PETITIONS FOR EXPUNGEMENT PURSUANT TO SECTION 36-2862 AND WILL ASSIST WITH THE EXPUNGEMENT PETITION PROCESS. THE DEPARTMENT SHALL DISTRIBUTE GRANTS PURSUANT TO THIS PARAGRAPH ON OR BEFORE JUNE 30, 2021.

6. \$2,000,000 TO THE DEPARTMENT TO DEVELOP AND IMPLEMENT, IN CONJUNCTION WITH THE DEPARTMENT OF ECONOMIC SECURITY AND OTHER STATE AGENCIES, A SOCIAL EQUITY OWNERSHIP PROGRAM TO PROMOTE THE OWNERSHIP AND OPERATION OF MARIJUANA ESTABLISHMENTS AND MARIJUANA TESTING FACILITIES BY INDIVIDUALS FROM COMMUNITIES DISPROPORTIONATELY IMPACTED BY THE ENFORCEMENT OF PREVIOUS MARIJUANA LAWS. FOR THE PURPOSES OF THIS PARAGRAPH, "MARIJUANA ESTABLISHMENT" AND "MARIJUANA TESTING FACILITY" HAVE THE SAME MEANINGS PRESCRIBED IN SECTION 36-2850.

7. \$1,000,000 TO THE DEPARTMENT TO FUND PROGRAMS AND GRANTS TO QUALIFIED NONPROFIT ORGANIZATIONS FOR EDUCATION AND COMMUNITY OUTREACH RELATED TO CHAPTER 28.2 OF THIS TITLE.

8. \$1,000,000 TO THE SMART AND SAFE ARIZONA FUND ESTABLISHED BY SECTION 36-2856.

Section 4. Title 36, Arizona Revised Statutes, is amended by adding chapter 28.2, to read:

CHAPTER 28.2
RESPONSIBLE ADULT USE OF MARIJUANA

36-2850. Definitions

IN THIS CHAPTER, UNLESS THE CONTEXT REQUIRES OTHERWISE:

1. "ADVERTISE," "ADVERTISEMENT" AND "ADVERTISING" MEAN ANY PUBLIC COMMUNICATION IN ANY MEDIUM THAT OFFERS OR SOLICITS A COMMERCIAL TRANSACTION INVOLVING THE SALE, PURCHASE OR DELIVERY OF MARIJUANA OR MARIJUANA PRODUCTS.

2. "CHILD-RESISTANT" MEANS DESIGNED OR CONSTRUCTED TO BE SIGNIFICANTLY DIFFICULT FOR CHILDREN UNDER FIVE YEARS OF AGE TO OPEN, AND NOT DIFFICULT FOR NORMAL ADULTS TO USE PROPERLY.

3. "CONSUME," "CONSUMING" AND "CONSUMPTION" MEAN THE ACT OF INGESTING, INHALING OR OTHERWISE INTRODUCING MARIJUANA INTO THE HUMAN BODY.

4. "CONSUMER" MEANS AN INDIVIDUAL WHO IS AT LEAST TWENTY-ONE YEARS OF AGE AND WHO PURCHASES MARIJUANA OR MARIJUANA PRODUCTS.

5. "CULTIVATE" AND "CULTIVATION" MEAN TO PROPAGATE, BREED, GROW, PREPARE AND PACKAGE MARIJUANA.

6. "DELIVER" AND "DELIVERY" MEAN THE TRANSPORTATION, TRANSFER OR PROVISION OF MARIJUANA OR MARIJUANA PRODUCTS TO A CONSUMER AT A LOCATION OTHER THAN THE DESIGNATED

RETAIL LOCATION OF A MARIJUANA ESTABLISHMENT.

7. “DEPARTMENT” MEANS THE DEPARTMENT OF HEALTH SERVICES OR ITS SUCCESSOR AGENCY.
8. “DESIGNATED CAREGIVER,” “EXCLUDED FELONY OFFENSE,” “INDEPENDENT THIRD-PARTY LABORATORY,” “NONPROFIT MEDICAL MARIJUANA DISPENSARY,” “NONPROFIT MEDICAL MARIJUANA DISPENSARY AGENT,” AND “QUALIFYING PATIENT” HAVE THE SAME MEANINGS PRESCRIBED IN SECTION 36-2801.
9. “DUAL LICENSEE” MEANS AN ENTITY THAT HOLDS BOTH A NONPROFIT MEDICAL MARIJUANA DISPENSARY REGISTRATION AND A MARIJUANA ESTABLISHMENT LICENSE.
10. “EARLY APPLICANT” MEANS EITHER OF THE FOLLOWING:
 - (a) AN ENTITY SEEKING TO OPERATE A MARIJUANA ESTABLISHMENT IN A COUNTY WITH FEWER THAN TWO REGISTERED NONPROFIT MEDICAL MARIJUANA DISPENSARIES.
 - (b) A NONPROFIT MEDICAL MARIJUANA DISPENSARY THAT IS REGISTERED AND IN GOOD STANDING WITH THE DEPARTMENT.
11. “EMPLOYEE,” “EMPLOYER,” “HEALTH CARE FACILITY,” AND “PLACES OF EMPLOYMENT” HAVE THE SAME MEANINGS PRESCRIBED IN THE SMOKE-FREE ARIZONA ACT, SECTION 36-601.01.
12. “GOOD STANDING” MEANS THAT A NONPROFIT MEDICAL MARIJUANA DISPENSARY IS NOT THE SUBJECT OF A PENDING NOTICE OF INTENT TO REVOKE ISSUED BY THE DEPARTMENT.
13. “INDUSTRIAL HEMP” HAS THE SAME MEANING PRESCRIBED IN SECTION 3-311.
14. “LOCALITY” MEANS A CITY, TOWN OR COUNTY.
15. “MANUFACTURE” AND “MANUFACTURING” MEAN TO COMPOUND, BLEND, EXTRACT, INFUSE OR OTHERWISE MAKE OR PREPARE A MARIJUANA PRODUCT.
16. “MARIJUANA”:
 - (a) MEANS ALL PARTS OF THE PLANT OF THE GENUS CANNABIS, WHETHER GROWING OR NOT, AS WELL AS THE SEEDS FROM THE PLANT, THE RESIN EXTRACTED FROM ANY PART OF THE PLANT, AND EVERY COMPOUND, MANUFACTURE, SALT, DERIVATIVE, MIXTURE OR PREPARATION OF THE PLANT OR ITS SEEDS OR RESIN.
 - (b) INCLUDES CANNABIS AS DEFINED IN SECTION 13-3401.
 - (c) DOES NOT INCLUDE INDUSTRIAL HEMP, THE FIBER PRODUCED FROM THE STALKS OF THE PLANT OF THE GENUS CANNABIS, OIL OR CAKE MADE FROM THE SEEDS OF THE PLANT, STERILIZED SEEDS OF THE PLANT THAT ARE INCAPABLE OF GERMINATION, OR THE WEIGHT OF ANY OTHER INGREDIENT COMBINED WITH MARIJUANA TO PREPARE TOPICAL OR ORAL ADMINISTRATIONS, FOOD, DRINK OR OTHER PRODUCTS.
17. “MARIJUANA CONCENTRATE”:
 - (a) MEANS RESIN EXTRACTED FROM ANY PART OF A PLANT OF THE GENUS CANNABIS AND EVERY COMPOUND, MANUFACTURE, SALT, DERIVATIVE, MIXTURE OR PREPARATION OF THAT RESIN OR TETRAHYDROCANNABINOL.
 - (b) DOES NOT INCLUDE INDUSTRIAL HEMP OR THE WEIGHT OF ANY OTHER INGREDIENT COMBINED WITH CANNABIS TO PREPARE TOPICAL OR ORAL ADMINISTRATIONS, FOOD, DRINK OR OTHER PRODUCTS.
18. “MARIJUANA ESTABLISHMENT” MEANS AN ENTITY LICENSED BY THE DEPARTMENT TO OPERATE ALL OF THE FOLLOWING:
 - (a) A SINGLE RETAIL LOCATION AT WHICH THE LICENSEE MAY SELL MARIJUANA AND MARIJUANA PRODUCTS TO CONSUMERS, CULTIVATE MARIJUANA AND MANUFACTURE MARIJUANA PRODUCTS.
 - (b) A SINGLE OFF-SITE CULTIVATION LOCATION AT WHICH THE LICENSEE MAY CULTIVATE MARIJUANA, PROCESS MARIJUANA AND MANUFACTURE MARIJUANA PRODUCTS, BUT FROM WHICH MARIJUANA AND MARIJUANA PRODUCTS MAY NOT BE TRANSFERRED OR SOLD TO CONSUMERS.
 - (c) A SINGLE OFF-SITE LOCATION AT WHICH THE LICENSEE MAY MANUFACTURE MARIJUANA PRODUCTS AND PACKAGE AND STORE MARIJUANA AND MARIJUANA PRODUCTS, BUT FROM WHICH MARIJUANA AND MARIJUANA PRODUCTS MAY NOT BE TRANSFERRED OR SOLD TO CONSUMERS.
19. “MARIJUANA FACILITY AGENT” MEANS A PRINCIPAL OFFICER, BOARD MEMBER OR

EMPLOYEE OF A MARIJUANA ESTABLISHMENT OR MARIJUANA TESTING FACILITY WHO IS AT LEAST TWENTY-ONE YEARS OF AGE AND HAS NOT BEEN CONVICTED OF AN EXCLUDED FELONY OFFENSE.

20. “MARIJUANA PRODUCTS” MEANS MARIJUANA CONCENTRATE AND PRODUCTS THAT ARE COMPOSED OF MARIJUANA AND OTHER INGREDIENTS AND THAT ARE INTENDED FOR USE OR CONSUMPTION, INCLUDING EDIBLE PRODUCTS, OINTMENTS AND TINCTURES.

21. “MARIJUANA TESTING FACILITY” MEANS THE DEPARTMENT OR ANOTHER ENTITY THAT IS LICENSED BY THE DEPARTMENT TO ANALYZE THE POTENCY OF MARIJUANA AND TEST MARIJUANA FOR HARMFUL CONTAMINANTS.

22. “OPEN SPACE” MEANS A PUBLIC PARK, PUBLIC SIDEWALK, PUBLIC WALKWAY OR PUBLIC PEDESTRIAN THOROUGHFARE.

23. “PROCESS” AND “PROCESSING” MEAN TO HARVEST, DRY, CURE, TRIM OR SEPARATE PARTS OF THE MARIJUANA PLANT.

24. “PUBLIC PLACE” HAS THE SAME MEANING PRESCRIBED IN THE SMOKE-FREE ARIZONA ACT, SECTION 36-601.01.

25. “SMOKE” MEANS TO INHALE, EXHALE, BURN, CARRY OR POSSESS ANY LIGHTED MARIJUANA OR LIGHTED MARIJUANA PRODUCTS, WHETHER NATURAL OR SYNTHETIC.

36-2851. Employers; driving; minors; control of property; smoking in public places and open spaces
THIS CHAPTER:

1. DOES NOT RESTRICT THE RIGHTS OF EMPLOYERS TO MAINTAIN A DRUG-AND-ALCOHOL-FREE WORKPLACE OR AFFECT THE ABILITY OF EMPLOYERS TO HAVE WORKPLACE POLICIES RESTRICTING THE USE OF MARIJUANA BY EMPLOYEES OR PROSPECTIVE EMPLOYEES.

2. DOES NOT REQUIRE AN EMPLOYER TO ALLOW OR ACCOMMODATE THE USE, CONSUMPTION, POSSESSION, TRANSFER, DISPLAY, TRANSPORTATION, SALE OR CULTIVATION OF MARIJUANA IN A PLACE OF EMPLOYMENT.

3. DOES NOT ALLOW DRIVING, FLYING OR BOATING WHILE IMPAIRED TO EVEN THE SLIGHTEST DEGREE BY MARIJUANA OR PREVENT THIS STATE FROM ENACTING AND IMPOSING PENALTIES FOR DRIVING, FLYING OR BOATING WHILE IMPAIRED TO EVEN THE SLIGHTEST DEGREE BY MARIJUANA.

4. DOES NOT ALLOW AN INDIVIDUAL WHO IS UNDER TWENTY-ONE YEARS OF AGE TO PURCHASE, POSSESS, TRANSPORT OR CONSUME MARIJUANA OR MARIJUANA PRODUCTS.

5. DOES NOT ALLOW THE SALE, TRANSFER OR PROVISION OF MARIJUANA OR MARIJUANA PRODUCTS TO AN INDIVIDUAL WHO IS UNDER TWENTY-ONE YEARS OF AGE.

6. DOES NOT RESTRICT THE RIGHTS OF EMPLOYERS, SCHOOLS, DAY CARE CENTERS, ADULT DAY CARE FACILITIES, HEALTH CARE FACILITIES OR CORRECTIONS FACILITIES TO PROHIBIT OR REGULATE CONDUCT OTHERWISE ALLOWED BY THIS CHAPTER WHEN SUCH CONDUCT OCCURS ON OR IN THEIR PROPERTIES.

7. DOES NOT RESTRICT THE ABILITY OF AN INDIVIDUAL, PARTNERSHIP, LIMITED LIABILITY COMPANY, PRIVATE CORPORATION, PRIVATE ENTITY OR PRIVATE ORGANIZATION OF ANY CHARACTER THAT OCCUPIES, OWNS OR CONTROLS PROPERTY TO PROHIBIT OR REGULATE CONDUCT OTHERWISE ALLOWED BY THIS CHAPTER ON OR IN SUCH PROPERTY.

8. DOES NOT ALLOW ANY PERSON TO:

(a) SMOKE MARIJUANA IN A PUBLIC PLACE OR OPEN SPACE.

(b) CONSUME MARIJUANA OR MARIJUANA PRODUCTS WHILE DRIVING, OPERATING OR RIDING IN THE PASSENGER SEAT OR COMPARTMENT OF AN OPERATING MOTOR VEHICLE, BOAT, VESSEL, AIRCRAFT OR ANOTHER VEHICLE USED FOR TRANSPORTATION.

9. DOES NOT PROHIBIT THIS STATE OR A POLITICAL SUBDIVISION OF THIS STATE FROM PROHIBITING OR REGULATING CONDUCT OTHERWISE ALLOWED BY THIS CHAPTER WHEN SUCH CONDUCT OCCURS ON OR IN PROPERTY THAT IS OCCUPIED, OWNED, CONTROLLED OR OPERATED BY THIS STATE OR A POLITICAL SUBDIVISION OF THIS STATE.

10. DOES NOT AUTHORIZE A PERSON TO PROCESS OR MANUFACTURE MARIJUANA BY MEANS OF ANY LIQUID OR GAS, OTHER THAN ALCOHOL, THAT HAS A FLASHPOINT BELOW ONE HUNDRED

DEGREES FAHRENHEIT, UNLESS PERFORMED BY A MARIJUANA ESTABLISHMENT.

11. DOES NOT REQUIRE A PERSON TO VIOLATE FEDERAL LAW OR TO IMPLEMENT OR FAIL TO IMPLEMENT A RESTRICTION ON THE POSSESSION, CONSUMPTION, DISPLAY, TRANSFER, PROCESSING, MANUFACTURING OR CULTIVATION OF MARIJUANA IF BY SO DOING THE PERSON WILL LOSE A MONETARY OR LICENSING-RELATED BENEFIT UNDER FEDERAL LAW.

12. DOES NOT SUPERSEDE OR ELIMINATE ANY EXISTING RIGHTS OR PRIVILEGES OF ANY PERSON EXCEPT AS SPECIFICALLY SET FORTH IN THIS CHAPTER.

13. DOES NOT LIMIT ANY PRIVILEGE OR RIGHT OF A NONPROFIT MEDICAL MARIJUANA DISPENSARY UNDER CHAPTER 28.1 OF THIS TITLE EXCEPT AS EXPRESSLY SET FORTH IN THIS CHAPTER.

14. DOES NOT LIMIT ANY PRIVILEGE OR RIGHT OF A QUALIFYING PATIENT OR DESIGNATED CAREGIVER UNDER CHAPTER 28.1 OF THIS TITLE.

36-2852. Allowable possession and personal use of marijuana, marijuana products and marijuana paraphernalia

A. EXCEPT AS SPECIFICALLY AND EXPRESSLY PROVIDED IN SECTIONS 36-2851 AND 36-2853 AND NOTWITHSTANDING ANY OTHER LAW, THE FOLLOWING ACTS BY AN INDIVIDUAL WHO IS AT LEAST TWENTY-ONE YEARS OF AGE ARE LAWFUL, ARE NOT AN OFFENSE UNDER THE LAWS OF THIS STATE OR ANY LOCALITY, MAY NOT CONSTITUTE THE BASIS FOR DETENTION, SEARCH OR ARREST, AND CANNOT SERVE AS THE SOLE BASIS FOR SEIZURE OR FORFEITURE OF ASSETS, FOR IMPOSING PENALTIES OF ANY KIND UNDER THE LAWS OF THIS STATE OR ANY LOCALITY OR FOR ABROGATING OR LIMITING ANY RIGHT OR PRIVILEGE CONFERRED OR PROTECTED BY THE LAWS OF THIS STATE OR ANY LOCALITY:

1. POSSESSING, CONSUMING, PURCHASING, PROCESSING, MANUFACTURING BY MANUAL OR MECHANICAL MEANS, INCLUDING SIEVING OR ICE WATER SEPARATION BUT EXCLUDING CHEMICAL EXTRACTION OR CHEMICAL SYNTHESIS, OR TRANSPORTING ONE OUNCE OR LESS OF MARIJUANA, EXCEPT THAT NOT MORE THAN FIVE GRAMS OF MARIJUANA MAY BE IN THE FORM OF MARIJUANA CONCENTRATE.

2. POSSESSING, TRANSPORTING, CULTIVATING OR PROCESSING NOT MORE THAN SIX MARIJUANA PLANTS FOR PERSONAL USE AT THE INDIVIDUAL'S PRIMARY RESIDENCE, AND POSSESSING, PROCESSING AND MANUFACTURING BY MANUAL OR MECHANICAL MEANS, INCLUDING SIEVING OR ICE WATER SEPARATION BUT EXCLUDING CHEMICAL EXTRACTION OR CHEMICAL SYNTHESIS, THE MARIJUANA PRODUCED BY THE PLANTS ON THE PREMISES WHERE THE MARIJUANA PLANTS WERE GROWN IF ALL OF THE FOLLOWING APPLY:

(a) NOT MORE THAN TWELVE PLANTS ARE PRODUCED AT A SINGLE RESIDENCE WHERE TWO OR MORE INDIVIDUALS WHO ARE AT LEAST TWENTY-ONE YEARS OF AGE RESIDE AT ONE TIME.

(b) CULTIVATION TAKES PLACE WITHIN A CLOSET, ROOM, GREENHOUSE OR OTHER ENCLOSED AREA ON THE GROUNDS OF THE RESIDENCE EQUIPPED WITH A LOCK OR OTHER SECURITY DEVICE THAT PREVENTS ACCESS BY MINORS.

(c) CULTIVATION TAKES PLACE IN AN AREA WHERE THE MARIJUANA PLANTS ARE NOT VISIBLE FROM PUBLIC VIEW WITHOUT USING BINOCULARS, AIRCRAFT OR OTHER OPTICAL AIDS.

3. TRANSFERRING ONE OUNCE OR LESS OF MARIJUANA, OF WHICH NOT MORE THAN FIVE GRAMS MAY BE IN THE FORM OF MARIJUANA CONCENTRATE, TO AN INDIVIDUAL WHO IS AT LEAST TWENTY-ONE YEARS OF AGE IF THE TRANSFER IS WITHOUT REMUNERATION AND IS NOT ADVERTISED OR PROMOTED TO THE PUBLIC.

4. TRANSFERRING UP TO SIX MARIJUANA PLANTS TO AN INDIVIDUAL WHO IS AT LEAST TWENTY-ONE YEARS OF AGE IF THE TRANSFER IS WITHOUT REMUNERATION AND IS NOT ADVERTISED OR PROMOTED TO THE PUBLIC.

5. ACQUIRING, POSSESSING, MANUFACTURING, USING, PURCHASING, SELLING OR TRANSPORTING PARAPHERNALIA RELATING TO THE CULTIVATION, MANUFACTURE, PROCESSING OR CONSUMPTION OF MARIJUANA OR MARIJUANA PRODUCTS.

6. ASSISTING ANOTHER INDIVIDUAL WHO IS AT LEAST TWENTY-ONE YEARS OF AGE IN ANY OF THE ACTS DESCRIBED IN THIS SUBSECTION.

B. NOTWITHSTANDING ANY OTHER LAW, A PERSON WITH METABOLITES OR COMPONENTS OF MARIJUANA IN THE PERSON'S BODY IS GUILTY OF VIOLATING SECTION 28-1381, SUBSECTION A,

PARAGRAPH 3 ONLY IF THE PERSON IS ALSO IMPAIRED TO THE SLIGHTEST DEGREE.

C. NOTWITHSTANDING ANY OTHER LAW, THE ODOR OF MARIJUANA OR BURNT MARIJUANA DOES NOT BY ITSELF CONSTITUTE REASONABLE ARTICULABLE SUSPICION OF A CRIME. THIS SUBSECTION DOES NOT APPLY WHEN A LAW ENFORCEMENT OFFICER IS INVESTIGATING WHETHER A PERSON HAS VIOLATED SECTION 28-1381.

36-2853. Violations; classification; civil penalty; additional fine; enforcement

A. NOTWITHSTANDING ANY OTHER LAW AND EXCEPT AS OTHERWISE PROVIDED IN THIS CHAPTER, A PERSON WHO POSSESSES AN AMOUNT OF MARIJUANA GREATER THAN THE AMOUNT ALLOWED PURSUANT TO SECTION 36-2852, BUT NOT MORE THAN TWO AND ONE-HALF OUNCES OF MARIJUANA, OF WHICH NOT MORE THAN TWELVE AND ONE-HALF GRAMS IS IN THE FORM OF MARIJUANA CONCENTRATE, IS GUILTY OF A PETTY OFFENSE.

B. NOTWITHSTANDING ANY OTHER LAW, A PERSON WHO IS UNDER TWENTY-ONE YEARS OF AGE AND WHO POSSESSES, CONSUMES, TRANSPORTS OR TRANSFERS WITHOUT REMUNERATION ONE OUNCE OR LESS OF MARIJUANA, OF WHICH NOT MORE THAN FIVE GRAMS IS IN THE FORM OF MARIJUANA CONCENTRATE, OR PARAPHERNALIA RELATING TO THE CONSUMPTION OF MARIJUANA OR MARIJUANA PRODUCTS:

1. FOR A FIRST VIOLATION, SHALL PAY A CIVIL PENALTY OF NOT MORE THAN \$100 TO THE SMART AND SAFE ARIZONA FUND ESTABLISHED BY SECTION 36-2856 AND IN THE COURT'S DISCRETION MAY BE ORDERED TO ATTEND UP TO FOUR HOURS OF DRUG EDUCATION OR COUNSELING.

2. FOR A SECOND VIOLATION, IS GUILTY OF A PETTY OFFENSE, AND IN THE COURT'S DISCRETION MAY BE ORDERED TO ATTEND UP TO EIGHT HOURS OF DRUG EDUCATION OR COUNSELING.

3. FOR A THIRD OR SUBSEQUENT VIOLATION, IS GUILTY OF A CLASS 1 MISDEMEANOR.

C. A PERSON WHO SMOKES MARIJUANA IN A PUBLIC PLACE OR OPEN SPACE IS GUILTY OF A PETTY OFFENSE.

D. EXCEPT AS OTHERWISE PROVIDED IN CHAPTER 28.1 OF THIS TITLE AND NOTWITHSTANDING ANY OTHER LAW, ANY UNLICENSED PERSON WHO CULTIVATES MARIJUANA PLANTS PURSUANT TO SECTION 36-2852 WHERE THEY ARE VISIBLE FROM PUBLIC VIEW WITHOUT USING BINOCULARS, AIRCRAFT OR OTHER OPTICAL AIDS OR OUTSIDE OF AN ENCLOSED AREA THAT IS EQUIPPED WITH A LOCK OR OTHER SECURITY DEVICE THAT PREVENTS ACCESS BY MINORS IS GUILTY OF:

1. FOR A FIRST VIOLATION, A PETTY OFFENSE.

2. FOR A SECOND OR SUBSEQUENT VIOLATION, A CLASS 3 MISDEMEANOR.

E. A PERSON WHO IS UNDER TWENTY-ONE YEARS OF AGE AND WHO MISREPRESENTS THE PERSON'S AGE TO ANY OTHER PERSON BY MEANS OF A WRITTEN INSTRUMENT OF IDENTIFICATION OR WHO USES A FRAUDULENT OR FALSE WRITTEN INSTRUMENT OF IDENTIFICATION WITH THE INTENT TO INDUCE A PERSON TO SELL OR OTHERWISE TRANSFER MARIJUANA OR A MARIJUANA PRODUCT TO THE PERSON WHO IS UNDER TWENTY-ONE YEARS OF AGE IS GUILTY OF:

1. FOR A FIRST VIOLATION, A PETTY OFFENSE.

2. FOR A SECOND OR SUBSEQUENT VIOLATION, A CLASS 1 MISDEMEANOR.

F. A PERSON WHO IS UNDER TWENTY-ONE YEARS OF AGE AND WHO SOLICITS ANOTHER PERSON TO PURCHASE MARIJUANA OR A MARIJUANA PRODUCT IN VIOLATION OF THIS CHAPTER IS GUILTY OF:

1. FOR A FIRST VIOLATION, A PETTY OFFENSE.

2. FOR A SECOND OR SUBSEQUENT VIOLATION, A CLASS 3 MISDEMEANOR.

36-2854. Rules; licensing; early applicants; fees; civil penalty; legal counsel

A. THE DEPARTMENT SHALL ADOPT RULES TO IMPLEMENT AND ENFORCE THIS CHAPTER AND REGULATE MARIJUANA, MARIJUANA PRODUCTS, MARIJUANA ESTABLISHMENTS AND MARIJUANA TESTING FACILITIES. THOSE RULES SHALL INCLUDE REQUIREMENTS FOR:

1. LICENSING MARIJUANA ESTABLISHMENTS AND MARIJUANA TESTING FACILITIES, INCLUDING CONDUCTING INVESTIGATIONS AND BACKGROUND CHECKS TO DETERMINE ELIGIBILITY FOR LICENSING FOR MARIJUANA ESTABLISHMENT AND MARIJUANA TESTING FACILITY APPLICANTS,

EXCEPT THAT:

(a) AN APPLICATION FOR A MARIJUANA ESTABLISHMENT LICENSE OR MARIJUANA TESTING FACILITY LICENSE MAY NOT REQUIRE THE DISCLOSURE OF THE IDENTITY OF ANY PERSON WHO IS ENTITLED TO A SHARE OF LESS THAN TEN PERCENT OF THE PROFITS OF AN APPLICANT THAT IS A PUBLICLY TRADED CORPORATION.

(b) THE DEPARTMENT MAY NOT ISSUE MORE THAN ONE MARIJUANA ESTABLISHMENT LICENSE FOR EVERY TEN PHARMACIES THAT HAVE REGISTERED UNDER SECTION 32-1929, THAT HAVE OBTAINED A PHARMACY PERMIT FROM THE ARIZONA BOARD OF PHARMACY AND THAT OPERATE WITHIN THIS STATE.

(c) NOTWITHSTANDING SUBDIVISION (b) OF THIS PARAGRAPH, THE DEPARTMENT MAY ISSUE A MARIJUANA ESTABLISHMENT LICENSE TO NOT MORE THAN TWO MARIJUANA ESTABLISHMENTS PER COUNTY THAT CONTAINS NO REGISTERED NONPROFIT MEDICAL MARIJUANA DISPENSARIES, OR ONE MARIJUANA ESTABLISHMENT LICENSE PER COUNTY THAT CONTAINS ONE REGISTERED NONPROFIT MEDICAL MARIJUANA DISPENSARY. ANY LICENSE ISSUED PURSUANT TO THIS SUBDIVISION SHALL BE FOR A FIXED COUNTY AND MAY NOT BE RELOCATED OUTSIDE OF THAT COUNTY.

(d) THE DEPARTMENT SHALL ACCEPT APPLICATIONS FOR MARIJUANA ESTABLISHMENT LICENSES FROM EARLY APPLICANTS BEGINNING JANUARY 19, 2021 THROUGH MARCH 9, 2021. NOT LATER THAN SIXTY DAYS AFTER RECEIVING AN APPLICATION PURSUANT TO THIS SUBDIVISION, THE DEPARTMENT SHALL ISSUE A MARIJUANA ESTABLISHMENT LICENSE TO EACH QUALIFIED EARLY APPLICANT. IF THE DEPARTMENT HAS NOT ADOPTED FINAL RULES PURSUANT TO THIS SECTION AT THE TIME MARIJUANA ESTABLISHMENT LICENSES ARE ISSUED PURSUANT TO THIS SUBDIVISION, LICENSEES SHALL COMPLY WITH THE RULES ADOPTED BY THE DEPARTMENT TO IMPLEMENT CHAPTER 28.1 OF THIS TITLE EXCEPT THOSE THAT ARE INCONSISTENT WITH THIS CHAPTER.

(e) AFTER ISSUING MARIJUANA ESTABLISHMENT LICENSES TO QUALIFIED EARLY APPLICANTS, THE DEPARTMENT SHALL ISSUE MARIJUANA ESTABLISHMENT LICENSES AVAILABLE UNDER SUBDIVISIONS (b) AND (c) OF THIS PARAGRAPH BY RANDOM SELECTION AND ACCORDING TO RULES ADOPTED PURSUANT TO THIS SECTION. AT LEAST SIXTY DAYS PRIOR TO ANY RANDOM SELECTION, THE DEPARTMENT SHALL PROMINENTLY PUBLICIZE THE RANDOM SELECTION ON ITS WEBSITE AND THROUGH OTHER MEANS OF GENERAL DISTRIBUTION INTENDED TO REACH AS MANY INTERESTED PARTIES AS POSSIBLE AND SHALL PROVIDE NOTICE THROUGH AN EMAIL NOTIFICATION SYSTEM TO WHICH INTERESTED PARTIES CAN SUBSCRIBE.

(f) NOTWITHSTANDING SUBDIVISIONS (b) AND (c) OF THIS PARAGRAPH, AND NO LATER THAN SIX MONTHS AFTER THE DEPARTMENT ADOPTS FINAL RULES TO IMPLEMENT A SOCIAL EQUITY OWNERSHIP PROGRAM PURSUANT TO PARAGRAPH 9 OF THIS SUBSECTION, THE DEPARTMENT SHALL ISSUE TWENTY-SIX ADDITIONAL MARIJUANA ESTABLISHMENT LICENSES TO ENTITIES THAT ARE QUALIFIED PURSUANT TO THE SOCIAL EQUITY OWNERSHIP PROGRAM.

(g) LICENSES ISSUED BY THE DEPARTMENT TO MARIJUANA ESTABLISHMENTS AND MARIJUANA TESTING FACILITIES SHALL BE VALID FOR A PERIOD OF TWO YEARS.

2. LICENSING FEES AND RENEWAL FEES FOR MARIJUANA ESTABLISHMENTS AND MARIJUANA TESTING FACILITIES IN AMOUNTS THAT ARE REASONABLE AND RELATED TO THE ACTUAL COST OF PROCESSING APPLICATIONS FOR LICENSES AND RENEWALS AND THAT DO NOT EXCEED FIVE TIMES THE FEES PRESCRIBED BY THE DEPARTMENT TO REGISTER OR RENEW A NONPROFIT MEDICAL MARIJUANA DISPENSARY.

3. THE SECURITY OF MARIJUANA ESTABLISHMENTS AND MARIJUANA TESTING FACILITIES.

4. MARIJUANA ESTABLISHMENTS TO SAFELY CULTIVATE, PROCESS AND MANUFACTURE MARIJUANA AND MARIJUANA PRODUCTS.

5. TRACKING, TESTING, LABELING AND PACKAGING MARIJUANA AND MARIJUANA PRODUCTS, INCLUDING REQUIREMENTS THAT MARIJUANA AND MARIJUANA PRODUCTS BE:

(a) SOLD TO CONSUMERS IN CLEARLY AND CONSPICUOUSLY LABELED CONTAINERS THAT CONTAIN ACCURATE WARNINGS REGARDING THE USE OF MARIJUANA OR MARIJUANA PRODUCTS.

(b) PLACED IN CHILD-RESISTANT PACKAGING ON EXIT FROM A MARIJUANA ESTABLISHMENT.

6. FORMS OF GOVERNMENT-ISSUED IDENTIFICATION THAT ARE ACCEPTABLE BY A

MARIJUANA ESTABLISHMENT VERIFYING A CONSUMER’S AGE AND PROCEDURES RELATED TO VERIFYING A CONSUMER’S AGE CONSISTENT WITH SECTION 4-241. UNTIL THE DEPARTMENT ADOPTS FINAL RULES RELATED TO VERIFYING A CONSUMER’S AGE, MARIJUANA ESTABLISHMENTS SHALL COMPLY WITH THE PROOF OF LEGAL AGE REQUIREMENTS PRESCRIBED IN SECTION 4-241.

7. THE POTENCY OF EDIBLE MARIJUANA PRODUCTS THAT MAY BE SOLD TO CONSUMERS BY MARIJUANA ESTABLISHMENTS AT REASONABLE LEVELS UPON CONSIDERATION OF INDUSTRY STANDARDS, EXCEPT THAT THE RULES:

(a) SHALL LIMIT THE STRENGTH OF EDIBLE MARIJUANA PRODUCTS TO NO MORE THAN TEN MILLIGRAMS OF TETRAHYDROCANNABINOL PER SERVING OR ONE HUNDRED MILLIGRAMS OF TETRAHYDROCANNABINOL PER PACKAGE.

(b) SHALL REQUIRE THAT IF A MARIJUANA PRODUCT CONTAINS MORE THAN ONE SERVING, IT MUST BE DELINEATED OR SCORED INTO STANDARD SERVING SIZES AND HOMOGENIZED TO ENSURE UNIFORM DISBURSEMENT THROUGHOUT THE MARIJUANA PRODUCT.

8. ENSURING THE HEALTH, SAFETY AND TRAINING OF EMPLOYEES OF MARIJUANA ESTABLISHMENTS AND MARIJUANA TESTING FACILITIES.

9. THE CREATION AND IMPLEMENTATION OF A SOCIAL EQUITY OWNERSHIP PROGRAM TO PROMOTE THE OWNERSHIP AND OPERATION OF MARIJUANA ESTABLISHMENTS AND MARIJUANA TESTING FACILITIES BY INDIVIDUALS FROM COMMUNITIES DISPROPORTIONATELY IMPACTED BY THE ENFORCEMENT OF PREVIOUS MARIJUANA LAWS.

B. THE DEPARTMENT MAY:

1. SUBJECT TO TITLE 41, CHAPTER 6, ARTICLE 10, DENY ANY APPLICATION SUBMITTED OR DENY, SUSPEND OR REVOKE, IN WHOLE OR IN PART, ANY REGISTRATION OR LICENSE ISSUED UNDER THIS CHAPTER IF THE REGISTERED OR LICENSED PARTY OR AN OFFICER, AGENT OR EMPLOYEE OF THE REGISTERED OR LICENSED PARTY DOES ANY OF THE FOLLOWING:

(a) VIOLATES THIS CHAPTER OR ANY RULE ADOPTED PURSUANT TO THIS CHAPTER.

(b) HAS BEEN, IS OR MAY CONTINUE TO BE IN SUBSTANTIAL VIOLATION OF THE REQUIREMENTS FOR LICENSING OR REGISTRATION AND, AS A RESULT, THE HEALTH OR SAFETY OF THE GENERAL PUBLIC IS IN IMMEDIATE DANGER.

2. SUBJECT TO TITLE 41, CHAPTER 6, ARTICLE 10, AND UNLESS ANOTHER PENALTY IS PROVIDED ELSEWHERE IN THIS CHAPTER, ASSESS A CIVIL PENALTY AGAINST A PERSON THAT VIOLATES THIS CHAPTER OR ANY RULE ADOPTED PURSUANT TO THIS CHAPTER IN AN AMOUNT NOT TO EXCEED \$1,000 FOR EACH VIOLATION. EACH DAY A VIOLATION OCCURS CONSTITUTES A SEPARATE VIOLATION. THE MAXIMUM AMOUNT OF ANY ASSESSMENT IS \$25,000 FOR ANY THIRTY-DAY PERIOD. IN DETERMINING THE AMOUNT OF A CIVIL PENALTY ASSESSED AGAINST A PERSON, THE DEPARTMENT SHALL CONSIDER ALL OF THE FACTORS SET FORTH IN SECTION 36-2816, SUBSECTION H. ALL CIVIL PENALTIES COLLECTED BY THE DEPARTMENT PURSUANT TO THIS PARAGRAPH SHALL BE DEPOSITED IN THE SMART AND SAFE ARIZONA FUND ESTABLISHED BY SECTION 36-2856.

3. AT ANY TIME DURING REGULAR HOURS OF OPERATION, VISIT AND INSPECT A MARIJUANA ESTABLISHMENT, MARIJUANA TESTING FACILITY OR DUAL LICENSEE TO DETERMINE IF IT COMPLIES WITH THIS CHAPTER AND RULES ADOPTED PURSUANT TO THIS CHAPTER. THE DEPARTMENT SHALL MAKE AT LEAST ONE UNANNOUNCED VISIT ANNUALLY TO EACH FACILITY LICENSED PURSUANT TO THIS CHAPTER.

4. ADOPT ANY OTHER RULES NOT EXPRESSLY STATED IN THIS SECTION THAT ARE NECESSARY TO ENSURE THE SAFE AND RESPONSIBLE CULTIVATION, SALE, PROCESSING, MANUFACTURE, TESTING AND TRANSPORT OF MARIJUANA AND MARIJUANA PRODUCTS.

C. UNTIL THE DEPARTMENT ADOPTS RULES PERMITTING AND REGULATING DELIVERY BY MARIJUANA ESTABLISHMENTS PURSUANT TO SUBSECTION D OF THIS SECTION, DELIVERY IS UNLAWFUL UNDER THIS CHAPTER.

D. ON OR AFTER JANUARY 1, 2023, THE DEPARTMENT MAY, AND NO LATER THAN JANUARY 1, 2025 THE DEPARTMENT SHALL, ADOPT RULES TO PERMIT AND REGULATE DELIVERY BY MARIJUANA ESTABLISHMENTS. THE RULES SHALL:

1. REQUIRE THAT DELIVERY AND THE MARIJUANA AND MARIJUANA PRODUCTS TO BE

DELIVERED ORIGINATE FROM A DESIGNATED RETAIL LOCATION OF A MARIJUANA ESTABLISHMENT AND ONLY AFTER AN ORDER IS MADE WITH THE MARIJUANA ESTABLISHMENT BY A CONSUMER.

2. PROHIBIT DELIVERY TO ANY PROPERTY OWNED OR LEASED BY THE UNITED STATES, THIS STATE, A POLITICAL SUBDIVISION OF THIS STATE OR THE ARIZONA BOARD OF REGENTS.
3. LIMIT THE AMOUNT OF MARIJUANA AND MARIJUANA PRODUCTS BASED ON RETAIL PRICE THAT MAY BE IN A DELIVERY VEHICLE DURING A SINGLE TRIP FROM THE DESIGNATED RETAIL LOCATION OF A MARIJUANA ESTABLISHMENT.
4. PROHIBIT EXTRA OR UNALLOCATED MARIJUANA OR MARIJUANA PRODUCTS IN DELIVERY VEHICLES.
5. REQUIRE THAT DELIVERIES BE MADE ONLY BY MARIJUANA FACILITY AGENTS IN UNMARKED VEHICLES THAT ARE EQUIPPED WITH A GLOBAL POSITIONING SYSTEM OR SIMILAR LOCATION TRACKING SYSTEM AND VIDEO SURVEILLANCE AND RECORDING EQUIPMENT, AND THAT CONTAIN A LOCKED COMPARTMENT IN WHICH MARIJUANA AND MARIJUANA PRODUCTS MUST BE STORED.
6. REQUIRE DELIVERY LOGS NECESSARY TO ENSURE COMPLIANCE WITH THIS SUBSECTION AND RULES ADOPTED PURSUANT TO THIS SUBSECTION.
7. REQUIRE INSPECTIONS TO ENSURE COMPLIANCE WITH THIS SUBSECTION AND RULES ADOPTED PURSUANT TO THIS SUBSECTION.
8. INCLUDE ANY OTHER PROVISIONS NECESSARY TO ENSURE SAFE AND RESTRICTED DELIVERY.
9. REQUIRE DUAL LICENSEES TO COMPLY WITH THE RULES ADOPTED PURSUANT TO THIS SUBSECTION.
- E. EXCEPT AS PROVIDED IN SUBSECTION D OF THIS SECTION, THE DEPARTMENT MAY NOT PERMIT DELIVERY OF MARIJUANA OR MARIJUANA PRODUCTS UNDER THIS CHAPTER BY ANY INDIVIDUAL OR ENTITY. IN ADDITION TO ANY OTHER PENALTY IMPOSED BY LAW, AN INDIVIDUAL OR ENTITY THAT DELIVERS MARIJUANA OR MARIJUANA PRODUCTS IN A MANNER THAT IS NOT AUTHORIZED BY THIS CHAPTER SHALL PAY A CIVIL PENALTY OF \$20,000 PER VIOLATION TO THE SMART AND SAFE ARIZONA FUND ESTABLISHED BY SECTION 36-2856. THIS SUBSECTION MAY BE ENFORCED BY THE ATTORNEY GENERAL.
- F. ALL RULES ADOPTED BY THE DEPARTMENT PURSUANT TO THIS SECTION SHALL BE CONSISTENT WITH THE PURPOSE OF THIS CHAPTER.
- G. THE DEPARTMENT MAY NOT ADOPT ANY RULE THAT:
 1. PROHIBITS THE OPERATION OF MARIJUANA ESTABLISHMENTS, EITHER EXPRESSLY OR THROUGH REQUIREMENTS THAT MAKE THE OPERATION OF A MARIJUANA ESTABLISHMENT UNDULY BURDENSOME.
 2. PROHIBITS OR INTERFERES WITH THE ABILITY OF A DUAL LICENSEE TO OPERATE A MARIJUANA ESTABLISHMENT AND A NONPROFIT MEDICAL MARIJUANA DISPENSARY AT SHARED LOCATIONS.
- H. NOTWITHSTANDING SECTION 41-192, THE DEPARTMENT MAY EMPLOY LEGAL COUNSEL AND MAKE AN EXPENDITURE OR INCUR AN INDEBTEDNESS FOR LEGAL SERVICES FOR THE PURPOSES OF:
 1. DEFENDING THIS CHAPTER OR RULES ADOPTED PURSUANT TO THIS CHAPTER.
 2. DEFENDING CHAPTER 28.1 OF THIS TITLE OR RULES ADOPTED PURSUANT TO CHAPTER 28.1 OF THIS TITLE.
- I. THE DEPARTMENT SHALL DEPOSIT ALL LICENSE FEES, APPLICATION FEES AND RENEWAL FEES PAID TO THE DEPARTMENT PURSUANT TO THIS CHAPTER IN THE SMART AND SAFE ARIZONA FUND ESTABLISHED BY SECTION 36-2856.
- J. ON REQUEST, THE DEPARTMENT SHALL SHARE WITH THE DEPARTMENT OF REVENUE INFORMATION REGARDING A MARIJUANA ESTABLISHMENT, MARIJUANA TESTING FACILITY OR DUAL LICENSEE, INCLUDING ITS NAME, PHYSICAL ADDRESS, CULTIVATION SITE AND TRANSACTION PRIVILEGE TAX LICENSE NUMBER.
- K. NOTWITHSTANDING ANY OTHER LAW, THE DEPARTMENT MAY:

1. LICENSE AN INDEPENDENT THIRD-PARTY LABORATORY TO ALSO OPERATE AS A MARIJUANA TESTING FACILITY.

2. OPERATE A MARIJUANA TESTING FACILITY.

L. THE DEPARTMENT SHALL MAINTAIN AND PUBLISH A CURRENT LIST OF ALL MARIJUANA ESTABLISHMENTS AND MARIJUANA TESTING FACILITIES BY NAME AND LICENSE NUMBER.

M. NOTWITHSTANDING ANY OTHER LAW, THE ISSUANCE OF AN OCCUPATIONAL, PROFESSIONAL OR OTHER REGULATORY LICENSE OR CERTIFICATION TO A PERSON BY A JURISDICTION OR REGULATORY AUTHORITY OUTSIDE THIS STATE DOES NOT ENTITLE THAT PERSON TO BE ISSUED A MARIJUANA ESTABLISHMENT LICENSE, A MARIJUANA TESTING FACILITY LICENSE, OR ANY OTHER LICENSE, REGISTRATION OR CERTIFICATION UNDER THIS CHAPTER.

36-2855. Marijuana facility agents; registration; card; rules

A. A MARIJUANA FACILITY AGENT SHALL BE REGISTERED WITH THE DEPARTMENT BEFORE WORKING AT A MARIJUANA ESTABLISHMENT OR MARIJUANA TESTING FACILITY.

B. A PERSON WHO WISHES TO BE REGISTERED AS A MARIJUANA FACILITY AGENT OR RENEW THE PERSON'S REGISTRATION AS A MARIJUANA FACILITY AGENT SHALL:

1. SUBMIT A COMPLETED APPLICATION ON A FORM PRESCRIBED BY THE DEPARTMENT AND PAY A NONREFUNDABLE FEE THAT IS REASONABLE AND RELATED TO THE ACTUAL COST OF PROCESSING APPLICATIONS SUBMITTED PURSUANT TO THIS SECTION.

2. SUBMIT EVIDENCE THAT THE APPLICANT HOLDS A CURRENT LEVEL I FINGERPRINT CLEARANCE CARD ISSUED PURSUANT TO SECTION 41-1758.07, OR SUBMIT A FULL SET OF THE APPLICANT'S FINGERPRINTS FOR THE PURPOSE OF OBTAINING A STATE AND FEDERAL CRIMINAL RECORDS CHECK PURSUANT TO SECTION 41-1750 AND PUBLIC LAW 92-544. THE DEPARTMENT OF PUBLIC SAFETY MAY EXCHANGE THIS FINGERPRINT DATA WITH THE FEDERAL BUREAU OF INVESTIGATION WITHOUT DISCLOSING THAT THE RECORDS CHECK IS RELATED TO THIS CHAPTER AND ACTS ALLOWED BY THIS CHAPTER. THE DEPARTMENT OF PUBLIC SAFETY SHALL DESTROY EACH SET OF FINGERPRINTS AFTER THE CRIMINAL RECORDS CHECK IS COMPLETED.

C. IF THE DEPARTMENT DETERMINES THAT AN APPLICANT MEETS THE CRITERIA FOR REGISTRATION UNDER THIS CHAPTER AND RULES PURSUANT TO THIS CHAPTER, THE DEPARTMENT SHALL ISSUE THE APPLICANT A MARIJUANA FACILITY AGENT CARD THAT IS VALID FOR TWO YEARS.

D. A REGISTERED MARIJUANA FACILITY AGENT MAY BE EMPLOYED BY OR ASSOCIATED WITH ANY MARIJUANA ESTABLISHMENT OR MARIJUANA TESTING FACILITY. A MARIJUANA ESTABLISHMENT OR MARIJUANA TESTING FACILITY SHALL PROMPTLY NOTIFY THE DEPARTMENT WHEN IT EMPLOYS OR BECOMES ASSOCIATED WITH A NEW MARIJUANA FACILITY AGENT. A MARIJUANA FACILITY AGENT SHALL PROMPTLY NOTIFY THE DEPARTMENT WHEN THE MARIJUANA FACILITY AGENT IS EMPLOYED BY OR BECOMES ASSOCIATED WITH A MARIJUANA ESTABLISHMENT OR MARIJUANA TESTING FACILITY AND WHEN THE MARIJUANA FACILITY AGENT IS NO LONGER EMPLOYED BY OR ASSOCIATED WITH A MARIJUANA ESTABLISHMENT OR MARIJUANA TESTING FACILITY.

E. A NONPROFIT MEDICAL MARIJUANA DISPENSARY AGENT OF A DUAL LICENSEE WHO HAS APPLIED TO BE REGISTERED AS A MARIJUANA FACILITY AGENT MAY SERVE AS A MARIJUANA FACILITY AGENT OF THAT DUAL LICENSEE UNTIL THE DEPARTMENT HAS APPROVED OR REJECTED THE AGENT'S APPLICATION.

F. THE DEPARTMENT SHALL ADOPT RULES TO IMPLEMENT THIS SECTION.

36-2856. Smart and safe Arizona fund; disposition; exemption

A. THE SMART AND SAFE ARIZONA FUND IS ESTABLISHED CONSISTING OF ALL MONIES DEPOSITED PURSUANT TO SECTIONS 36-2854, 42-5452 AND 42-5503, PRIVATE DONATIONS AND INTEREST EARNED ON THOSE MONIES. MONIES IN THE FUND ARE CONTINUOUSLY APPROPRIATED. MONIES IN THE FUND AND ITS ACCOUNTS MAY NOT BE TRANSFERRED TO ANY OTHER FUND EXCEPT AS PROVIDED IN THIS SECTION, DO NOT REVERT TO THE STATE GENERAL FUND AND ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190 RELATING TO THE LAPSING OF APPROPRIATIONS. THE STATE TREASURER SHALL ADMINISTER THE FUND.

B. ALL MONIES IN THE SMART AND SAFE ARIZONA FUND MUST FIRST BE SPENT, AND THE STATE TREASURER SHALL TRANSFER MONIES FROM THE FUND, TO PAY:

1. THE ACTUAL REASONABLE COSTS INCURRED BY THE DEPARTMENT TO IMPLEMENT, CARRY OUT AND ENFORCE THIS CHAPTER AND RULES ADOPTED PURSUANT TO THIS CHAPTER.
2. THE ACTUAL REASONABLE COSTS INCURRED BY THE DEPARTMENT OF REVENUE TO IMPOSE AND ENFORCE THE TAX AUTHORIZED AND LEVIED BY SECTION 42-5452.
3. THE ACTUAL REASONABLE COSTS INCURRED BY THE SUPREME COURT AND THE DEPARTMENT OF PUBLIC SAFETY TO PROCESS PETITIONS FOR EXPUNGEMENT AND EXPUNGEMENT ORDERS PURSUANT TO SECTION 36-2862 AND TO OTHERWISE IMPLEMENT SECTION 36-2862.
4. THE ACTUAL REASONABLE COSTS INCURRED BY THE STATE TREASURER TO ADMINISTER THE FUND.
5. ANY OTHER MANDATORY EXPENDITURE OF STATE REVENUES REQUIRED BY THIS CHAPTER TO IMPLEMENT OR ENFORCE THE PROVISIONS OF THIS CHAPTER.

C. THE STATE TREASURER MAY PRESCRIBE FORMS NECESSARY TO MAKE TRANSFERS FROM THE SMART AND SAFE ARIZONA FUND PURSUANT TO SUBSECTION B OF THIS SECTION.

D. ON OR BEFORE JUNE 30 AND DECEMBER 31 OF EACH YEAR, THE STATE TREASURER SHALL TRANSFER ALL MONIES IN THE SMART AND SAFE ARIZONA FUND IN EXCESS OF THE AMOUNTS PAID PURSUANT TO SUBSECTION B OF THIS SECTION AS FOLLOWS:

1. 33 PERCENT TO COMMUNITY COLLEGE DISTRICTS AND PROVISIONAL COMMUNITY COLLEGE DISTRICTS, BUT NOT TO COMMUNITY COLLEGE TUITION FINANCING DISTRICTS ESTABLISHED PURSUANT TO SECTION 15-1409, FOR THE PURPOSES OF INVESTING IN AND PROVIDING WORKFORCE DEVELOPMENT PROGRAMS, JOB TRAINING, CAREER AND TECHNICAL EDUCATION, AND SCIENCE, TECHNOLOGY, ENGINEERING AND MATH PROGRAMS, AS FOLLOWS:

(a) 15 PERCENT OF THE 33 PERCENT DIVIDED EQUALLY BETWEEN EACH COMMUNITY COLLEGE DISTRICT.

(b) 0.5 PERCENT OF THE 33 PERCENT DIVIDED EQUALLY BETWEEN EACH PROVISIONAL COMMUNITY COLLEGE DISTRICT, IF ONE OR MORE PROVISIONAL COMMUNITY COLLEGE DISTRICTS EXIST.

(c) THE REMAINDER TO COMMUNITY COLLEGE DISTRICTS AND PROVISIONAL COMMUNITY COLLEGES DISTRICTS IN PROPORTION TO EACH DISTRICT'S FULL-TIME EQUIVALENT STUDENT ENROLLMENT PERCENTAGE OF THE TOTAL STATEWIDE AUDITED FULL-TIME EQUIVALENT STUDENT ENROLLMENT IN THE PRECEDING FISCAL YEAR PRESCRIBED IN SECTION 15-1466.01.

2. 31.4 PERCENT TO MUNICIPAL POLICE DEPARTMENTS, MUNICIPAL FIRE DEPARTMENTS, FIRE DISTRICTS ESTABLISHED PURSUANT TO TITLE 48, CHAPTER 5 AND COUNTY SHERIFFS' DEPARTMENTS IN PROPORTION TO THE NUMBER OF ENROLLED MEMBERS FOR EACH SUCH AGENCY IN THE PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM ESTABLISHED BY TITLE 38, CHAPTER 5, ARTICLE 4 AND THE PUBLIC SAFETY PERSONNEL DEFINED CONTRIBUTION PLAN ESTABLISHED BY TITLE 38, CHAPTER 5, ARTICLE 4.1, FOR PERSONNEL COSTS.

3. 25.4 PERCENT TO THE ARIZONA HIGHWAY USER REVENUE FUND ESTABLISHED BY SECTION 28-6533.

4. 10 PERCENT TO THE JUSTICE REINVESTMENT FUND ESTABLISHED BY SECTION 36-2863.

5. 0.2 PERCENT TO THE ATTORNEY GENERAL TO USE TO ENFORCE THIS CHAPTER, OR TO GRANT TO LOCALITIES TO ENFORCE THIS CHAPTER.

E. THE MONIES TRANSFERRED AND RECEIVED PURSUANT TO THIS SECTION:

1. ARE IN ADDITION TO ANY OTHER APPROPRIATION, TRANSFER OR OTHER ALLOCATION OF MONIES AND MAY NOT SUPPLANT, REPLACE OR CAUSE A REDUCTION IN OTHER FUNDING SOURCES.
2. ARE NOT CONSIDERED LOCAL REVENUES FOR THE PURPOSES OF ARTICLE IX, SECTIONS 20 AND 21, CONSTITUTION OF ARIZONA.

36-2857. Localities; marijuana establishments and marijuana testing facilities

A. A LOCALITY MAY:

1. ENACT REASONABLE ZONING REGULATIONS THAT LIMIT THE USE OF LAND FOR

MARIJUANA ESTABLISHMENTS AND MARIJUANA TESTING FACILITIES TO SPECIFIED AREAS.

2. LIMIT THE NUMBER OF MARIJUANA ESTABLISHMENTS OR MARIJUANA TESTING FACILITIES, OR BOTH.
3. PROHIBIT MARIJUANA ESTABLISHMENTS OR MARIJUANA TESTING FACILITIES, OR BOTH.
4. REGULATE THE TIME, PLACE AND MANNER OF MARIJUANA ESTABLISHMENT AND MARIJUANA TESTING FACILITY OPERATIONS.
5. ESTABLISH REASONABLE RESTRICTIONS ON PUBLIC SIGNAGE REGARDING MARIJUANA, MARIJUANA ESTABLISHMENTS AND MARIJUANA TESTING FACILITIES.
6. PROHIBIT OR RESTRICT DELIVERY WITHIN ITS JURISDICTION.
- B. A COUNTY MAY EXERCISE ITS AUTHORITY PURSUANT TO SUBSECTION A OF THIS SECTION ONLY IN UNINCORPORATED AREAS OF THE COUNTY.
 - C. A LOCALITY MAY NOT ENACT ANY ORDINANCE, REGULATION OR RULE THAT:
 1. IS MORE RESTRICTIVE THAN A COMPARABLE ORDINANCE, REGULATION OR RULE THAT APPLIES TO NONPROFIT MEDICAL MARIJUANA DISPENSARIES.
 2. MAKES THE OPERATION OF A MARIJUANA ESTABLISHMENT OR MARIJUANA TESTING FACILITY UNDULY BURDENSOME IF THE LOCALITY HAS NOT PROHIBITED MARIJUANA ESTABLISHMENTS OR MARIJUANA TESTING FACILITIES.
 3. CONFLICTS WITH THIS CHAPTER OR RULES ADOPTED PURSUANT TO THIS CHAPTER.
 4. PROHIBITS THE TRANSPORTATION OF MARIJUANA BY A MARIJUANA ESTABLISHMENT OR MARIJUANA TESTING FACILITY ON PUBLIC ROADS.
 5. RESTRICTS OR INTERFERES WITH THE ABILITY OF A DUAL LICENSEE OR AN ENTITY ELIGIBLE TO BECOME A DUAL LICENSEE TO OPERATE A NONPROFIT MEDICAL MARIJUANA DISPENSARY AND A MARIJUANA ESTABLISHMENT COOPERATIVELY AT SHARED LOCATIONS.
 6. EXCEPT AS EXPRESSLY AUTHORIZED BY THIS SECTION OR SECTION 36-2851, PROHIBITS OR RESTRICTS ANY CONDUCT OR TRANSACTION ALLOWED BY THIS CHAPTER, OR IMPOSES ANY LIABILITY OR PENALTY IN ADDITION TO THAT PRESCRIBED BY THIS CHAPTER FOR ANY CONDUCT OR TRANSACTION CONSTITUTING A VIOLATION OF THIS CHAPTER.

36-2858. Lawful operation of marijuana establishments and marijuana testing facilities

- A. EXCEPT AS SPECIFICALLY AND EXPRESSLY PROVIDED IN SECTION 36-2857 AND NOTWITHSTANDING ANY OTHER LAW, IT IS LAWFUL AND IS NOT AN OFFENSE UNDER THE LAWS OF THIS STATE OR ANY LOCALITY, MAY NOT CONSTITUTE THE BASIS FOR DETENTION, SEARCH OR ARREST, AND MAY NOT CONSTITUTE THE SOLE BASIS FOR SEIZURE OR FORFEITURE OF ASSETS OR THE BASIS FOR IMPOSING PENALTIES UNDER THE LAWS OF THIS STATE OR ANY LOCALITY FOR:
 1. A MARIJUANA ESTABLISHMENT, OR AN AGENT ACTING ON BEHALF OF A MARIJUANA ESTABLISHMENT, TO:
 - (a) POSSESS MARIJUANA OR MARIJUANA PRODUCTS.
 - (b) PURCHASE, SELL OR TRANSPORT MARIJUANA AND MARIJUANA PRODUCTS TO OR FROM A MARIJUANA ESTABLISHMENT.
 - (c) SELL MARIJUANA AND MARIJUANA PRODUCTS TO CONSUMERS, EXCEPT THAT A MARIJUANA ESTABLISHMENT MAY NOT SELL MORE THAN ONE OUNCE OF MARIJUANA TO A CONSUMER IN A SINGLE TRANSACTION, NOT MORE THAN FIVE GRAMS OF WHICH MAY BE IN THE FORM OF MARIJUANA CONCENTRATE.
 - (d) CULTIVATE, PRODUCE, TEST OR PROCESS MARIJUANA OR MANUFACTURE MARIJUANA OR MARIJUANA PRODUCTS BY ANY MEANS INCLUDING CHEMICAL EXTRACTION OR CHEMICAL SYNTHESIS.
 2. AN AGENT ACTING ON BEHALF OF A MARIJUANA ESTABLISHMENT TO SELL OR OTHERWISE TRANSFER MARIJUANA TO AN INDIVIDUAL UNDER TWENTY-ONE YEARS OF AGE, IF THE AGENT REASONABLY VERIFIED THAT THE INDIVIDUAL APPEARED TO BE TWENTY-ONE YEARS OF AGE OR OLDER BY MEANS OF A GOVERNMENT-ISSUED PHOTOGRAPHIC IDENTIFICATION IN COMPLIANCE WITH RULES ADOPTED PURSUANT TO SECTION 36-2854, SUBSECTION A, PARAGRAPH 6.
 3. A MARIJUANA TESTING FACILITY, OR AN AGENT ACTING ON BEHALF OF A MARIJUANA TESTING FACILITY, TO OBTAIN, POSSESS, PROCESS, REPACKAGE, TRANSFER, TRANSPORT OR TEST

MARIJUANA AND MARIJUANA PRODUCTS.

4. A NONPROFIT MEDICAL MARIJUANA DISPENSARY OR A MARIJUANA ESTABLISHMENT, OR AN AGENT ACTING ON BEHALF OF A NONPROFIT MEDICAL MARIJUANA DISPENSARY OR A MARIJUANA ESTABLISHMENT, TO SELL OR OTHERWISE TRANSFER MARIJUANA OR MARIJUANA PRODUCTS TO A NONPROFIT MEDICAL MARIJUANA DISPENSARY, A MARIJUANA ESTABLISHMENT OR AN AGENT ACTING ON BEHALF OF A NONPROFIT MEDICAL MARIJUANA DISPENSARY OR A MARIJUANA ESTABLISHMENT.

5. ANY INDIVIDUAL, CORPORATION OR OTHER ENTITY TO SELL, LEASE OR OTHERWISE ALLOW PROPERTY OR GOODS THAT ARE OWNED, MANAGED OR CONTROLLED BY THE INDIVIDUAL, CORPORATION OR OTHER ENTITY TO BE USED FOR ANY ACTIVITY AUTHORIZED BY THIS CHAPTER, OR TO PROVIDE SERVICES TO A MARIJUANA ESTABLISHMENT, OR MARIJUANA TESTING FACILITY OR AGENT ACTING ON BEHALF OF A MARIJUANA ESTABLISHMENT OR MARIJUANA TESTING FACILITY IN CONNECTION WITH ANY ACTIVITY AUTHORIZED BY THIS CHAPTER.

B. THIS SECTION DOES NOT PRECLUDE THE DEPARTMENT FROM IMPOSING PENALTIES AGAINST A MARIJUANA ESTABLISHMENT OR MARIJUANA TESTING FACILITY FOR FAILING TO COMPLY WITH THIS CHAPTER OR RULES ADOPTED PURSUANT TO THIS CHAPTER.

C. A MARIJUANA ESTABLISHMENT MAY BE OWNED OR OPERATED BY A PUBLICLY TRADED COMPANY.

D. NOTWITHSTANDING ANY OTHER LAW, A DUAL LICENSEE:

1. MAY HOLD A MARIJUANA ESTABLISHMENT LICENSE AND OPERATE A MARIJUANA ESTABLISHMENT PURSUANT TO THIS CHAPTER.

2. MAY OPERATE ON A FOR-PROFIT BASIS IF THE DUAL LICENSEE PROMPTLY NOTIFIES THE DEPARTMENT AND DEPARTMENT OF REVENUE AND TAKES ANY ACTIONS NECESSARY TO ENABLE ITS FOR-PROFIT OPERATION, INCLUDING CONVERTING ITS CORPORATE FORM AND AMENDING ITS ORGANIZATIONAL AND OPERATING DOCUMENTS.

3. MUST CONTINUE TO HOLD BOTH ITS MARIJUANA ESTABLISHMENT LICENSE AND NONPROFIT MEDICAL MARIJUANA DISPENSARY REGISTRATION, REGARDLESS OF ANY CHANGE IN OWNERSHIP OF THE DUAL LICENSEE, UNLESS IT TERMINATES ITS STATUS AS A DUAL LICENSEE AND FORFEITS EITHER ITS MARIJUANA ESTABLISHMENT LICENSE OR NONPROFIT MEDICAL MARIJUANA DISPENSARY REGISTRATION BY NOTIFYING THE DEPARTMENT OF SUCH A TERMINATION AND FORFEITURE.

4. MAY NOT BE REQUIRED TO:

(a) EMPLOY OR CONTRACT WITH A MEDICAL DIRECTOR.

(b) OBTAIN NONPROFIT MEDICAL MARIJUANA DISPENSARY AGENT OR MARIJUANA FACILITY AGENT REGISTRATIONS FOR OUTSIDE VENDORS THAT DO NOT HAVE REGULAR, UNSUPERVISED ACCESS TO THE INTERIOR OF THE DUAL LICENSEE.

(c) HAVE A SINGLE SECURE ENTRANCE AS REQUIRED BY SECTION 36-2806, SUBSECTION C, BUT MAY BE REQUIRED TO IMPLEMENT APPROPRIATE SECURITY MEASURES TO DETER AND PREVENT THE THEFT OF MARIJUANA AND TO REASONABLY REGULATE CUSTOMER ACCESS TO THE PREMISES.

(d) COMPLY WITH ANY OTHER PROVISION OF CHAPTER 28.1 OF THIS TITLE OR ANY RULE ADOPTED PURSUANT TO CHAPTER 28.1 OF THIS TITLE THAT MAKES ITS OPERATION AS A DUAL LICENSEE UNDULY BURDENSOME.

E. NOTWITHSTANDING ANY OTHER LAW, A DUAL LICENSEE THAT ELECTS TO OPERATE ON A FOR-PROFIT BASIS PURSUANT TO SUBSECTION D, PARAGRAPH 2 OF THIS SECTION:

1. IS SUBJECT TO THE TAXES IMPOSED PURSUANT TO TITLE 43.

2. IS NOT REQUIRED TO SUBMIT ITS ANNUAL FINANCIAL STATEMENTS OR AN AUDIT REPORT TO THE DEPARTMENT FOR PURPOSES OF RENEWING ITS NONPROFIT MEDICAL MARIJUANA DISPENSARY REGISTRATION.

F. NOTWITHSTANDING ANY OTHER LAW, A DUAL LICENSEE MUST CONDUCT BOTH OF THE FOLLOWING OPERATIONS AT A SHARED LOCATION:

1. SELL MARIJUANA AND MARIJUANA PRODUCTS TO CONSUMERS PURSUANT TO THIS CHAPTER.

2. DISPENSE MARIJUANA TO REGISTERED QUALIFYING PATIENTS AND REGISTERED

DESIGNATED CAREGIVERS PURSUANT TO CHAPTER 28.1 OF THIS TITLE.

G. NOTWITHSTANDING CHAPTER 28.1 OF THIS TITLE OR ANY RULE ADOPTED PURSUANT TO CHAPTER 28.1 OF THIS TITLE, A DUAL LICENSEE MAY ENGAGE IN ANY ACT, PRACTICE, CONDUCT OR TRANSACTION ALLOWED FOR A MARIJUANA ESTABLISHMENT BY THIS CHAPTER.

H. NOTWITHSTANDING ANY OTHER LAW:

1. AN INDIVIDUAL MAY BE AN APPLICANT, PRINCIPAL OFFICER OR BOARD MEMBER OF MORE THAN ONE MARIJUANA ESTABLISHMENT OR MORE THAN ONE DUAL LICENSEE REGARDLESS OF THE ESTABLISHMENT'S LOCATION.

2. TWO OR MORE MARIJUANA ESTABLISHMENTS OR DUAL LICENSEES MAY DESIGNATE A SINGLE OFF-SITE LOCATION AS PRESCRIBED IN SECTION 36-2850, PARAGRAPH 18, SUBDIVISION (c) TO BE JOINTLY USED BY THOSE DUAL LICENSEES OR MARIJUANA ESTABLISHMENTS.

I. MARIJUANA ESTABLISHMENTS, MARIJUANA TESTING FACILITIES AND DUAL LICENSEES THAT ARE SUBJECT TO APPLICABLE FEDERAL OR STATE ANTIDISCRIMINATION LAWS MAY NOT PAY THEIR EMPLOYEES DIFFERENTLY BASED SOLELY ON A PROTECTED CLASS STATUS SUCH AS SEX, RACE, COLOR, RELIGION, NATIONAL ORIGIN, AGE OR DISABILITY. THIS SUBSECTION DOES NOT EXPAND OR MODIFY THE JURISDICTIONAL REACH, PROVISIONS OR REQUIREMENTS OF ANY APPLICABLE ANTI-DISCRIMINATION LAW.

36-2859. Advertising restrictions; enforcement; civil penalty

A. A MARIJUANA ESTABLISHMENT OR NONPROFIT MEDICAL MARIJUANA DISPENSARY MAY ENGAGE IN ADVERTISING.

B. AN ADVERTISING PLATFORM MAY HOST ADVERTISING ONLY IF ALL OF THE FOLLOWING APPLY:

1. THE ADVERTISING IS AUTHORIZED BY A MARIJUANA ESTABLISHMENT OR NONPROFIT MEDICAL MARIJUANA DISPENSARY.

2. THE ADVERTISING ACCURATELY AND LEGIBLY IDENTIFIES THE MARIJUANA ESTABLISHMENT OR NONPROFIT MEDICAL MARIJUANA DISPENSARY RESPONSIBLE FOR THE CONTENT OF THE ADVERTISING BY NAME AND LICENSE NUMBER OR REGISTRATION NUMBER.

C. ANY ADVERTISING UNDER THIS CHAPTER INVOLVING DIRECT, INDIVIDUALIZED COMMUNICATION OR DIALOGUE SHALL USE A METHOD OF AGE AFFIRMATION TO VERIFY THAT THE RECIPIENT IS TWENTY-ONE YEARS OF AGE OR OLDER BEFORE ENGAGING IN THAT COMMUNICATION OR DIALOGUE. FOR THE PURPOSES OF THIS SUBSECTION, THAT METHOD OF AGE AFFIRMATION MAY INCLUDE USER CONFIRMATION, BIRTH DATE DISCLOSURE OR OTHER SIMILAR REGISTRATION METHODS.

D. IT IS UNLAWFUL FOR AN INDIVIDUAL OR ENTITY OTHER THAN A MARIJUANA ESTABLISHMENT OR DUAL LICENSEE TO DO ANY OF THE FOLLOWING IN A MANNER THAT IS NOT AUTHORIZED BY THIS CHAPTER OR RULES ADOPTED BY THE DEPARTMENT PURSUANT TO THIS CHAPTER:

1. FACILITATE THE DELIVERY OF MARIJUANA OR MARIJUANA PRODUCTS.

2. SOLICIT OR ACCEPT ORDERS FOR MARIJUANA OR MARIJUANA PRODUCTS OR OPERATE A PLATFORM THAT SOLICITS OR ACCEPTS ORDERS FOR MARIJUANA OR MARIJUANA PRODUCTS.

3. OPERATE A LISTING SERVICE RELATED TO THE SALE OR DELIVERY OF MARIJUANA OR MARIJUANA PRODUCTS.

E. A MARIJUANA ESTABLISHMENT THAT VIOLATES THIS SECTION IS SUBJECT TO DISCIPLINARY ACTION BY THE DEPARTMENT PURSUANT TO SECTION 36-2854, SUBSECTION B. A NONPROFIT MEDICAL MARIJUANA DISPENSARY THAT VIOLATES THIS SECTION IS SUBJECT TO DISCIPLINARY ACTION BY THE DEPARTMENT PURSUANT TO SECTION 36-2816.

F. IN ADDITION TO ANY OTHER PENALTY IMPOSED BY LAW, AN INDIVIDUAL OR ENTITY OTHER THAN A MARIJUANA ESTABLISHMENT OR NONPROFIT MEDICAL MARIJUANA DISPENSARY THAT ADVERTISES MARIJUANA OR MARIJUANA PRODUCTS IN VIOLATION OF THIS SECTION OR OTHERWISE VIOLATES THIS SECTION SHALL PAY A CIVIL PENALTY OF \$20,000 PER VIOLATION TO THE SMART AND SAFE ARIZONA FUND ESTABLISHED BY SECTION 36-2856. THIS SUBSECTION MAY BE ENFORCED BY THE ATTORNEY GENERAL.

36-2860. Packaging; restrictions on particular marijuana products

- A. A MARIJUANA ESTABLISHMENT MAY NOT:
 - 1. PACKAGE OR LABEL MARIJUANA OR MARIJUANA PRODUCTS IN A FALSE OR MISLEADING MANNER.
 - 2. MANUFACTURE OR SELL MARIJUANA PRODUCTS THAT RESEMBLE THE FORM OF A HUMAN, ANIMAL, INSECT, FRUIT, TOY OR CARTOON.
 - 3. SELL OR ADVERTISE MARIJUANA OR MARIJUANA PRODUCTS WITH NAMES THAT RESEMBLE OR IMITATE FOOD OR DRINK BRANDS MARKETED TO CHILDREN, OR OTHERWISE ADVERTISE MARIJUANA OR MARIJUANA PRODUCTS TO CHILDREN.
- B. A MARIJUANA ESTABLISHMENT THAT VIOLATES THIS SECTION IS SUBJECT TO DISCIPLINARY ACTION BY THE DEPARTMENT PURSUANT TO SECTION 36-2854, SUBSECTION B.

36-2861. Contracts; professional services

- A. IT IS THE PUBLIC POLICY OF THIS STATE THAT CONTRACTS RELATED TO MARIJUANA ESTABLISHMENTS AND MARIJUANA TESTING FACILITIES ARE ENFORCEABLE.
- B. A PERSON THAT IS LICENSED, CERTIFIED OR REGISTERED BY ANY DEPARTMENT, AGENCY OR REGULATORY BOARD OF THIS STATE IS NOT SUBJECT TO DISCIPLINARY ACTION BY THAT ENTITY FOR PROVIDING PROFESSIONAL ASSISTANCE TO A PROSPECTIVE OR REGISTERED MARIJUANA ESTABLISHMENT, MARIJUANA TESTING FACILITY OR OTHER PERSON FOR ANY LAWFUL ACTIVITY UNDER THIS CHAPTER.

36-2862. Expungement; petition; appeal; dismissal of complaints; rules

- A. BEGINNING JULY 12, 2021, AN INDIVIDUAL WHO WAS ARRESTED FOR, CHARGED WITH, ADJUDICATED OR CONVICTED BY TRIAL OR PLEA OF, OR SENTENCED FOR, ANY OF THE FOLLOWING OFFENSES BASED ON OR ARISING OUT OF CONDUCT OCCURRING BEFORE THE EFFECTIVE DATE OF THIS SECTION MAY PETITION THE COURT TO HAVE THE RECORD OF THAT ARREST, CHARGE, ADJUDICATION, CONVICTION OR SENTENCE EXPUNGED:
 - 1. POSSESSING, CONSUMING OR TRANSPORTING TWO AND ONE-HALF OUNCES OR LESS OF MARIJUANA, OF WHICH NOT MORE THAN TWELVE AND ONE-HALF GRAMS WAS IN THE FORM OF MARIJUANA CONCENTRATE.
 - 2. POSSESSING, TRANSPORTING, CULTIVATING OR PROCESSING NOT MORE THAN SIX MARIJUANA PLANTS AT THE INDIVIDUAL'S PRIMARY RESIDENCE FOR PERSONAL USE.
 - 3. POSSESSING, USING OR TRANSPORTING PARAPHERNALIA RELATING TO THE CULTIVATION, MANUFACTURE, PROCESSING OR CONSUMPTION OF MARIJUANA.
- B. IF THE COURT RECEIVES A PETITION FOR EXPUNGEMENT PURSUANT TO THIS SECTION:
 - 1. THE COURT SHALL NOTIFY THE PROSECUTING AGENCY OF THE FILING OF THE PETITION, AND ALLOW THE PROSECUTING AGENCY TO RESPOND TO THE PETITION WITHIN THIRTY DAYS.
 - 2. THE COURT MAY HOLD A HEARING:
 - (a) ON THE REQUEST OF EITHER THE PETITIONER OR THE PROSECUTING AGENCY.
 - (b) IF THE COURT CONCLUDES THERE ARE GENUINE DISPUTES OF FACT REGARDING WHETHER THE PETITION SHOULD BE GRANTED.
 - 3. THE COURT SHALL GRANT THE PETITION UNLESS THE PROSECUTING AGENCY ESTABLISHES BY CLEAR AND CONVINCING EVIDENCE THAT THE PETITIONER IS NOT ELIGIBLE FOR EXPUNGEMENT.
 - 4. THE COURT SHALL ISSUE A SIGNED ORDER OR MINUTE ENTRY GRANTING OR DENYING THE PETITION IN WHICH IT MAKES FINDINGS OF FACT AND CONCLUSIONS OF LAW.
- C. IF THE COURT GRANTS A PETITION FOR EXPUNGEMENT:
 - 1. THE SIGNED ORDER OR MINUTE ENTRY REQUIRED PURSUANT TO SUBSECTION B, PARAGRAPH 4 OF THIS SECTION SHALL DO ALL OF THE FOLLOWING:
 - (a) IF THE PETITIONER WAS ADJUDICATED OR CONVICTED OF AN OFFENSE SET FORTH IN SUBSECTION A OF THIS SECTION, VACATE THE JUDGMENT OF ADJUDICATION OR CONVICTION.
 - (b) STATE THAT IT EXPUNGES ANY RECORD OF THE PETITIONER'S ARREST, CHARGE,

CONVICTION, ADJUDICATION AND SENTENCE.

(c) IF THE PETITIONER WAS CONVICTED OR ADJUDICATED OF AN OFFENSE SET FORTH IN SUBSECTION A OF THIS SECTION, STATE THAT THE PETITIONER'S CIVIL RIGHTS, INCLUDING THE RIGHT TO POSSESS FIREARMS, ARE RESTORED, UNLESS THE PETITIONER IS OTHERWISE NOT ELIGIBLE FOR THE RESTORATION OF CIVIL RIGHTS ON GROUNDS OTHER THAN A CONVICTION FOR AN OFFENSE SET FORTH IN SUBSECTION A OF THIS SECTION.

(d) REQUIRE THE CLERK OF THE COURT TO NOTIFY THE DEPARTMENT OF PUBLIC SAFETY, THE PROSECUTING AGENCY AND THE ARRESTING LAW ENFORCEMENT AGENCY, IF APPLICABLE, OF THE EXPUNGEMENT ORDER.

(e) REQUIRE THE CLERK OF THE COURT TO SEAL ALL RECORDS RELATING TO THE EXPUNGED ARREST, CHARGE, ADJUDICATION, CONVICTION OR SENTENCE AND ALLOW THE RECORDS TO BE ACCESSED ONLY BY THE INDIVIDUAL WHOSE RECORD WAS EXPUNGED OR THE INDIVIDUAL'S ATTORNEY.

2. THE DEPARTMENT OF PUBLIC SAFETY SHALL SEAL AND SEPARATE THE EXPUNGED RECORD FROM ITS RECORDS AND INFORM ALL APPROPRIATE STATE AND FEDERAL LAW ENFORCEMENT AGENCIES OF THE EXPUNGEMENT. UNLESS THE PETITIONER IS INDIGENT, THE DEPARTMENT OF PUBLIC SAFETY MAY CHARGE THE SUCCESSFUL PETITIONER A REASONABLE FEE DETERMINED BY THE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY TO RESEARCH AND CORRECT THE PETITIONER'S CRIMINAL HISTORY RECORD.

3. THE ARRESTING AND PROSECUTING AGENCIES SHALL CLEARLY IDENTIFY IN EACH AGENCY'S FILES AND ELECTRONIC RECORDS THAT THE PETITIONER'S ARREST, CHARGE, CONVICTION, ADJUDICATION AND SENTENCE ARE EXPUNGED AND SHALL NOT MAKE ANY RECORDS OF THE EXPUNGED ARREST, CHARGE, CONVICTION, ADJUDICATION OR SENTENCE AVAILABLE AS A PUBLIC RECORD TO ANY PERSON EXCEPT TO THE INDIVIDUAL WHOSE RECORD WAS EXPUNGED OR THAT INDIVIDUAL'S ATTORNEY.

D. AN ARREST, CHARGE, ADJUDICATION, CONVICTION OR SENTENCE THAT IS EXPUNGED PURSUANT TO THIS SECTION MAY NOT BE USED IN A SUBSEQUENT PROSECUTION BY A PROSECUTING AGENCY OR COURT FOR ANY PURPOSE.

E. AN INDIVIDUAL WHOSE RECORD OF ARREST, CHARGE, ADJUDICATION, CONVICTION OR SENTENCE IS EXPUNGED PURSUANT TO THIS SECTION MAY STATE THAT THE INDIVIDUAL HAS NEVER BEEN ARRESTED FOR, CHARGED WITH, ADJUDICATED OR CONVICTED OF, OR SENTENCED FOR THE CRIME THAT IS THE SUBJECT OF THE EXPUNGEMENT.

F. IF THE COURT DENIES A PETITION FOR EXPUNGEMENT, THE PETITIONER MAY FILE A DIRECT APPEAL PURSUANT TO SECTION 13-4033, SUBSECTION A, PARAGRAPH 3.

G. ON MOTION, THE COURT SHALL DISMISS WITH PREJUDICE ANY PENDING COMPLAINT, INFORMATION OR INDICTMENT BASED ON ANY OFFENSE SET FORTH IN SUBSECTION A OF THIS SECTION, TO INCLUDE CHARGES OR ALLEGATIONS BASED ON OR ARISING OUT OF CONDUCT OCCURRING BEFORE THE EFFECTIVE DATE OF THIS CHAPTER. THE INDIVIDUAL CHARGED MAY THEREAFTER PETITION THE COURT TO EXPUNGE RECORDS OF THE ARREST AND CHARGE OR ALLEGATION AS PROVIDED IN THIS SECTION. A MOTION BROUGHT PURSUANT TO THIS SUBSECTION MAY BE FILED WITH THE COURT BEFORE JULY 12, 2021.

H. THE SUPREME COURT MAY ADOPT RULES NECESSARY TO IMPLEMENT THIS SECTION, AND MAY ALSO SPONSOR PUBLIC SERVICE ANNOUNCEMENTS OR OTHER NOTIFICATIONS INTENDED TO PROVIDE NOTICE TO INDIVIDUALS WHO MAY BE ELIGIBLE TO FILE PETITIONS FOR EXPUNGEMENT PURSUANT TO THIS SECTION.

I. A PROSECUTING AGENCY MAY FILE A PETITION FOR EXPUNGEMENT PURSUANT TO THIS SECTION ON BEHALF OF ANY INDIVIDUAL WHO WAS PROSECUTED BY THAT PROSECUTING AGENCY, AND THE ATTORNEY GENERAL MAY FILE A PETITION FOR EXPUNGEMENT PURSUANT TO THIS SECTION ON BEHALF OF ANY INDIVIDUAL.

36-2863. Justice reinvestment fund; exemption; distribution; definition

A. THE JUSTICE REINVESTMENT FUND IS ESTABLISHED CONSISTING OF ALL MONIES DEPOSITED PURSUANT TO SECTION 36-2856 AND INTEREST EARNED ON THOSE MONIES. MONIES IN THE

FUND ARE CONTINUOUSLY APPROPRIATED. MONIES IN THE FUND AND ITS ACCOUNTS MAY NOT BE TRANSFERRED TO ANY OTHER FUND EXCEPT AS PROVIDED IN THIS SECTION, DO NOT REVERT TO THE STATE GENERAL FUND, AND ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190 RELATING TO THE LAPSING OF APPROPRIATIONS. THE STATE TREASURER SHALL ADMINISTER THE FUND.

B. ALL MONIES IN THE JUSTICE REINVESTMENT FUND MUST FIRST BE SPENT, AND THE STATE TREASURER SHALL TRANSFER MONIES FROM THE FUND, TO PAY:

1. THE REASONABLE COSTS INCURRED BY THE STATE TREASURER TO ADMINISTER THE FUND.
2. THE REASONABLE ADMINISTRATIVE COSTS INCURRED BY THE DEPARTMENT TO CARRY OUT ITS DUTIES PURSUANT TO THIS SECTION.

C. ON OR BEFORE JUNE 30 AND DECEMBER 31 OF EACH YEAR, THE STATE TREASURER SHALL TRANSFER ALL MONIES IN THE JUSTICE REINVESTMENT FUND IN EXCESS OF THE AMOUNTS PAID PURSUANT TO SUBSECTION B OF THIS SECTION AS FOLLOWS:

1. THIRTY-FIVE PERCENT TO COUNTY PUBLIC HEALTH DEPARTMENTS, IN PROPORTION TO THE POPULATION OF EACH COUNTY ACCORDING TO THE MOST RECENT UNITED STATES DECENNIAL CENSUS, FOR THE PURPOSE OF PROVIDING JUSTICE REINVESTMENT PROGRAMS OR DISTRIBUTING GRANTS TO QUALIFIED NONPROFIT ORGANIZATIONS TO PROVIDE JUSTICE REINVESTMENT PROGRAMS IN THAT COUNTY.
2. THIRTY-FIVE PERCENT TO THE DEPARTMENT FOR THE PURPOSE OF DISTRIBUTING GRANTS TO QUALIFIED NONPROFIT ORGANIZATIONS THAT PROVIDE JUSTICE REINVESTMENT PROGRAMS IN THIS STATE.
3. THIRTY PERCENT TO THE DEPARTMENT FOR THE PURPOSE OF ADDRESSING IMPORTANT PUBLIC HEALTH ISSUES THAT AFFECT THIS STATE.

D. GRANTS MADE PURSUANT TO THIS SECTION ARE EXEMPT FROM TITLE 41, CHAPTER 23, AND EACH GRANTEE SHALL PROVIDE THE GRANTING AGENCY WITH AN ANNUAL REPORT DETAILING THE USE OF GRANTED MONIES.

E. MONIES TRANSFERRED AND RECEIVED PURSUANT TO SUBSECTION C OF THIS SECTION ARE NOT CONSIDERED LOCAL REVENUES FOR THE PURPOSES OF ARTICLE IX, SECTION 20, CONSTITUTION OF ARIZONA.

F. THE STATE TREASURER MAY PRESCRIBE FORMS NECESSARY TO MAKE TRANSFERS PURSUANT TO SUBSECTION B OF THIS SECTION.

G. FOR THE PURPOSES OF THIS SECTION, “JUSTICE REINVESTMENT PROGRAMS” MEANS INITIATIVES OR PROGRAMS THAT FOCUS ON ANY OF THE FOLLOWING:

1. PUBLIC AND BEHAVIORAL HEALTH, INCLUDING EVIDENCE-BASED AND EVIDENCE-INFORMED SUBSTANCE USE PREVENTION AND TREATMENT AND SUBSTANCE USE EARLY INTERVENTION SERVICES.
2. RESTORATIVE JUSTICE, JAIL DIVERSION, WORKFORCE DEVELOPMENT, INDUSTRY-SPECIFIC TECHNICAL ASSISTANCE OR MENTORING SERVICES FOR ECONOMICALLY DISADVANTAGED PERSONS IN COMMUNITIES DISPROPORTIONATELY IMPACTED BY HIGH RATES OF ARREST AND INCARCERATION.
3. ADDRESSING THE UNDERLYING CAUSES OF CRIME, REDUCING DRUG-RELATED ARRESTS AND REDUCING THE PRISON POPULATION IN THIS STATE.
4. CREATING OR DEVELOPING TECHNOLOGY AND PROGRAMS TO ASSIST WITH THE RESTORATION OF CIVIL RIGHTS AND THE EXPUNGEMENT OF CRIMINAL RECORDS.

36-2864. Transaction privilege tax; use tax; additional taxes prohibited; exception

A. FOR PURPOSES OF THE TRANSACTION PRIVILEGE TAX AND USE TAX LEVIED AND COLLECTED PURSUANT TO TITLE 42, CHAPTERS 5 AND 6, MARIJUANA AND MARIJUANA PRODUCTS ARE TANGIBLE PERSONAL PROPERTY DEFINED IN SECTION 42-5001 AND ARE SUBJECT TO THE TRANSACTION PRIVILEGE TAX IN THE RETAIL CLASSIFICATION AND USE TAX.

B. EXCEPT AS PROVIDED IN SUBSECTION A OF THIS SECTION AND SECTION 42-5452, THIS STATE AND LOCALITIES MAY NOT LEVY OR COLLECT ADDITIONAL TAXES OF ANY KIND ON THE SALE OF

MARIJUANA OR MARIJUANA PRODUCTS AND MAY NOT LEVY OR COLLECT ANY FEES OR ASSESSMENTS OF ANY KIND ON THE SALE OF MARIJUANA OR MARIJUANA PRODUCTS OR ON THE LICENSING, OPERATIONS OR ACTIVITIES OF MARIJUANA ESTABLISHMENTS OR MARIJUANA TESTING FACILITIES, UNLESS THE FEE OR ASSESSMENT IS OF GENERAL APPLICABILITY TO INDIVIDUALS OR BUSINESSES THAT ARE NOT ENGAGED IN THE SALE OF MARIJUANA OR MARIJUANA PRODUCTS.

C. THE PROHIBITION IMPOSED BY SUBSECTION B OF THIS SECTION DOES NOT APPLY TO UNIFORM INCREASES TO THE TRANSACTION PRIVILEGE TAX RATE FOR THE RETAIL CLASSIFICATION OR USE TAX RATE BY THIS STATE OR A LOCALITY OR TO UNIFORM INCREASES TO FEES OR ASSESSMENTS ALLOWED BY SUBSECTION B OF THIS SECTION.

36-2865. Enforcement of this chapter; special action

A. IF THE DEPARTMENT FAILS TO ADOPT RULES NECESSARY TO IMPLEMENT THIS CHAPTER ON OR BEFORE JUNE 1, 2021, OR FAILS TO BEGIN ACCEPTING APPLICATIONS AS PROVIDED IN SECTION 36-2854, SUBSECTION A, PARAGRAPH 1, SUBDIVISION (d), ANY CITIZEN MAY COMMENCE A SPECIAL ACTION IN SUPERIOR COURT TO COMPEL THE DEPARTMENT TO PERFORM THE ACTIONS MANDATED UNDER THIS CHAPTER.

B. IF THE DEPARTMENT FAILS TO ISSUE A LICENSE OR SEND A NOTICE OF DENIAL WITHIN SIXTY DAYS AFTER RECEIVING A COMPLETE MARIJUANA ESTABLISHMENT APPLICATION PURSUANT TO SECTION 36-2854, SUBSECTION A, PARAGRAPH 1, SUBDIVISION (d), THE APPLICANT MAY COMMENCE A SPECIAL ACTION IN SUPERIOR COURT TO COMPEL THE DEPARTMENT TO PERFORM THE ACTIONS MANDATED UNDER THIS CHAPTER.

C. NOTWITHSTANDING CHAPTER 28.1 OF THIS TITLE, IF THE DEPARTMENT FAILS TO ISSUE ANY MARIJUANA ESTABLISHMENT LICENSES PURSUANT TO SECTION 36-2854, SUBSECTION A, PARAGRAPH 1, SUBDIVISION D ON OR BEFORE APRIL 5, 2021, EACH NONPROFIT MEDICAL MARIJUANA DISPENSARY IN GOOD STANDING MAY BEGIN TO CULTIVATE, PRODUCE, PROCESS, MANUFACTURE, TRANSPORT AND TEST MARIJUANA AND MARIJUANA PRODUCTS AND MAY SELL MARIJUANA AND MARIJUANA PRODUCTS TO CONSUMERS UNTIL THE DEPARTMENT ISSUES LICENSES TO OPERATE MARIJUANA ESTABLISHMENTS. IF THIS OCCURS, NONPROFIT MEDICAL MARIJUANA DISPENSARIES IN GOOD STANDING SHALL:

1. BE TREATED AS MARIJUANA ESTABLISHMENTS FOR ALL PURPOSES UNDER THIS CHAPTER, AND THEIR NONPROFIT MEDICAL MARIJUANA ESTABLISHMENT AGENTS SHALL BE TREATED AS MARIJUANA FACILITY AGENTS FOR ALL PURPOSES UNDER THIS CHAPTER.

2. COMPLY WITH THE RULES ADOPTED BY THE DEPARTMENT TO IMPLEMENT CHAPTER 28.1 OF THIS TITLE, EXCEPT THOSE THAT ARE INCONSISTENT WITH THIS CHAPTER.

Section 5. Title 42, Chapter 5, Arizona Revised Statutes, is amended by adding article 10 to read:

ARTICLE 10.
MARIJUANA AND MARIJUANA PRODUCTS

42-5451. Definitions

IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

1. “CONSUMER,” “DUAL LICENSEE,” “MARIJUANA,” “MARIJUANA ESTABLISHMENT” AND “MARIJUANA PRODUCTS” HAVE THE SAME MEANINGS PRESCRIBED IN SECTION 36-2850.

2. “DESIGNATED CAREGIVER,” “NONPROFIT MEDICAL MARIJUANA DISPENSARY” AND “QUALIFYING PATIENT” HAVE THE SAME MEANINGS PRESCRIBED IN SECTION 36-2801.

42-5452. Levy and rate of tax; effect of federal excise tax

A. THERE IS LEVIED AND THE DEPARTMENT SHALL COLLECT AN EXCISE TAX ON ALL MARIJUANA AND MARIJUANA PRODUCTS SOLD TO A CONSUMER BY A MARIJUANA ESTABLISHMENT AT A RATE OF SIXTEEN PERCENT OF THE PRICE OF THE MARIJUANA OR MARIJUANA PRODUCT SOLD. THIS SUBSECTION DOES NOT APPLY TO MARIJUANA DISPENSED TO A REGISTERED QUALIFYING PATIENT OR REGISTERED DESIGNATED CAREGIVER PURSUANT TO TITLE 36, CHAPTER 28.1 BY A DUAL LICENSEE OR

NONPROFIT MEDICAL MARIJUANA DISPENSARY.

B. IF THE UNITED STATES LEVIES AND COLLECTS AN EXCISE TAX ON MARIJUANA AND MARIJUANA PRODUCTS, THE AGGREGATE OF FEDERAL AND STATE EXCISE TAXES MAY NOT EXCEED A RATE OF THIRTY PERCENT OF THE PRICE OF THE MARIJUANA OR MARIJUANA PRODUCT SOLD, AND THE TAX LEVIED PURSUANT TO SUBSECTION A OF THIS SECTION SHALL BE LOWERED ACCORDINGLY AND AUTOMATICALLY ON THE EFFECTIVE DATE OF THE FEDERAL EXCISE TAX.

C. A PRODUCT SUBJECT TO THE TAX IMPOSED BY THIS SECTION MAY NOT BE BUNDLED WITH A PRODUCT OR SERVICE THAT IS NOT SUBJECT TO THE TAX IMPOSED BY THIS SECTION.

D. THE TAX LEVIED AND COLLECTED PURSUANT TO THIS SECTION SHALL NOT BE INCLUDED IN COMPUTING THE TAX BASE, GROSS PROCEEDS OF SALES OR GROSS INCOME OF A MARIJUANA ESTABLISHMENT FOR PURPOSES OF TITLE 42, CHAPTERS 5 AND 6, AND IS NOT SUBJECT TO ANY TRANSACTION PRIVILEGE, SALES, USE OR OTHER SIMILAR TAX LEVIED BY A COUNTY, CITY, TOWN OR SPECIAL TAXING DISTRICT.

E. NOTWITHSTANDING SECTION 42-3102, THE DEPARTMENT SHALL DEPOSIT ALL MONIES LEVIED AND COLLECTED PURSUANT TO THIS SECTION IN THE SMART AND SAFE ARIZONA FUND ESTABLISHED BY SECTION 36-2856.

42-5453. Return statement and payment by marijuana establishment; penalty; interest; rules; confidential information

A. THE TAX IMPOSED BY THIS ARTICLE IS DUE AND PAYABLE, TOGETHER WITH A RETURN STATEMENT PRESCRIBED BY THE DEPARTMENT, FOR EACH MONTH ON OR BEFORE THE TWENTIETH DAY OF THE SUCCEEDING MONTH.

B. A MARIJUANA ESTABLISHMENT THAT FAILS TO PAY THE TAX IMPOSED BY THIS ARTICLE WITHIN TEN DAYS AFTER THE DATE THE PAYMENT IS DUE IS SUBJECT TO AND SHALL PAY A PENALTY DETERMINED UNDER SECTION 42-1125, PLUS INTEREST AT THE RATE DETERMINED PURSUANT TO SECTION 42-1123, FROM THE TIME THE TAX WAS DUE AND PAYABLE UNTIL PAID. THE DEPARTMENT MAY WAIVE ANY PENALTY OR INTEREST IF IT DETERMINES THAT THE MARIJUANA ESTABLISHMENT HAS MADE A GOOD FAITH ATTEMPT TO COMPLY WITH THE REQUIREMENTS OF THIS ARTICLE.

C. THE MONTHLY RETURN STATEMENT PRESCRIBED BY THE DEPARTMENT SHALL INCLUDE AN ACCOUNTING OF THE QUANTITY OF MARIJUANA THAT IS SOLD BY A MARIJUANA ESTABLISHMENT THAT IS SUBJECT TO THE TAX IMPOSED BY THIS ARTICLE DURING THE TAX MONTH.

D. ALL PENALTIES AND INTEREST COLLECTED PURSUANT TO THIS SECTION SHALL BE DEPOSITED IN THE SMART AND SAFE ARIZONA FUND ESTABLISHED BY SECTION 36-2856.

E. THE DEPARTMENT MAY ADOPT RULES THAT ARE NECESSARY OR CONVENIENT TO ENFORCE THIS ARTICLE, EXCEPT THAT THOSE RULES MAY NOT CONFLICT WITH TITLE 36, CHAPTER 28.2.

F. THE DEPARTMENT MAY SHARE CONFIDENTIAL INFORMATION AS DEFINED IN SECTION 42-2001 WITH THE DEPARTMENT OF HEALTH SERVICES FOR ITS USE IN DETERMINING WHETHER A MARIJUANA ESTABLISHMENT, MARIJUANA TESTING FACILITY OR DUAL LICENSEE IS IN COMPLIANCE WITH TAX OBLIGATIONS UNDER THIS TITLE OR TITLE 43.

Section 6. Title 43, Chapter 1, article 1, Arizona Revised Statutes, is amended by adding Section 43-108 to read:

43-108. Subtraction from gross income; ordinary and necessary expenses; marijuana establishments and marijuana testing facilities; definitions

A. NOTWITHSTANDING ANY OTHER LAW, IN COMPUTING ARIZONA ADJUSTED GROSS INCOME OR ARIZONA TAXABLE INCOME FOR A TAXPAYER, ALL ORDINARY AND NECESSARY EXPENSES PAID OR INCURRED DURING THE TAXABLE YEAR IN CARRYING ON A TRADE OR BUSINESS AS A MARIJUANA ESTABLISHMENT, MARIJUANA TESTING FACILITY, OR DUAL LICENSEE THAT ELECTS TO OPERATE ON A FOR-PROFIT BASIS PURSUANT TO TITLE 36, CHAPTER 28.2 SHALL BE SUBTRACTED FROM ARIZONA GROSS INCOME TO THE EXTENT NOT ALREADY EXCLUDED FROM ARIZONA GROSS INCOME.

B. FOR THE PURPOSES OF THIS SECTION, “DUAL LICENSEE,” “MARIJUANA ESTABLISHMENT,” AND “MARIJUANA TESTING FACILITY” HAVE THE SAME MEANINGS PRESCRIBED IN SECTION 36-2850.

Section 7. Voter Protection Act

For the purposes of the Voter Protection Act, Ariz. Const. art. IV, pt. 1, § 1(6)(C), the People of the State of Arizona declare that the following acts of the Legislature would further the purpose of this act:

1. Enacting a per se law for the presumption of marijuana impairment based on the concentration of delta-9 tetrahydrocannabinol in a person's body when scientific research on the subject is conclusive and the National Highway Traffic Safety Administration recommends the adoption of such a law.
2. Reducing or eliminating any offense, offense level or penalty provided for in this act.
3. Increasing the amount of marijuana that a person may lawfully possess.
4. Amending the provisions of this act to align more closely with federal laws and regulations if marijuana is legalized or decriminalized by the federal government, but only if and to the extent that such federal laws and regulations are not more restrictive than the provisions of this act.
5. Amending the provisions of this act to align more closely with federal laws and regulations governing the possession, processing, cultivation, transport, or transfer of industrial hemp, but only if and to the extent that such federal laws and regulations are not more restrictive than the provisions of this act.
6. Increasing the number of marijuana establishment licenses by up to 10 percent in furtherance of the social equity ownership program established by this act.
7. Facilitating the expungement and sealing of records of arrests, charges, convictions, adjudications and sentences that were predicated on conduct made lawful by this act, including by automatic means, and otherwise preventing or mitigating prejudice to individuals whose arrests, charges, convictions, adjudications or sentences are expunged.
8. Amending the definition of "smoking" in this act to conform with the Smoke-Free Arizona Act if that act is amended to include the use of an electronic smoking device that creates an aerosol or vapor.

Section 8. Exemption from rulemaking

For the purposes of this act, and for sixty months after the effective date of this act, the department of revenue and the department of health services are exempt from (a) any executive order or other directive purporting to limit or restrict their ability to adopt new rules, and (b) the rulemaking requirements of title 41, chapters 6 and 6.1, Arizona Revised Statutes, except that each department shall provide the public with a reasonable opportunity to comment on proposed rules and shall publish otherwise exempted rules.

Section 9. Severability

If any provision of this act or its application to any person or circumstance is declared invalid by a court of competent jurisdiction, such invalidity does not affect other provisions or applications of this act that can be given effect without the invalid provision or application. The invalidated provision or provisions shall be deemed reformed to the extent necessary to conform to applicable law and to give the maximum effect to the intent of this act and, to the fullest extent possible, the provisions of this act, including each portion of any section of this act containing any invalidated provision that is not itself invalid, shall be construed so as to give effect to the intent thereof.

ANALYSIS BY LEGISLATIVE COUNCIL

Proposition 207 would:

1. Allow a person who is at least 21 years of age to lawfully possess and use one ounce or less of marijuana, including not more than 5 grams of marijuana concentrate (for example, hashish), as well as up to 6 marijuana plants at that person's primary residence. (Producing, possessing and using marijuana would remain illegal under existing federal law.)
2. For a person who is under 21 years of age, reduce the penalties for unlawful use of marijuana to a civil penalty for the first violation, a petty offense for a second violation and a class 1 misdemeanor for subsequent violations.
3. In addition to the sales tax, impose a 16% excise tax on the retail sale of marijuana and marijuana products.
4. Transfer \$45,000,000 from the medical marijuana fund for a variety of different programs and purposes, including the Arizona teachers academy, public health, traffic enforcement, education relating to legalizing marijuana, expunging certain criminal records and implementing a social equity ownership program.
5. Establish a petition process to expunge law enforcement and court records relating to arrests, charges, adjudications,

convictions and sentences for specific marijuana-related drug offenses that occurred before the effective date of the measure.

6. Direct that monies from licensing and renewal fees, application fees, civil penalties, excise taxes and penalties related to selling and testing marijuana be deposited in the smart and safe Arizona fund. Monies in that fund would be used first to pay for the costs of implementing, administering and enforcing the measure. If monies remain in the smart and safe Arizona fund, the monies would be allocated to community college districts and provisional community colleges, municipal police and fire departments, fire districts and county sheriffs' departments, the Arizona highway user revenue fund and various "justice reinvestment programs" including:

- (a) Public and behavioral health, including substance use prevention and treatment.
- (b) Restorative justice, jail diversion, workforce development, industry-specific technical assistance or mentoring services for economically disadvantaged persons in communities disproportionately impacted by high rates of arrest and incarceration.
- (c) Reducing drug-related arrests and the prison population in this state.

Possession and use

Under Proposition 207, a person who is at least 21 years of age could lawfully possess and use one ounce or less of marijuana, including not more than 5 grams of marijuana concentrate (for example, hashish), and could possess up to 6 marijuana plants at that person's primary residence, the marijuana produced by those plants and marijuana accessories. Not more than 12 marijuana plants could be produced at a single residence. Marijuana produced by those plants could be cultivated only in an enclosed, locked area within the premises that is not visible from public view. The person could also transfer one ounce or less and up to 6 marijuana plants to another person who is at least 21 years of age if the transfer were without remuneration.

By its terms, Proposition 207 would not authorize a person to:

1. Smoke marijuana in a public place or open space.
2. Operate any motorized form of transport while impaired to even the slightest degree by marijuana.
3. Consume marijuana while operating or riding in the passenger compartment of any motorized form of transport.
4. Provide marijuana to a person who is under 21 years of age.

An employer would not be required to allow a person to possess or consume marijuana in the workplace. (Under the current drug-free workplace laws, an employer may discipline or terminate an employee based on the employee's positive drug test for marijuana, even if the employee consumed the marijuana outside the workplace.) An employer, school, day care center, adult day care facility, health care facility or corrections facility could prohibit or regulate possessing, smoking, producing, processing, manufacturing or selling marijuana on the property. A person who owns, manages or leases a property could prohibit or regulate possessing, smoking, producing, processing, manufacturing or selling marijuana on the property.

A person would not be guilty of driving while under the influence (DUI) because of the presence of metabolites or components of marijuana in the person's body unless the person were also impaired to the slightest degree. (Under current state statute, a person violates the DUI statutes when any drug or its metabolite is present in the person's body.)

Regulation

Proposition 207 would require the Department of Health Services (Department) to adopt rules to regulate marijuana, marijuana products, marijuana establishments and marijuana testing in this state, including licensing marijuana establishments and marijuana testing facilities, licensing and renewal fees, security requirements, cultivating, processing and manufacturing requirements, tracking, testing, labeling and packaging requirements (which would include child-resistant packaging), delivery, acceptable forms of government-issued identification required for purchases, potency of edible marijuana products and to create a social equity ownership program to address ownership and operation by individuals from communities disproportionately impacted by previous marijuana law enforcement.

Delivery of marijuana would not be allowed until the department adopts rules after January 1, 2023. Delivery would be prohibited to any property owned or leased by the federal, state or local government, including the universities under the control of the Arizona Board of Regents.

A marijuana establishment would be allowed to sell, cultivate, process and manufacture marijuana and marijuana products in licensed locations. The number of marijuana establishment licenses would be capped at one marijuana establishment license for every 10 pharmacies that have obtained a pharmacy permit and operate in this state.

Beginning January 19, 2021 through March 9, 2021, the Department would be required to accept early applications for marijuana establishments from only:

1. Currently registered nonprofit medical marijuana dispensaries.
2. Applicants seeking to operate a marijuana establishment in a county with fewer than 2 nonprofit medical marijuana dispensaries.

After issuing early applicant marijuana establishment licenses, the Department would be required to issue the remaining marijuana establishment licenses by a random selection process. Notwithstanding the cap, the Department would be required to issue, not later than 6 months after adopting rules, an additional 26 licenses to entities under the social equity ownership program.

A city, town or county could enact reasonable ordinances or rules that generally govern the time, place and manner of marijuana establishment and marijuana testing facility operations, except that the city, town or county could not:

1. Restrict or interfere with the ability of an entity to operate a nonprofit medical marijuana dispensary and a marijuana establishment at a shared location.
2. Adopt a more restrictive ordinance or rule than a comparable ordinance or rule that applies to nonprofit medical marijuana dispensaries.

A marijuana establishment and a nonprofit medical marijuana dispensary would be allowed to engage in regulated advertising.

Violations

Proposition 207 would establish penalties or offenses for certain actions, including:

1. Petty offenses punishable by a maximum fine of \$300 and community restitution for:
 - (a) Smoking marijuana in a public place.
 - (b) Possessing more than one ounce but not more than 2.5 ounces of marijuana, including not more than 12.5 grams of marijuana concentrate (for example, hashish).
2. A civil penalty of not more than \$100 for a first violation of underage use. The second violation would be a petty offense.
3. A petty offense for the first violation of unauthorized production (including growing marijuana plants subject to public view without the use of optical aids). The second violation would be a class 3 misdemeanor.

The Arizona Constitution limits the ability of the Legislature to amend an approved initiative measure or to appropriate or divert monies created or allocated by an approved initiative measure. Any future legislative changes to the initiative measure may be made only if they are approved by at least three-fourths of the members of each house of the Legislature and the changes further the purposes of the initiative measure, or if they are approved by the voters through referendum or initiative.

JOINT LEGISLATIVE BUDGET COMMITTEE FISCAL ANALYSIS PROPOSITION 207

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 207 would legalize the sale and use of recreational marijuana for persons 21 years of age and older. The initiative establishes a 16.0% tax on the sale of recreational marijuana and recreational marijuana products. Marijuana establishments would also pay licensing fees.

The tax and the licensing fees are projected to generate \$166 million in annual revenue after the program becomes more fully operational in the next several years.

These monies would be deposited into the Smart and Safe Arizona Fund (SSAF). SSAF monies would first be used to pay administrative costs of certain agencies. The remainder of these monies would then be distributed as follows:

- 33.0% to community colleges
- 31.4% to local law enforcement and fire departments
- 25.4% to the state and local transportation programs
- 10.0% to public health and criminal justice programs
- 0.2% to the Attorney General for enforcement

NOVEMBER 3, 2020 ★ GENERAL ELECTION

The regular sales tax would apply to recreational marijuana purchases. Annual state and local sales tax collections on these purchases may reach \$88 million in the next several years. These monies would be available for general use.

Due to uncertainty about the level of marijuana sales, the revenue estimates are speculative and subject to change.

The initiative also requires a one-time transfer from the Medical Marijuana Fund of \$45 million for the Department of Health Services, a university tuition program, and an impaired driving program.

There could be fiscal costs from increased emergency room visits, hospitalizations, and substance abuse treatment, as well as savings from reduced arrests, prosecutions, and punishment of marijuana offenses. The magnitude of such costs or savings would depend on subsequent funding decisions made by the state government.



ARGUMENTS “FOR” PROPOSITION 207

This Smart & Safe Act was developed by Arizona moms, dads, Republicans, Democrats, Independents, small business owners, corporate executives, educators, health care professionals, police officers and prosecutors.

Arizona is our home. We sought to create the best policy with a measurable benefit to our state.

We’re proud of this initiative. It is sincerely smart and safe. Here’s why:

1. The war on drugs failed. Marijuana is safest when it’s sold in a taxed, tested and regulated environment – not on a street corner.
2. Arizona is in financial crisis and we can’t trust politicians to do the right thing. We have guaranteed, by law, that the money will fund Arizona’s top priorities – education, public health, infrastructure, and public safety. At least \$300 million annually will be pumped into these critical areas.
3. As parents, we know a well-regulated, licensed, legal environment is the best way to keep marijuana out of the hands of children – period. We set the legal age at 21, limited potency, required childproofed packaging, required products to be unattractive to kids and forbade advertising to youth.
4. We also banned smoking marijuana in public places and open spaces -- imposing the toughest restrictions in the country.
5. Our streets will be safer. We increased penalties for driving under the influence of marijuana and gave departments funding for training, equipment and task forces. And, legalization will also free up our clogged criminal justice system to focus on serious crimes.
6. We also dedicate millions annually to state and local health departments for addiction prevention and treatment, suicide prevention, mental health programs, and justice reinvestment projects that create opportunities in disproportionately impacted communities.

Legalization is the right move for Arizona. Smart and Safe is the right measure. Now is the right time. Please vote yes on Prop 207.

Chad Campbell, Chairperson, Smart and Safe Arizona, Phoenix

Sponsored by Smart and Safe Arizona

VOTE FOR
PROPOSITION 207
SMART AND SAFE ARIZONA ACT

Four years ago, while I was Mayor of Snowflake, the City Council voted to issue Special Use Permits for two Medical Marijuana Growth Facilities. Both are producing medical marijuana and one of them is the largest private employer in Snowflake.

My emphasis on the City Council and as Mayor was to support economic development and encourage job growth in our local communities. The issuance of these two Special Use Permits has had the biggest positive economic impact in Snowflake in decades.

The Medical Marijuana Facilities are responsible corporate citizens and provide good paying jobs with benefits to our citizens. Our younger people can stay in the community and enjoy our rural setting and lifestyle. Many people who visit Snowflake never even realize that we have medical marijuana growth facilities here.

I have read the Safe and Secure Arizona Act and am very pleased with the way it has addressed legitimate concerns raised

with the 2016 proposition. The authors have also incorporated successful provisions from other states so we can benefit from their experience.

I recommend voting “FOR” PROPOSITION 207 the Smart and Safe Arizona Act.

Thomas Poscharsky
Mayor Emeritus
Snowflake, Arizona

Thomas Poscharsky, Mayor Emeritus Snowflake, Arizona

Smarter Government, Safer Arizona

As former Governor of our great state, I am keenly aware of how important it is to defend liberty and to conserve scarce government resources. I also know that to accomplish these goals we must constantly re-evaluate our policies in the face of new evidence. Today the evidence is overwhelmingly clear: criminalizing law-abiding citizens who choose to responsibly consume marijuana is an outdated policy that wastes precious government resources and unnecessarily restricts individual liberty. A far more logical approach would be to respect the right of adults to choose to consume marijuana while regulating and taxing its production and sale.

The Smart and Safe Arizona Initiative strikes this appropriate balance. It allows adults to legally possess and consume small amounts of marijuana in private, but it strictly regulates the production and sale of marijuana in order to protect our citizens. For example, this initiative bans marijuana “gummy bears” and marketing that would appeal to children, and it establishes significant penalties for selling to minors. It also strictly limits the number of dispensaries ensuring that our neighborhoods do not become oversaturated. Further, it protects employers who wish to maintain a drug-free workplace, and it provides tools to law enforcement to prevent impaired driving. Finally, and perhaps most importantly, it frees up law enforcement to deal with more serious issues that actually jeopardize public safety.

Simply put, the Smart and Safe Arizona initiative allows us to expand individual liberty and to protect public safety all while generating hundreds of millions of dollars in annual revenue for the State without raising taxes. In government we call that a rare win-win-win. Please join me in voting Yes for Arizona.

The Honorable Fife Symington
19th Governor of Arizona

John Fife Symington III, Former Governor, Phoenix

Proposition 207 Has Public Health Benefits and Risks

The Arizona Public Health Association has been Arizona’s independent voice for public health for over 90 years. We believe Proposition 207 poses both public health risks and benefits.

Benefits include decriminalization for possession of small amounts of marijuana and expungement of prior marijuana convictions. Possession of marijuana is a felony in Arizona (except for medical marijuana patients). Felony convictions and incarceration have lasting impacts on the mental, physical, and economic health of the individual and their children, lifetime lower earning potential, and reduced educational attainment. Incarceration and felony convictions for marijuana offenses have multigenerational social, economic, and health impacts that have been disproportionately thrust on communities of color because they are more likely to be arrested for and convicted of marijuana offenses.

Proposition 207 also includes monitoring and regulation of production, potency, testing, and labeling of marijuana products. The tax revenue would support evidence-based public health programs, including substance use prevention and treatment.

The Act would allow existing medical marijuana dispensaries to co-locate with dispensaries that could sell Cannabis to all adults over 21, which will make it easier to access and use. The risks of marijuana use include impaired neurological

development from use in adolescence, increased visits to emergency rooms from marijuana intoxication or accidental ingestion by children, adverse birth outcomes from maternal use, and injuries caused by impaired driving or workplace use.

If the Act passes, we urge the state to use its full regulatory authority to enforce purchasing age-limits, packaging and potency standards, regulate advertising and place of use restrictions, enact workplace use policy requirements, and solidify motor vehicle operation restrictions and penalties. Arizona officials should also partner with state universities to analyze and publish data on its public health impacts.

For additional information and analysis visit www.azpha.org.

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

Arizona Attorneys for Criminal Justice (AACJ) strongly supports the Smart and Safe Act, which would legalize the use and possession of marijuana for adults at least 21 years old. As a state-wide not-for-profit membership organization dedicated to protecting the rights of the accused in the courts and in the legislature, AACJ has seen the damage Arizona’s policy of heavily criminalizing the use and possession of marijuana has done to individuals, families, and our communities.

For too long Arizona has been an outlier, clinging to the failed prohibitionist policies of the past. Currently, Arizona is the only state that makes first-time, simple possession of any amount of marijuana a felony offense. This failed policy continues to send people to prison for marijuana crimes. Moreover, a felony conviction carries with it a lifetime of collateral consequences – you cannot vote, you cannot serve on a jury, you cannot work in certain professions and finding any job is much more difficult. With a felony conviction for a marijuana offense you can also lose important benefits, like access to student loans and housing assistance.

Not only will the Smart and Safe Act move Arizona toward a more compassionate policy on adult marijuana use, it will also provide an option for folks who were previously convicted of low-level marijuana charges to have their criminal records expunged so they have fair access to jobs and housing, while raising millions of dollars annually for much needed addiction prevention, substance abuse treatment, suicide prevention, mental health programs and other justice reinvestment projects. It is past time Arizona voters legalized the use and possession of marijuana for adults at least 21 years old. It is smart. It is safe. And it respects the liberty and personal freedom of all Arizonans to live their lives as they choose.

Jared Keenan, President, Arizona Attorneys for Criminal Justice (AACJ), Phoenix

The Arizona Dispensaries Association is proud to support the Smart and Safe Arizona campaign asks for your support of Proposition 207 on or before November 3rd.

The Association exists to support the already-thriving cannabis ecosystem in Arizona, which is currently producing millions in tax revenue for the state in an environment ravaged by a global pandemic, employs more than 15,000 of your neighbors in quality jobs, and supports the health of the nearly 250,000 qualified patients across our Grand Canyon State.

Proposition 207 responsibly legalizes the sale, possession, and consumption of cannabis for adults over the age of twenty-one while generating \$3 billion in NEW REVENUE during the first ten years alone - without compromising our values.

The initiative protects our kids by requiring all packaging to be childproof and clearly labeled. It also bans advertising to children and strictly prohibits the sale of gummy bears and other products that resemble kids’ candy.

Proposition 207 also does the right thing by providing an option for those who have been previously convicted of low-level marijuana charges to have their criminal records expunged so they have fair access to jobs and housing.

This initiative represents the smart, responsible, and safe way to legalize the adult use of cannabis. Please join your neighbors in voting YES on Proposition 207.

Samuel Richard, Executive Director, Arizona Dispensaries Association, Phoenix
Sponsored by Arizona Dispensaries Association

As a former state legislator who helped expand Medicaid coverage in a bi-partisan effort, I have a unique perspective on the state’s healthcare system. Bluntly, the COVID-19 pandemic has exposed significant shortcomings we knew were lurking under the surface.

Passage of the Smart and Safe Arizona Act legalizing adult-use marijuana will help the state and our communities be better prepared by dedicating much-needed revenue to public health.

Medical marijuana is already legal here in Arizona and legalizing small amounts of marijuana for adult recreational use will generate \$3 billion in tax revenue over 10 years. The Coronavirus decimated jobs, especially in the tourism and hospitality industries, and has severely reduced tax revenue generation for first responders, education and health care statewide. Let there be no doubt, our state and our communities need this new revenue now more than ever.

State government and communities across Arizona face fiscal cliffs. Funding for public safety, public education and public health are all in jeopardy. The financial situation is dire.

Legalizing cannabis will create jobs, bring in new businesses, and generate additional tax revenue across the state. It comes at a time when we need to invest in emergency and essential services. When we need to invest in public education and public health. When we need to invest in the infrastructure and innovation to effectively respond to pandemics and other health emergencies.

COVID-19 has put our state, our health care system and our economy in a tough place. We will work together as a state and community to get through it. We also have an opportunity to invest in our state and communities with passage of the Smart and Safe Arizona Act.

Chad Campbell, Phoenix

I am a proud owner and operator of a small business in Arizona. I contribute hundreds of thousands of dollars in tax revenue to the State of Arizona every year, and employ 41 people across my retail, cultivation, and wholesale operation.

And my story is not unique. Hundreds of other small business owners in the cannabis industry across the state are offering quality employment and demonstrating a commitment to the community each and every day.

The Giving Tree Dispensary is part of a larger ecosystem in Arizona that produces millions in tax revenue for the state, employing more than 15,000 of your neighbors in quality jobs, all while we support the health of the nearly 250,000 qualified patients across our Grand Canyon State.

Proposition 207 protects our kids by requiring all packaging to be childproof and clearly labeled, while also providing much-needed new tax revenue to the State of Arizona.

This initiative represents the smart, responsible, and safe way to legalize the adult use of cannabis. Please join me in voting YES on Proposition 207.

Lilach Mazor Power, Founder & CEO, Giving Tree Dispensary, Scottsdale

The economy of the Grand Canyon State is the foundation of our freedom and our values. As the COVID-19 pandemic has ravaged our country and our state, we have to be strategic in recovering from the economic storm that has hit us. We can do that by creating more jobs across multiple sectors to give Arizonans the confidence in knowing that the financial pain they feel is temporary and that this will pass.

In 2020, we have the opportunity to do that at the ballot box because that is what Prop 207 does.

Legal marijuana directly creates jobs in retail, manufacturing, and agriculture while indirectly creating new jobs in finance, technology, and logistics. It also increases demand for construction, farming supplies, machinery manufacturing, insurance,

utilities, packaging, and professional services to name a few.

The reason so many additional businesses benefit from legal marijuana is because a new industry needs significant infrastructure to be built, often from the ground up.

We need to do everything we can to help our economy after this unprecedented pandemic. We need short and long-term solutions. We need to be creative.

Prop 207 that legalizes marijuana is an opportunity for voters to boost our recovery efforts across the state.

Voting YES on Prop 207 will help our state and communities rebuild our tax bases decimated by the pandemic's impact. The revenue from Prop 207 will go directly to first responders, workforce training programs and public health when we need these investments the most.

Legal marijuana has created thousands of jobs across the state including at medical dispensaries who serve Arizona's 240,000+ qualifying patients. We can create stable and sustainable economic growth with Prop 207. It will mean work for those who are skilled, capable, and need help.

We need these jobs now. Here is our chance.

Mohit Asnani, Partner, iLAVA, Tucson

As the CEO of Harvest Health, we began working on the Smart & Safe Act in 2019 with the hopes of providing jobs, revenue and criminal justice reform to my home state.

At the time, we had no idea those priorities would become emergencies.

The state is facing a \$1.1 billion budget shortfall (or worse) due to Covid-19. City and county governments also face serious financial strains with sales tax and other revenue streams decimated by the pandemic.

New revenue is essential to sustain services including public safety, public education and public health. That includes making sure Arizona's health care system is better prepared if and when the Coronavirus returns or another pandemic strikes.

Voters have the opportunity in November to approve the Smart & Safe Act. The ballot initiative legalizes small amounts of cannabis for personal use. It will bring in \$3 billion in revenue to the state over 10 years through a 16 percent excise tax on marijuana sales.

Money would go directly to public health agencies, first responders as well as community colleges who offer key workforce training programs for our economy.

These investments will help backfill some of the revenue lost because of COVID-19. State and local lawmakers won't have to make 'robbing Peter to pay Paul' budget decisions that impact our communities and priorities such as teacher pay and important infrastructure improvements.

Arizona economy was prospering before COVID-19 and its decimation. The state's Rainy Day Fund might help us get through some of the near term economic and revenue impacts. But we need new revenue to rebuild those reserves and to keep investing in communities. Voting Yes on Smart & Safe does that.

Steve White, CEO, Harvest Health and Recreation, Tempe

Sponsored by Smart and Safe Arizona



ARGUMENTS “AGAINST” PROPOSITION 207

In 2016 I submitted the following comment in the Voter Guide Publicity Pamphlet. Four years later my comments are even more true, the issue full of more risk, and it is even more important that we VOTE NO to promoting marijuana use in Arizona as a “recreational” drug.

I am an Arizona parent whose child died by suicide following his addiction to marijuana, Cannabis Use Disorder. He left a note saying “My soul is already dead. Marijuana killed my soul + ruined my brain.” He was and is a beloved son, not a Zero as the marijuana lobby asserts with its myth that marijuana cannot lead to death. The substance is indeed very harmful and risky for many. Science affirms this. This initiative proposes an enormous burden on society with new government agencies to regulate and police yet another substance of impairment - for recreational use. The initiative includes wide distribution and lighter penalties than for alcohol. This is proposed during a mental health and drug abuse epidemic, when many are doing everything we can to curb substance abuse. This is proposed at a time when society would benefit from improvement in its education and attitudes toward harmful and risky substance use. This initiative normalizes drug use which leads to increased usage. Businesses always work to expand. More use = more risk = more addiction = more devastated families. I urge all to work to Protect and Prevent, not Promote drug use. Please VOTE NO.

Sally Schindel, An Arizona Mom, Prescott

In 2010, the marijuana industry told us they had a powerful drug that would heal people. And 50.3% of the voters agreed. In 2016, the same people told us pot is harmless and that it should be legal for recreational use. The people of Arizona said No. Now they are back. Arizona must say No again. This dangerous and flawed 2020 initiative gives a monopoly to Big Marijuana companies, allows them to create powerful edibles resembling popular candy and snacks, increases emergency room visits and infants born with marijuana in their systems, it endangers our roads with impaired drivers, and changes the brains of our developing youth. This isn’t speculation—these things are happening in the states that have legalized. In Colorado, users are admitting to driving stoned EVERY DAY, in California the black market is stronger and bigger than the legal market, in Colorado for every tax dollar raised, four more are spent on marijuana related expenses, and in Washington, over half the pot money promised for drug prevention, education & treatment never materialized. Let’s learn from those who have experimented with recreational marijuana: “You do not legalize for taxation. It is a myth. You are not going to pave streets. You are not going to be able to pay teachers. The big red herring is the whole thing that the tax revenue will solve a bunch of crises. But it won’t.”- Andrew Freedman, former pot czar for Colorado. As the mom of four kids (one a Title I school teacher), the sister of an addict and the daughter of a medical marijuana candidate who lost his life to cancer, I ask you to consider the consequences of recreational legalization and I ask you to vote NO because once it’s done, it can’t be undone. Please keep marijuana medical.

Lisa James, Chairman, Arizonans for Health and Public Safety, Scottsdale

This Initiative will result in major increases in death and injury from marijuana DUI crashes. This is demonstrated vividly by the facts from Colorado and Washington, which have legal recreational marijuana. In Colorado marijuana related traffic deaths increased 109% since marijuana was legalized - resulting in one person killed every three days from marijuana DUI drivers. In Washington, fatalities among drivers using marijuana have more than doubled since legalization.

This Initiative does not create a “safe and smart” Arizona. Marijuana affects cognitive functions, impairing drivers through distortion of time and distance, loss of coordination, increased reaction times and inability to maintain lateral travel. Also, people do not switch from alcohol to marijuana because proponents erroneously claim it to be safer. In Colorado, alcohol related driving deaths remained relatively constant while marijuana related driving deaths rose 109%.

Arizona driving statistics show that marijuana and alcohol are commonly found together in impaired drivers. This is particularly disturbing because this pairing results in driving impairment greater than the sum of each individually. Marijuana

legal states are selling alcohol infused with marijuana and this Initiative allows the same.

The Initiative protects marijuana impaired drivers from prosecution. The Initiative expressly prohibits the State from prosecuting marijuana impaired drivers based on a level such as Arizona's .08 blood alcohol. Science will develop a level for marijuana at which all people are impaired, but no level can be enacted into law because of this Initiative.

Statistics indicate about 10% of Arizona's population regularly uses marijuana. Yet, that 10% wants to pass an Initiative that will have terrible impacts for all the citizens of Arizona, causing huge increases in DUI crashes and deaths. This Initiative does not regulate marijuana in a "smart and safe" manner, but instead, protects stoned drivers and badly undermines highway safety.

Todd Griffith, Forensic Scientist and Retired Director of the Dept. of Public Safety, Statewide, Crime Laboratory System, Phoenix

Our society is rife with youth challenges based on legal substance abuse, from tobacco to alcohol. It is important to note, those products are only legal for adult purchases. Now we are told, let's throw marijuana into the menu of legal and dangerous substances for Arizonans, after all, it's just for adults. Meanwhile, in states that have tried this experiment, like Colorado, you see nearly 50 percent more youth using marijuana on a regular basis than in Arizona. In the young adult category of use between the ages of 18-25 (note, three years of illegal use by the way), Colorado use trumps Arizona by nearly 60 percent. We can become like that, and see our youth use of marijuana skyrocket—but why would we want to do that? So that a handful of marijuana dealers can get wealthier? No thank you.

Study after study shows that youth marijuana use is associated with cognitive impairment and increased risk of schizophrenia, among a great many other harms. We don't need to do this here, and we can't afford to do this here. Just consider: though we are told we will reap benefits from taxing marijuana, those benefits will be far smaller than the costs of everything associated with educational deficits, dropouts, traffic and workplace accidents, treatment, and recovery increased marijuana use will bring. And the tax revenue from other states that have tried this is minuscule. What a sane society can do is say let's not add one more dangerous substance to the menu of problems our youth now face. And make no mistake about it: legalization, for any age group, is the handmaiden of adolescent use.

Seth Leibsohn, Chairman, notMYkid, Phoenix

What is more important than keeping our children focused on their education and keeping them safe?

This is precisely what passing this "Smart and Safe" initiative WILL NOT DO if the voters of Arizona pass this mindless measure in November. It's neither smart, nor safe.

For those of you who think, Well, we already have medical marijuana - that's not this. This initiative is to expand the usage of marijuana that is 4-5 times the strength it was in the 1970s and 1980s, and much of the product that is ingested today has up to 100% THC, the hallucinogenic in marijuana.

Here are just two major problems and their effects.

Already, calls to the Maricopa County Poison Control Center involving CHILDREN under 10 years old have increased TENFOLD from 2014 to 2018. We are clearly going in the wrong direction. Early use of high THC in pot increases mental health issues and poor school performance. Who is going pay for that?

Consistent surveys also show marijuana users believe that they are "excellent" drivers. Insurance claims increased in Washington and Colorado after they legalized recreational marijuana. In Colorado alone, a fatal crash involving a driver who's high occurs every 2½ days.

Passing this bill is NOT a good idea. Get informed and vote accordingly. Because the children of Arizona and their parents are depending on you to do the right thing:

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

VOTE NO ON RECREATIONAL MARIJUANA.

Susan Cohen, Prescott

It's not easy being a teen these days. Temptations that can derail a future surround them, easier to get than ever. Saying no isn't always easy.

That's why we, leaders of Arizona's substance abuse prevention coalitions, oppose the legalization of recreational marijuana. An increasing percentage of Arizona teens are already using marijuana. Making it more widely available will only put it in the hands of more young people – especially since this industry-written initiative limits penalties for teen possession to less than a slap on the wrist. Teens will hear Big Marijuana's siren call: Go ahead and try it.

If you want to steal the future from a young Arizonan, hand them marijuana. Young people are most susceptible to the damage marijuana can do. Marijuana hinders the ability to reason, memorize and think things through, and the effect is worse in teen brains.

A recent study published by the National Academy of Sciences found that early use of marijuana primes the brain to enjoy cocaine. Another study in the Lancet last year showed that young people who use marijuana with a THC potency of a relatively low 10% are five times more likely to develop psychosis. Recent research by the University of Minnesota found that teens who use pot are increasingly turning away from leafy marijuana in favor of edibles and vapes, which have potencies far higher than 10%.

Our coalitions are dedicated to helping young people find ways to enjoy life without getting high. We want to help our teens avoid landmines on their way to becoming successful adults. There already are too many. We don't need to add legalized recreational marijuana to the mix. Please stand up for kids and vote no.

Merilee Fowler, Camp Verde; Kathy Grimes, Pima; Vicky Solomon, Taylor; Jamal Givens, Tucson; Amy Bass, Tucson; Larry Tracey, Buckeye; Donna Hauser, St. Johns; Shelly Mowrey, Scottsdale; Sonia Sanchez, Rico; Hilary Cummings, Tempe; Julie Craig, Winkelman; Randy Hartless, Parker; Bob Shogren, Casa Grande; and Ted Huntington, Chandler

This Initiative is not “safe and smart” but is riddled with highly dangerous and deceptive provisions. Some of the most dangerous provisions are shown below but there are many others.

The Initiative does not keep marijuana from adolescent use. Although the Initiative makes marijuana illegal for those under 21 years of age, it does virtually nothing to stop underage use. The penalties for underage marijuana are minimal (civil fines or petty offenses), much less than underage alcohol use which is a criminal offense. Also, the Initiative bars Officers from using the odor of marijuana or marijuana smoke to take action, making underage enforcement extremely difficult. The Initiative's message to Arizona's youth, is that it's okay to use marijuana because nothing bad will happen as compared to underage alcohol use which could result in jail time.

The Initiative's one ounce limit for marijuana does not result in 60 to 200 cigarettes of green leafy marijuana, as the general populace expects, but instead is 2,830 doses of 99% pure THC, a potent drug. This is because the Initiative defines marijuana not only as the green leafy material but, also, as any compound of the marijuana resin and, therefore, THC, the psychoactive compound in the resin, is legally marijuana. Other marijuana legal states, are selling marijuana preparations with 85% to 99% THC and the same will happen here.

Other Initiative wording further destroys the one ounce limit, because hidden in the act are provisions that make up to 200 ounces of marijuana legal. The Initiative allows the growing of 12 marijuana plants per residence and legalizes the marijuana harvested from the plants. 12 legal marijuana plants could yield, in one grow, 168 to 204 ounces of legal, leafy marijuana plant material.

Don't be deceived by this flawed Initiative.

Todd Griffith, Forensic Scientist and Retired Director of the Arizona Dept. of Public Safety Statewide Crime Laboratory System, Phoenix

As a mother, grandmother and the director of a substance abuse coalition, I urge you to vote no on the initiative to legalize recreational marijuana.

Preventing youth use of marijuana is complicated. It's not made easier when Big Marijuana pushes false messages at our children, glorifying this mind-altering, harmful drug. For every negative message our children see about marijuana on social media, they see 15 positive messages, each one of them false and misleading.

What is Big Marijuana's goal? It is to make Big Money on the backs of our children. These megacorporations market to our kids with the goal of increasing dependence on their harmful product. This initiative expands their monopoly, lining the pockets of individuals and businesses profiting from addiction.

Arizona has a choice to make on Nov. 3. Before you vote I urge you to ask yourselves the following questions:

1. Do you want your children or grandchildren to use marijuana?
2. Will your neighborhood be better with marijuana growing next door?
3. Will you be safer driving on Arizona's roads with more impaired drivers?
4. Do you support Big Marijuana's goal of a marijuana monopoly in Arizona?
5. Will Arizona be a better state with more adults and children using high-potency, mind-altering marijuana?

The answer to these questions and the answer to this initiative is "NO."

Merilee Fowler, Executive Director, MATFORCE and Community Counts, Camp Verde

The proponents of this initiative claim there is a safe and smart way to legalize recreational marijuana. That's nothing but spin, as shown by the failed experiments in every other state to try. Legalization means more users and more negative consequences. And we will pay the price.

Marijuana increases the danger to you on roads and workplaces. Colorado sees someone die every 2½ days in a marijuana-related traffic collision. In Arizona, positive marijuana workplace tests have nearly tripled over the past eight years since legalization of medical marijuana. Workplaces with higher rates of drug use have employees that are less productive, suffer higher absenteeism, and have more accidents.

Teen marijuana use is highest in states that have legalized it. Marijuana impairs learning skills. Teen use is linked to lower academic achievement and more problems with friends and family.

More spin: The initiative's writers agreed not to sell marijuana in the shapes of animals and cartoons. They said nothing about candies, gummies, ice-cream or vapes, shatter and wax, the high potency marijuana concentrates favored by the industry that are associated with higher likelihood of psychosis.

The complex formula for doling out the big tax bonanza they promise is also spin. In no other state have marijuana taxes covered the increased costs of social services, addiction treatment, homelessness, education, health care and law enforcement that legalization brought.

And as for their argument that legalizing recreational pot will empty our prisons? Not a single state has seen a reduction in prison population because of legalization. This is because, contrary to the myth, our prisons are not filled with people serving time for marijuana possession. As of April 2020, only 0.3 percent of Arizona's prison population are in for marijuana possession only.

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

Please join me in voting no on this terrible idea.

Sheila Polk, Yavapai County Attorney, Prescott

One effect that legalization of marijuana may have is an increase in adolescent use because of increased availability and greater social acceptance. Adolescent use can: impact brain development, cognition, school performance, development of a marijuana use disorder, driving abilities and the development of psychotic illnesses.

The Arizona Youth Survey (AYS) assesses the prevalence and frequency of youth substance abuse and other risky behaviors from a representative sample of 8th, 10th, 12th graders. Some results related to adolescent marijuana use from the 2018 AYS*:

- Top three reasons youth use drugs: 1) Have fun, 2) Get high or feel good, and 3) Deal with stress at school.
- Marijuana is the 3rd most commonly used substance after alcohol and tobacco.
- 15.7 percent reported using marijuana in the past 30 days.
- 15.3 percent reported having ridden in a vehicle driven by someone who had been using marijuana.
- 4.4 percent reported having driven a vehicle when they had been using marijuana.
- 44% of 12th graders reported having used marijuana one or more times in their lifetime.
- 32.7% of 12th graders reported having used marijuana concentrates (higher THC content) at least once in their lifetime.
- 23.2% of 12th graders used marijuana in the last 30 days.
- 17.8% of 12th graders smoked or vaped concentrates.

*

https://azcjc.gov/sites/default/files/pubs/AYSReports/2018/2018_Arizona_Youth_Survey_State_Report.pdf

Legalizing marijuana will put more stoned drivers onto Arizona's roads resulting in more accidents and deaths. That's not safe!

The greedy marijuana lobby is willing to harm our kids and risk our safety to make millions in profit. While legalization of marijuana use may sound good in theory, it's dangerous from a health standpoint to our youth, our communities, and our state. That's why I'm voting AGAINST legalizing marijuana for recreational use. PROTECT ARIZONA'S YOUTH! Please, join me in voting NO!

John Schuderer, MA, Retired Mental Health and Substance Abuse Counselor, Prescott

It's natural for us to desire to be safe and in good health. This desire applies not only to us personally, but also to our family, and especially our children. As a parent, providing a safe environment and preserving the health of my children is my responsibility and a moral obligation. As a Family Medicine physician for over 30 years, it has been my responsibility and obligation to protect the health of my patients and provide them with advice on how to prevent accidents, injuries, and illness, and maintain good health.

In recent years, we have heard and read about the "opioid crisis," and the toll it takes on those who are addicted, their families, their friends, and on society in general. It is a terrible problem, often ending with terrible consequences. Addiction is a horrible condition, whether it be to opioids, alcohol, or other agents. Addiction takes control over the individual and becomes more important than family, friends, or health. It is a clear and present threat to our safety and health, especially the safety and health of our children and our teens. Marijuana is an addictive drug, with THC as the addictive component. In the 1960's, the percentage of THC in marijuana was around 3%. Now, that percentage is often as high as 60% and even more in some concentrated forms. The higher the percentage of THC, the higher the risk of addiction. Marijuana is commonly marketed in edible form, with names and packaging clearly targeted to children. There is proof that the younger one is exposed to an addictive substance, the higher the risk of developing addiction and all its consequences. Protect us, protect our children, protect our teens. Vote NO and reject the Smart and Safe Arizona Act.

Richard H. Rutkowski, MD, Fountain Hills

Dr. Ed Gogek, Arizona Addiction Psychiatrist for 30 years, has treated more than 10,000 addicts and alcoholics in jails, prisons, homeless clinics, mental health centers and substance abuse programs. He has been quoted in the New York Times and over a dozen major U.S. newspapers. In his extraordinary book, *Marijuana Debunked*, he warns the following: “Teenagers get addicted to drugs—including alcohol, marijuana and tobacco—much more frequently than adults do because their brains are shaping themselves around their daily experiences and strengthening the synapses of activities they’re engaged in. If a teenager is using drugs, the parts of the brain that enjoy getting high will be strengthened permanently. That’s why teenagers get addicted so easily...this gives a new twist to the gateway drug debate. What matters is not the choice of drugs but the age at which it is first used. Any addictive drug used in adolescence will prime the brain for more drug abuse... marijuana does even more damage, as several studies have shown. As adults, former teenage marijuana users have problems with executive function, the human ability to think, plan, solve problems, make decisions and set priorities...the research on heavy teenage use is overwhelmingly clear: heavy marijuana use in teenagers permanently alters the ability to think, remember and process”. Arizona, if we legalize marijuana for recreational use, teens will get it and use it. Let’s choose a drug-free childhood for our children. Vote NO on high potency recreational marijuana legalization; let’s protect our Arizona kid’s brains.

Andrea Kadar, Sedona

Arizonans need examine no further than Colorado, California, and Washington State when considering casting their vote on whether to approve marijuana “just for fun.” So let’s have a look.

In all three states homelessness is up, way up. Homeless providers in Denver agree the demand for their services has increased like no other time in history. The same goes for Seattle. Additionally, has anyone seen the news and documentaries about the homeless problem in San Francisco? This City is the most accepting population of the homeless and residents are fed up with the street filth, crime, and general despair of the homeless human condition.

In all three states, teen use of the drug is up. The teen brain is weird enough without making drugs more available to them. And the science is mounting that high concentrates of THC are causing major mental disorders in our youth. So let’s make drugs more available?

And speaking of high concentrates of addictive substances, didn’t we learn from the devastating opioid epidemic? The addictive mind-altering component of pain killers skyrocketed from 7.5mg to 80mg in powerful drugs like Oxycotin. THAT move fueled the fire that kills more people yearly than the entire Vietnam War. And now the marijuana “industry” has done the same. THC, the addictive mind-altering substance in marijuana, has risen from 5-10% to upwards of 80%.

...what is the industry really after? Your health—medical marijuana is already legal in Arizona—or your wallet?

Incidentally, recreational use has increased fatal car accidents in legalized states. But what does the marijuana industry call their initiative? “Smart and Safe”...seriously?

I urge you to take the time to educate yourselves. Examine the data and make an informed decision regarding legalization and vote NO on recreational use.

Jeff Taylor, Phoenix

Just a few months ago, we were all in the midst of the COVID-19 outbreak. The major concern was staying safe, staying healthy, and protecting our loved ones. During the outbreak, we gained much experience and considerable knowledge about how to best address the threat it posed to our health and safety. That experience and knowledge can be applied to any similar future threats. Yes, we learn from past experience and should apply those lessons. Those lessons aren’t just limited to outbreaks of infections but are applicable to other threats to our health and safety. Unfortunately, some lessons are learned the hard way.

The state of Colorado legalized recreational marijuana in late 2012. Now, data from the Colorado Department of

Transportation shows that 69% of marijuana users in CO admit to driving under the influence of the drug. Almost one-third of users admitted to daily use. Data also shows that from 2002 to 2014, prior to legalization, traffic-related fatalities dropped 34%, despite an increase in the state’s population. Since recreational marijuana was legalized in CO, marijuana-related traffic deaths increased 151 percent while, in comparison, all Colorado traffic deaths increased 35 percent. Yes, the marijuana-related death rate is over 4 times the overall death rate. National Highway Traffic Safety Administration data confirms the problem, showing that the percentage of all traffic deaths that were marijuana-related has increased steadily from 14.76% in 2013 to 25% in 2017. This data shows one of the lessons being learned in CO. We can learn from CO without repeating its mistake. In AZ, we must keep our families, our children, drivers, bikers, and pedestrians safe. Vote NO to legalizing recreational marijuana in AZ.

Robert Lewandowski, Fountain Hills

I’m a lifelong liberal Democrat, but after 35 years practicing psychiatry, much of it with children and teenagers, I’m against legalizing marijuana. And it’s not just me. The American Academy of Child & Adolescent Psychiatry and the American Academy of Pediatrics also staunchly oppose legalization. Why? Because just like Big Tobacco, a legal marijuana industry would target teenagers and children. Ninety percent of adult cigarette smokers started as teens and so did 90% of adult marijuana users. So all the profit in both industries depends on adolescent use. Big Tobacco used Joe Camel to get teenagers started. Big Marijuana is even worse. In Colorado, they entice kids with marijuana candies, cookies and soda. Denver pot stores aren’t filled with green leafy weed; they’re filled with THC-infused gummy bears, lollipops, and candy bars. As a result, states that legalized weed have the highest rates of teenage use in the country, and in those states the number of dogs and toddlers overdosing on pot has skyrocketed. This industry directly targets kids, even though hundreds of scientific studies show that marijuana – especially today’s high-potency weed – permanently damages the teenage brain. Teens who smoke pot regularly drop out at twice the rate of non-users, and as adults they earn less and have lower IQ. No parent wants this for their kids. But does the marijuana industry care? No more than Big Tobacco cares about the cancer and heart disease it causes. For both industries, targeting teenagers is just part of doing business. Remember: this initiative wasn’t written by hippies who want to get high; it was written by businessmen who want to make money getting your kids started on drugs. That’s why doctors who work with children – pediatricians and child psychiatrists -- adamantly oppose this measure. As should we all.

Ed Gogek, M.D., Board-Certified Psychiatrist, Prescott

I encourage you to make an informed choice. Read the ballot initiative, don’t just listen to what the marijuana industry tells you it says. That’s what I did and found major discrepancies between the message they’re peddling, and the language in the initiative.

It’s basically the same self-serving ballot initiative Arizonans rejected in 2016, with a deceptive name. There is no safe way to legalize recreational marijuana. Where recreational marijuana is legal, states saw a dramatic increases in marijuana related traffic deaths, teen use - which damages still developing brains, increased expenses due to the additional harms caused by legalization, and more.

The initiative doesn’t keep people from going to work stoned, potentially putting coworkers at risk. And it’s a headache for business owners.

The so-called “limits” on potency is deceptive, allowing for a high risk of over consumption by packing up to 10mg of THC in a single serving. Then, making a single serving size 1/10th of a cookie or candy bar, or a single gummy. No one eats a tenth of a cookie or one gummy. And the initiative limits only the edibles, leaving concentrates, waxes, joints and other forms unlimited in potency.

The state isn’t going to reap a whirlwind of revenue. Not based on what happened in most states that legalized marijuana for recreational use. Proponents don’t count the high cost of increased traffic crashes, law enforcement calls, hospitalizations, drug treatment programs, and more. This initiative caps the tax at 16%, regardless of the added cost to the state.

The initiative creates a monopoly for marijuana insiders at the expense of Arizonans. Big marijuana companies paid for 98% of the cost of getting on the ballot. This ballot measure is written by the marijuana industry, for the marijuana industry.

Cathi Herrod, Esq., Center for Arizona Policy

Cathi Herrod, President, Center for Arizona Policy, Phoenix

This initiative is 17 pages of single-spaced deception. Not a single voter, not even the lawyers who drafted it, can fully understand what it will do. And when problems are found, the legislature will be denied the right to fix them.

The proponents of this reckless initiative promise a tax bonanza. Don't believe it. Instead, look at what happened in California, Massachusetts, and even Colorado.

California expected to raise \$1 billion in the first year. It took in less than a third of that. Massachusetts raised less than half of the forecast. Whatever the proponents promise, take it with a huge grain of salt.

Even in Colorado, a rare state that met forecasts, revenue from marijuana accounts for less than 1 percent of the state budget. And a 2018 study determined that Coloradans pay \$4.50 to mitigate the effects of marijuana for every \$1 gained in taxes. Expect the same in Arizona if this initiative should pass. Other than money for law enforcement (implicitly acknowledging that legalizing marijuana will not make us safer), the initiative creates no ongoing revenue streams for substance abuse programs, public health, victim assistance, poison control centers, child protection, or workers compensation – all areas likely to see an increased demand if marijuana is legalized.

So who will pay for these? You will.

According to the National Institute on Drug Abuse, employees who test positive for marijuana have 55% more industrial accidents and 85% more injuries compared to those who test negative. Some businesses in Colorado have to recruit out-of-state to find workers for safety-sensitive positions. Legalization made it harder to do business in Colorado. It will do the same in Arizona.

These are only some of the reasons I'm voting no. I hope you'll join me.

Steve Twist

Steve Twist, Scottsdale

As responsible adults, it's our duty and moral obligation to protect children. This obligation can be fulfilled in several ways. For younger children, we hold their hands when crossing a street. We install fences around pools. We insist upon infant seats, booster seats, and seat belt/shoulder restraints in the car. It's standard practice for children to receive vaccines to prevent measles, polio, meningitis, influenza and other infectious diseases. Bike helmets protect children from serious head injuries. Cabinet locks prevent access to toxic chemicals in our homes. Safety dictates that the firearms and ammunition in the home are secured. Prescription bottles have "childproof" caps. The specific measures implemented to protect our children vary with age and circumstance, but certainly these measures extend into the teenage years and even beyond. After all, our "kids" are always our "kids."

The obligation to keep our children safe must also be applied to alcohol, tobacco, and other drugs, including marijuana. Consider some hard facts. The concentration of the psychoactive and addictive component of marijuana (THC) has increased from about 3% in the 1960's to as high as 70% or more today. Early use of high-THC marijuana has been proven to increase the likelihood of addiction, mental health disorders such as schizophrenia, and poor school performance. Problematic marijuana use is 25% higher among teens in states that have legalized the drug. The number of calls to Maricopa County Poison Control involving marijuana ingested by children under 10 years old increased tenfold from 2014 to 2018, and this is without legalization. Prohibiting sales of tobacco and alcohol to minors has not reliably restricted their access to them. It's common sense that marijuana legalization would also result in higher access to children and teens. Please protect our children. Vote NO on the "Smart and Safe Arizona Act."

Susan Schulman, Fountain Hills

ARIZONA CATHOLIC CONFERENCE BISHOPS' STATEMENT OPPOSING THE LEGALIZATION OF RECREATIONAL MARIJUANA

Consistent with our long-standing position, the Bishops of the Arizona Catholic Conference remain opposed to the current initiative to legalize the recreational use of marijuana in Arizona. While we are concerned for several reasons, our opposition is primarily rooted in the belief that making recreational marijuana legal is harmful to both children and families in Arizona.

Legalizing the recreational use of marijuana sends a message to children that drug use is socially and morally acceptable. As people of faith, we must speak out against this effort and the damaging effects its passage would have on children and families.

We already know that problematic marijuana use is 25 percent higher among teens in states that legalized recreational marijuana. In Arizona, this is particularly alarming because the percentage of eighth, tenth, and twelfth grade students who say they use marijuana has already increased over the past four years as perceptions of risk have fallen.

Furthermore, the most recent child fatality report for the State of Arizona listed marijuana as a direct or contributing factor in almost as many child deaths as alcohol. The prior year, child deaths resulting from marijuana were even higher than alcohol.

For the reasons mentioned above, and others, it is anticipated that legalizing the recreational use of marijuana in Arizona will lead to more abuse by teens, increase child fatalities, and result in more societal costs. Accordingly, due to these detrimental effects, we strongly oppose this dangerous proposal.

Most Rev. Edward J. Weisenburger
Bishop of Tucson

Most Rev. Thomas J. Olmsted
Bishop of Phoenix

Most Rev. James S. Wall
Bishop of Gallup

Most Rev. Eduardo A. Nevares
Auxiliary Bishop of Phoenix

Most Rev. John S. Pazak
Holy Protection of Mary Byzantine Catholic Eparchy of Phoenix

Most Rev. Edward J. Weisenburg, Bishop of Tucson, Arizona Catholic Conference, Phoenix; Most Rev. Thomas J. Olmsted, Bishop of Phoenix, Arizona Catholic Conference, Phoenix; Most Rev. James S. Wall, Bishop of Gallup, Arizona Catholic Conference, Phoenix; Most Rev. Eduardo A. Nevares, Auxiliary Bishop of Phoenix, Arizona Catholic Conference, Phoenix; and Most Rev. John S. Pazak, Holy Protection of Mary Byzantine Catholic Eparchy of Phoenix, Arizona Catholic Conference, Phoenix
Sponsored by Arizona Catholic Conference

Sometimes it's hard to know who to trust. I rely on past experience and facts. Experience tells me I can't trust the tobacco industry. They said their product was safe and they weren't marketing to kids. They lied on both accounts and people suffered because of it. Now, many of those companies are investing in the marijuana industry, which is also telling us their product is safe for recreational use, and they're not marketing to kids. I've seen the THC laced caramels, cookies, and gummies, and I've seen the stats on fatal marijuana related car crashes. I know better. So, I the read the initiative itself.

It turns out the marijuana industry is almost exclusively funding this initiative, the details of which fail to address some very real problems. It does nothing to keep stoned drivers off the road. It actually eliminates current law criminalizing driving with

THC in one's system, and it offers nothing to prevent impaired driving.

As a mother of a daughter just a few years from driving, I don't want stoned drivers with their impaired judgment in the lane next to her. And there still is no reliable roadside test for THC like there is for alcohol.

A third of marijuana users in Colorado admit to driving stoned daily, and marijuana related traffic deaths there nearly doubled after legalization.

Arizonans already legalized medical marijuana to ease cancer related pain or seizures.

We shouldn't then turn around and send the message to our youth that medicine can be used for recreational purposes.

Like big tobacco companies years ago, the marijuana industry clearly is more interested in making money than making sure their product doesn't cause harm to Arizonans. I want my family, and your family as safe as possible on the roads. This initiative doesn't do it.

Cindy Dahlgren, Scottsdale

Don't be fooled. "Not my parents pot!"

The marijuana of the 70's is not the same today. The potency is much stronger with a high percentage of THC (hallucinogenic agent) and less CBD (Ratio of THC to CBD 80-1) compared to 20 years ago (Ratio of THC to CBD 14.1) and 12 times more potent than what it was in the 1970's.

With this higher potency, research is reporting an alarming increase in cases of psychotic episodes, schizophrenia, bi-polar, anxiety, depression, etc. among adolescents and young adults. The high THC is thought to trigger susceptible individuals who have the genetic vulnerability for these mental illnesses and advanced brain imaging now demonstrates damage to brain functioning.

Mental and medical issues are increasing in executive functioning- short term memory loss, motivation; coordination, depth perception- affecting driving; paranoia, social anxiety, emotional instability; medical issues- heart and lung damage, low testosterone, appetite irregularities, uncontrolled vomiting, testicular cancer.

Statistics demonstrate that 1 out of 6 fourteen-year-olds who begin marijuana use, will go on to daily use and addiction. In addition, addiction can occur for some individuals after the 3rd or 4th use.

As a neuro-school psychologist in a large high school and licensed Educational Psychologist & Marriage Family Therapist, I have witnessed personally the increasing rise in addiction and mental health problems in our adolescents.

What can we possibly gain by subjecting our youth and population to these kinds of health issues and compromised lifestyles? Don't be complacent about this issue and then find your own child affected by it. We owe it to our Arizona society to protect our younger generation.

Medical marijuana use is one thing -to alleviate pain, etc. but recreational marijuana just doesn't make sense. There is nothing smart or safe about this Act proposed.

Vote No!

Mrs Jane E Holm, Licensed MFT, LEP, Prescott

This proposition isn't about decriminalizing marijuana. It's about creating a monopoly so a handful of rich people can get even richer. Three businesses paid most of the money for this initiative, and they wrote it to give themselves almost total control over marijuana sales in Arizona. Pot is no longer small businesses; it's a highly corporate \$15 billion industry with its own private equity firms, venture capitalists and lobbyists who buy politicians. In Canada, tobacco companies are buying up marijuana businesses, and they'll do that here if it's legalized nationally. But now there's a nationwide movement to stop corporate marijuana, and it's often led by pot-smokers. Willie Nelson, who has used marijuana all his adult life, is fighting against this corporate takeover. Legalization lost in Arizona four years ago because marijuana users fought against it. In Ohio, marijuana users opposed and defeated a legalization initiative because it was a corporate money-grab, just like Arizona's. And the Marijuana Policy Project's political director quit because, he said, the industry has taken over and will push drug use just like Big Tobacco does. Tobacco companies target teenagers because 90% of their profits come from daily users who started

before age 18. Pot works the same way; in Colorado, nearly 90% of sales are to daily users who started in their teens. If there were no for-profit marijuana industry, we could have a reasonable discussion about how to decriminalize marijuana for adults without causing teenage use to skyrocket. But the industry will never allow that discussion because they want teenage use to skyrocket. They need it to skyrocket. Just like Big Tobacco, their profits depend on teenage use. So please, vote against this monopoly. Vote against this for-profit industry. And say NO to corporate marijuana in Arizona.

Ed Gogek, M.D., Addiction Psychiatrist, Prescott

Proposition 207 or what is known as the “Smart and Safe Arizona Act” is a great way to generate profits for the Big Marijuana industry, their people and the Mexican Cartels, but it is neither smart nor safe for the people of Arizona, their families or their children. This voter referendum written by the big Marijuana Lobby from outside of our state, seeks to fool Arizona voters into thinking that Marijuana is both safe and effective for us, here in Arizona. Marijuana has never been proven to be effective where benefits outweigh its harmful effects. We now have solid data over the past 50 years that show just how deadly Marijuana can be. Research now shows us a direct correlation between drug induced psychotic illness such as Schizophrenia and Bipolar depression. States like Washington and Colorado that have gone against federal law and declared marijuana legal have seen dramatic increases in deaths and related traffic accidents due to the effects of marijuana. Proposition 207 says it will restrict the sale to individuals over the age of 21. How can they say this is safe when twenty five percent of Arizona’s youth already obtain alcohol illegally? Marijuana is a gateway drug that leads to other addictions. Almost every individual diagnosed with a substance use disorder of any kind, report that they first began their addiction with either marijuana or alcohol, and did so at an average age of 13 years. Please follow your heart and common sense and do not allow the big money from outside to profit off the lives of Arizona’s youth. Help preserve a healthy and safe environment for future generations of Arizonans. Please join me in voting no on proposition 207.

Paul Smith, Registered Pharmacist, Prescott

The National Drug and Alcohol Screening Association opposes the “Smart and Safe Arizona” Initiative in the interest of protecting safe and drug free workplaces with particular concern for road and driving safety.

As the leading experts in drug and alcohol testing, device manufacturing, product testing and development, we assert that no test is available to determine that any user of cannabis products is safe to operate vehicles, manufacturing equipment or any other safety-sensitive function whether in the public or private sector.

Having seen sharp increases of adult marijuana use in states that have moved ahead with initiatives such as this, we recognize that vehicle crashes and fatalities have dramatically increased in those states as well, with no solutions in place for accurate safety standard implementation. It is vital for the voter to understand that scientifically based safety standards are a minimum of ten years away and not obtainable in the near future.

With this extreme risk to the public health and safety of Arizona residents on roadways, it should also be noted this same issue will have detrimental impact to the business community, whether via those operating commercial vehicles (not subject to USDOT rules), involved in heavy equipment operations, manufacturing, handling of hazardous materials, utilities operations, construction-related industries and any other job duty where the employee risks accident, injury or fatality while operating under-the-influence of a substance known to impede executive function.

Additionally, states that have passed such measures show increased difficulty in hiring and retaining employees willing to abide by safe and drug free workplace policies. Employers unable to enforce these policies show dramatic losses in productivity and revenue with sharp increases in employee turnover, accidents, injuries, absenteeism and the use of all other illicit drugs.

Any initiative promoting substance use is detrimental to safety, health and wellness.

Mary McGuire, Executive Director, National Drug & Alcohol Screening Association, Phoenix

I look forward to having students back in our classrooms this fall. Watching young minds soak up knowledge and build the foundation for a bright future is part of what makes my job so fulfilling.

Unfortunately, young people, like the rest of us, will be besieged throughout the fall with messages claiming recreational marijuana can be legalized in a smart and safe way. It's just not true. If marijuana is made widely available, more teens will get it and use it – just as they do with alcohol, vaping and cigarettes. Already, after years of propaganda from the marijuana industry, surveys show that teens see little harm in regularly using marijuana.

The opposite is true. Marijuana is more dangerous to teens because regular use of today's high-potency pot will derail their future.

Ample research shows that THC, the psychoactive ingredient in marijuana, impairs short-term memory and the ability to form new memories – not exactly an attribute you want while studying science, math or literature. After smoking a joint, a teen's thinking abilities bounce back more slowly than an adult's. Regular use leads to a permanent decrease in learning capabilities, a shortened attention span and an impaired ability to effectively communicate.

A multinational study published in the *Lancet* found a fivefold increase in the odds of developing psychosis in regular users of marijuana with potencies over 10%, which is well below the average potency promoted by Arizona dispensaries. Other research has shown this danger increases the younger a person begins using pot.

For the students I am charged with educating, there is nothing to be gained by legalizing recreational marijuana and so much to be lost. Please vote no.

Dr. Paul Tighe
Superintendent, Saddle Mountain United School District

Dr. Paul Tighe, Superintendent, Saddle Mountain Unified School District, Litchfield Park

With the rise in the number of states having legalized recreational marijuana, and the increased prevalence of marijuana use among pregnant women, it is critical to understand the impacts of marijuana legalization for recreational use on the most vulnerable, our nation's children. While there is research on marijuana use during the perinatal and postpartum periods, literature indicates that marijuana use during these periods can adversely affect a child's health in various ways including exposing the child to various teratogens. Today's marijuana is high in potency and the diversity in products available suggest that marijuana use today may be more detrimental to a child's health than research indicates. Researchers analyzed data from more than 7,000 women in the 2016 Pregnancy Risk Assessment Monitoring System to assess whether marijuana use during the preconception, perinatal, and postnatal periods is higher in states that have legalized recreational marijuana use compared to states that have not. Women in the states with legalized recreational marijuana use had a statistically significant higher prevalence of marijuana use than women in states without legalized recreational marijuana use. During the preconception, perinatal, and postpartum periods, women in legalized states were two times more likely to use marijuana than women in non-legalized states. In a changing marijuana landscape, these findings underscore the importance of not only assessing the impacts of marijuana legalization, including patterns of maternal marijuana use, but also the need to all educate women of reproductive age, including pregnant women and mothers, on the adverse health and societal impacts marijuana use has on their unborn children.

Dwight Kadar, Sedona

Argument Against "Smart and Safe Arizona Act" If you vote yes, you will eventually know someone who suffers misery because of your actions. So, tell them you are sorry now.

So, will those who use marijuana think they can drive safely? Yes. Will fatal accidents happen? Yes. Colorado, experiences 2.5 fatalities each week from marijuana impaired drivers after they allowed such a law. Then what about the accidents where the person lives but is disabled for life. Does the record show the resulting rates of injury and the loss of jobs for those who

survived. No. Those numbers are unknown. Tell those you know who survived a car crash you are now sorry about your intended vote to approve this provision.

Do you want to help the marijuana growers? That is where the money will go. That is who is promoting this proposition. Vote yes and make us rich they urge!

Are the prisons full of people who use marijuana? NO! A lie! Population numbers show 0.5% have marijuana convictions. And they are in jail for serious reasons!

Oh! Your yes vote will hire more police. That is a good thing right? How many new officers will be needed? 2,000 - 5,000 who knows? How long will that take to hire them? YEARS AND YEARS! Why are more officers needed? To get these impaired drivers off the streets!

Who could become the impaired drivers? How about 18-wheelers in the lane next to you, or maybe even those professions for which we EXPECT absolute sobriety; doctors, nurses, pilots, fire fighters, police, those who govern etc. etc. Maybe even your children...

Philip Goehring, Citizen, Prescott

Legalizing recreational marijuana in Arizona risks the health, safety and future of our children. It makes our streets more dangerous. I see nothing smart or safe about this.

Today, alcohol is the substance most abused by Arizona teens, with e-cigarettes close behind. These are legal to adults, making it very easy for teens to get. If recreational marijuana is legalized, kids will get it with the same ease, accelerating the increase in usage already under way. But the consequences will be far more grave.

Research shows that marijuana's immediate effects include difficulty with thinking, memory and problem solving. It significantly hinders a teen's ability to do well in school. The younger a person starts using pot, the more likely they are to develop marijuana use disorder. Young people who regularly use marijuana stronger than 10% THC, at the low end of what is sold today in Arizona dispensaries, are at a much greater risk than non-users for developing psychosis.

I'm not willing to sacrifice our children so the sponsors of this initiative can get rich. Nor am I willing to give up the progress we have made in reducing impaired driving. If recreational marijuana is legalized, our streets and highways will become more dangerous. In public polls, marijuana users say they see nothing wrong with driving stoned and do so regularly. Perhaps they also know police have nothing like the breathalyzer for proving a stoned driver is impaired.

Colorado and Washington show us what will happen. In both states, fatal accidents involving marijuana have increased since legalization. In Colorado, someone dies in an accident involving a driver who tests positive for THC every 2½ days. In Pima County, Supervisor Ann Day was killed by a marijuana impaired driver.

Join me. Vote NO on recreational marijuana.

Barbara LaWall, Pima County Attorney

Barbara LaWall, Pima County Attorney, Tucson

Governments are looking for new or different ways to raise revenue. Many voters may be more agreeable to the ways of raising revenue which do not directly affect them or raise their own personal tax burden. In states which have legalized marijuana, at least part of the justification was the promise of new revenue for the government. This often included the promise of new funding for schools or mental health. Who would oppose more money for the kids? There have been projections of how much new revenue will be generated. However, according to an October 2019 article in Politico, the promise of a new "cash cow" has not been the reality.

Colorado and Washington were two of the earliest states to legalize recreational marijuana. California & Massachusetts have followed suit. As reported in the October 2019 Politico article, Advocates for legalization in California originally envisioned legalized pot raising \$1 billion a year. As it turns out, the state raised not even a third of that in fiscal 2018-2019, the first

full year since recreational sales began. Massachusetts had projected it would bring in \$63 billion in revenue in its first year and did not even get half of that. Even if revenue projections are met, those projections do not take into account the cost of legalization, the unintended consequences. The number of marijuana-related traffic accidents and fatalities and the number of marijuana related emergency room visits have increased in Colorado, generating substantial costs. Beyond the financial cost of those increases are the human cost-which can not be assigned a dollar amount. Life Insurance will decline marijuana smokers who used it more than 4 times a week-that tells alot.

Beware of "get rich quick " schemes and promise of a " cash cow". VOTE NO on Smart and Safe Arizona Act."

William Bovinette, Fountain Hills

As a high school teacher and state senator, I can't think of a more important vote than NO on legalizing marijuana. If passed, the Orwellian named "Smart and Safe Act" will mean Arizonans are stuck with it no matter how many problems that arise including a thriving black market, unsafe neighborhoods, addicted adolescents, more school dropouts, and an overwhelmed mental health system.

But don't take my word for it. Read the 17 pages of legalese where you'll find:

- The Act prohibits any new fees, which means the state of Arizona will be on the hook for any additional enforcement, addiction, treatment, and education costs leading to higher taxes and less money for education.
- The Act limits the state's ability to cap the potency of THC products that are smoked or inhaled, which can get to as high as 90% concentration leading to mental health issues.
- The Act allows for home grows and up to 12 plants in a single residence leading to unsafe neighborhoods.
- Finally, the Act protects marijuana-impaired drivers as it prohibits the prosecution of an impaired driver solely based on the amount of THC in his system leading to unsafe roads.

The Black Market is thriving in already legalized states like California and Colorado, and Arizona would be no different if the Act passes. Don't want marijuana grow houses next door? Then vote NO on Proposition 207.

State Senator Paul Boyer, Glendale

Paul Boyer, State Senator, Arizona Senate, Phoenix

Ben Cort, a former employee of the non-profit drug and alcohol treatment program at the University of Colorado Hospital, speaker on marijuana-related education and author of *Weed, Inc.*, *The Truth About THC*, *The Pot Lobby* and *The Commercial Marijuana Industry*, says the following in his book, *Weed, Inc.*, "According to a recent study published in the prestigious journal, "The Lancet", more THC equals more psychosis and mental illness...while weed stores do sell a form of the actual cannabis plant, much of the commerce done is in the concentrates, edibles and THC that can be vaporized. In a few short years, we Coloradans have become world-renowned leaders of the extraction of highly potent THC from the plant, and its manufacture into an almost unimaginable amount of ways to consume that THC. The intersection of a mind-altering substance with American-style capitalism is a reality in Colorado, and one that has had predictably ugly results"...here is an example of an industry racing to innovate and making a product that is insanely strong with no regard for how safe it may or may not be." Arizona, let us NOT be "Colorado 2.0". Vote NO on high potency recreational marijuana legalization.

Michael Schroeder, Concerned Citizen, Sedona

Dear Arizona Voters,

I urge you to vote NO on the "Smart and Safe Arizona Act," the legalization of recreational and commercial marijuana (Proposition 207).

What a misleading "title"! Please read the petition and find for yourself that the proposal is not smart and not safe. Why are there 17 pages of small print? Why are there so many protections and exemptions for the big companies pushing this initiative?

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

As an educator for 46 years, my focus has been and will remain on educating and advocating for Arizona’s children. Most of our youth will have no direct voice in this decision, yet it will impact them for life.

“Yes” responses by young people to “Have you used marijuana within the last 30 days?” in the annual Arizona Youth Survey have increased 33% from 2016 to 2018. My hypothesis is the 2020 Arizona Youth Survey will reveal a considerably greater increase in that number.

Multi-national studies find a fivefold increase in psychosis among youth who used high-potency marijuana. The approval of this initiative would keep health officials from regulating the potency of most of the products sold.

In Colorado, traffic deaths involving a driver under the influence of marijuana happen every 2½ days.

With 11 states that have legalized pot reporting significant increases in failed employment screenings, Arizona employers in safety-sensitive industries will have to seek workers from out-of-state.

Please protect our young people and all Arizonans by voting NO for this initiative.

Respectfully submitted,

Tim Carter
Yavapai County School Superintendent
Former President, Arizona State Board of Education

Tim Carter, Yavapai County School Superintendent, Former President, Arizona State Board of Education, Prescott

(268 words) Much of my life has been directed at working on behalf of children in an effort to see that they are provided everything they need to have a fighting chance to have a safe and successful life. My work has been through several organizations. First, I was on the Board of Directors of Yavapai County Big Brothers Big Sisters for thirteen years, serving as Board President for two terms. I have been a Big Brother to two Littles, both without fathers.

I was also one of the Founders of Boys to Men of North Central Arizona and Board President from 2011 until 2019.

In both of these roles I worked with young men in their teens whose safety and future were compromised. I have witnessed first hand the temptations that many boys face regarding alcohol and marijuana use. These temptations were too easy to give in to. I sat in a Boys to Men Circle at the Yavapai Juvenile Detention Center for several years, and have experienced the pain of boys who could not walk away from the offer of a joint, and after many occurrences of unacceptable behavior, ended up in detention. One of my Little Brothers was one of these boys.

I share this as evidence that I have seen first-hand the effects of marijuana use by young men, And now, this proposed legislation would make access to marijuana even easier.

I am certain the same goes for young women as well.

Please join me in voting NO on Proposition 207: The Smart and Safe Arizona Act.

Thank you for taking a stand.

Travis Rushing Jr., Past President, Yavapai Big Brothers Big Sisters, and Boys to Men of No. Central Az, Prescott

As a concerned Arizona parent, I decided to research the implications and possible outcomes of full recreational marijuana legalization in our state. Here are just some of my startling findings: “THC, the (high potency) psychoactive part in marijuana products (that would be allowed in our AZ ballot initiative), can cause acute psychotic symptoms such as hallucinations, paranoia, delusional beliefs and feeling emotionally unresponsive during intoxication. These symptoms are worse with higher doses.” (Source: Rocky Mountain High Intensity Drug Trafficking Area Study, RMHIDTA, Volume 6, September 2019). “Colorado THC-related traffic deaths are up 109%, THC-related E.R. visits up 54%, THC-related hospital visits up 101%, poison control exposures quadrupled. Marijuana seizures in the U.S. Postal Service (black market sales to other states) up more than 1,0425%. Colorado past month use for 12 years and older: 78% higher than the national average. Past month adult use is 96% higher than the national average, college age use is 48% higher than the national average. Opioid deaths up 33%, THC related suicides up 23%, drug cartels buying Denver homes for illegal ”home grows”, 7 out of 10 marijuana

dispensaries recommend marijuana for morning sickness. (Source: RMHIDTA, 9/2018 and 9/2019). “The Colorado legalization of marijuana has damaged rather than helped. This is going to be a crisis with long-term consequences that will far outpace the opioid crisis, with lasting injuries, as well as significant costs to the public.” (Source: Cannabis expert and Emergency Physician, Dr. Karen Randall, Pueblo, Co., 9/2019). NO to high potency recreational marijuana legalization in Arizona.

Leeanne Hayward, Peoria

Fellow Voters,

The proposed “Smart and Safe Arizona Act” Initiative is neither smart nor safe! I was in the insurance industry for almost 40 years. Studies have provided evidence that legalizing marijuana for recreational use has increased the dangers of driving. The Insurance Institute for Highway Safety reported in 2018 that, on the basis of collision claims, the crash rates in Colorado, Nevada, Oregon, and Washington rose by as much as 6 percent since the first of those states legalized marijuana in 2012, compared with neighboring states that had not legalized it.

The study by the AAA Foundation for Traffic Safety suggests the growing use and acceptance of marijuana increase the risks of driving, AAA officials said. “If a state were to legalize marijuana for recreational use, it’s reasonable to assume that THC-positive drivers will start to show up more in fatal crashes,” said Jacob Nelson, AAA director of traffic safety advocacy and research.

The AAA Foundation found that the percentage of Washington state drivers in fatal crashes who tested positive for THC increased from about 9 percent in the five-year period before legalization to about 18 percent in the five years afterward. About 1 in 5 drivers involved in fatal crashes in 2017 tested positive for THC, which stands for tetrahydrocannabinol, the psychoactive ingredient in marijuana.

It stands to reason, the use of any mind-altering substance like alcohol, or any drug including recreational marijuana, will modify the mind and drivers’ reasoning ability. This can only mean an increase in accidents and therefore insurance rates will increase. Arizona does not need this kind of “Not Smart and Not Safe” law. Please join me in voting against this initiative.

Roc Arnett
Mesa, AZ

Roc Arnett, Mesa

I love Arizona. I was born and raised here, and I’ve spent much of my life working to make our state the best it can be. As a mother, business owner, and member of the Arizona Board of Regents, I’m voting NO on the initiative to legalize recreational marijuana. It will harm our kids and limit our future potential. Arizonans believe in creating a strong education system for our kids. Studies show that in states that have legalized recreational marijuana, teen use increases. And when our teens use, they’ll be at risk for damage to brain development that results when marijuana use begins before the brain has fully developed – which doesn’t normally happen until age 25. Damages from adolescent marijuana use can include loss of IQ, decreased learning skills and attention spans, as well as other mental impairments. Plus there are the more significant mental health risks about which we are still learning. We need our kids at their best. Marijuana stunts their potential and puts them at greater risk for long-term dependence. That’s reason enough to oppose this initiative. There will be other negative impacts to Arizona. The initiative will weaken our current DUI law, put businesses at odds with federal law, create a monopoly for the marijuana dispensaries who wrote and funded the initiative, and prohibit our cities and towns from banning retail pot shops – just to name a few. This is bad policy for Arizona and dangerous for our kids. Let’s keep our future bright for Arizona and for our kids. Join me in voting NO.

Karrin Taylor Robson, Founder & President, Arizona Strategies, Phoenix

We all know that once you sign a contract or other legal document, you are bound by the terms. After all, you signed it, so you must agree with it. When it comes to a referendum, the same concept applies. If you vote “Yes,” you agree to the terms of the referendum. The November ballot will include the so-called “Smart and Safe Arizona Act.” That’s a catchy title. If you didn’t actually read the rest, you might be convinced that it was a good thing. After all, what’s wrong with “smart” or “safe”? If you read it, all 17 pages, which you should, you’ll find things that aren’t “smart” or “safe.”

The claim is that marijuana would only be legal for adults, not teens. BUT, there are no real penalties to keep teens from using it. The claim is that people would only be using the marijuana in their homes. BUT, there are no real penalties for smoking it in public. There would be only a “limited number” of licenses to sell it. BUT, isn’t this just a way of saying that the licenses will be limited to the small number of companies trying to get this initiative approved? The claim is that legalization would allow adults to make the choice to use. BUT, do you think that the motive for legalization might have something to do with a profit motive? There is big money in marijuana. Remember the old saying, “Follow the money.” Follow the money, big money! Legalization would allow sale of “wax” and “shatter,” products which are manufactured for high potency (and highest risk of addiction). The initiative puts no limits on those products. The “Smart and Safe Arizona Act” is neither “smart” nor “safe.” Please be smart and keep us all safe by voting NO.

Barbara Friedel, Fountain Hills

As the state decides whether to increase substance abuse let’s consider just a few ramifications. First, it’s against Federal Law. That alone should end the discussion. Secondly, the drug will mean an increase of cartel operations in California and Mexico to produce more, less expensive, illegal product. Therefore more crime here and throughout the Southwest. Additional burglary to provide money for this drug is sure to follow. Thirdly, more intoxicated drivers will bring more traffic accidents and injured persons that will increase the price of everyone’s automotive and health insurance. People will have to die because of more auto accidents and battered spouses. The increased use of this gateway drug increases crime, kills citizens, increases everyone’s costs, breaks Federal Law and serves no purpose for the betterment of society.

Mr. Joe Larive, Prescott Valley

We Arizonans love hiking, camping and fishing in our forests. Read the extremely disturbing comments on the unexpected environmental consequences of high potency recreational marijuana legalization in California by Dr. Mourad Gabriel, Ecologist, University of California, Davis: Dr. Gabriel said, “After recreational marijuana legalization in California, we Wildlife Ecologists and Pathologists at U.C. Davis School of Veterinary Medicine, saw a disturbing number of deceased, endangered “Fishers” brought into our labs. Necropsies revealed organ deterioration due to Fishers ingesting lethal amounts of rodenticides and carbofurans (illegal poisons banned from use in national forest). After investigations in our forests as to the cause of deaths of the Fishers, we Ecologists found illegal marijuana grows proliferating due to cartel/black market activity. This was AFTER legalization, not before. Here are some of the Ecological disasters resulting from these illegal grow sites: multiple animal deaths and destruction due to poison ingestion, 10 to 12 feet of trash left by cartels at forest grow sites, toxic levels of poison seepage into forest streams and watersheds, compromised hunter’s game, illegal animal gall bladder harvesting by cartels, turf wars in forests between cartel members resulting in gun fire and murder, marijuana plants sprayed with insecticides so dangerous that marijuana users would have been poisoned.” (Source: Dr. Mourad Gabriel, Executive Director, Integral Ecology Research Center, Researcher, B.S. in Wildlife Biology at Humboldt State University, M.S. in Wildlife Ecology at Humboldt, PhD in Comparative Pathology (with an emphasis in Wildlife Disease Ecology) at the University of California Davis School of Medicine. See “A Growing Problem on our Public Lands”, Tedx Talks, YouTube, Feb. 22, 2016, and “Dr. Mourad Gabriel Presentation”, WildLensInc., March 5 2015). Let’s NOT make Arizona make another California. NO to high potency recreational marijuana legalization in Arizona.

Jon Denney, Sedona and Trisha Denney, Sedona
Sponsored by Trisha Denney

In a powerful documentary entitled “Chronic State” on VIMEO at drugfreeidaho.org, concerned professionals and parents from Idaho chronicled their trip to Colorado to interview physicians, law enforcement, addiction specialists, school personnel

and other Colorado stakeholders on the unintended consequences of high potency recreational marijuana legalization and commercialization in Colorado.

Here are some of the comments from Colorado residents that you will hear in the film: “Colorado kids tell us that marijuana is easier to get than alcohol. Legalizing has made more of our kid’s “users”.

Kids are using more, and the marijuana industry wants them to use because it is so profitable for the industry. They want out kids to be their new customers.

If you say yes to legalization, you are saying yes to more kids using. Kids are getting marijuana from “back door” shops in Colorado. We now have more pot stores in certain areas than Starbucks and McDonalds. The marijuana industry is in the business of selling addiction for profit. It is a multi-million-dollar industry and they are really good at marketing to kids.

Pot shop “Inspectors” leave government jobs and go to work for the marijuana industry as it is more lucrative. (“Regulation” + No Enforcement= Chaos).

More people are driving high in Colorado; people are vaping high potency THC-laden oils like “Honey, “Wax”, “Shatter”, “Butter” in their cars. Do you want to be on the road with stoned drivers? How about stoned pilots, construction workers, teachers, food service workers or, your surgeon?” NO to high potency recreational marijuana legalization in Arizona. NO to kids using marijuana and NO to treacherous roads and workplaces.

Barbara Quayle, Sedona and Ken Quayle, Sedona

I moved to my Phoenix neighborhood in 2001. I know the houses, I know the stores and I love my area. I also live 10 houses away from a medical marijuana dispensary. Since it opened its doors, I’ve witnessed an increase in homeless people, experienced more crime and vandalism, and a sharp rise of home invasions and robberies. The businesses and streets around the dispensary are now unsafe, unclean, littered with garbage and lined with vagrants. We found a homeless person sleeping in our shed in our back yard. We’ve been broken into often, our property vandalized, and items stolen. Many of us have invested in outdoor cameras and elaborate alarm systems. Prior to the dispensary opening, our neighborhood experienced a random act of crime, but they were rare. Since the dispensary opened 5 years ago, the neighborhood has more burglaries, vandalism, homeless vagrants, and public nuisance issues year over year. We used to have very quiet nights, now the police helicopter flies directly over our house nearly every night.

If medical dispensaries consistently invite homelessness, crime, violence and burglaries, how does voting in a recreational initiative improve this? How does making drugs more accessible help our community? We have paid an expensive price in our neighborhood so that people can purchase drugs and get stoned under the misguided definition of “medicine”.

When I was a kid, my grandmother and I drove to Denver, CO every summer to shop at the 16th Street Mall. Some of my fondest memories was shopping that mall. Now, it’s a run down, drug riddled ghetto. That memory has been shattered. Arizona doesn’t need to turn into Colorado. We still have a chance to keep Arizona in good shape. No to the “Smart and Safe Arizona Act”.

Gina Kesler, Phoenix

Marijuana is the most consumed illegal drug in the United States. Due to the current legalization push of marijuana in the United States, there has been a lack of oversight regarding its public health policies, as marijuana advocates downplay the drug’s negative effects. When individuals suffering from pre-existing medical conditions use marijuana in an attempt to alleviate their symptoms, ultimately this worsens their conditions over time. Although marijuana effects depend on the individual’s endocannabinoid receptors (which control behavioral functions, like aggression) and the potency level of tetrahydrocannabinol (THC) in the drug, scientifically documented links between certain marijuana users and violence do exist. Wider public awareness of the risks and side effects of marijuana, as well as a more prudent health policy, and

government agency monitoring of the drug’s composition, creation, and distribution, are needed. V O T E N O! ON HIGH POTENCY RECREATIONAL MARIJUANA LEGALIZATION.

Bruce Bramblett, Sedona and Kat Bramblett, Sedona

As a Colorado resident with family in Arizona, I strongly suggest that you vote NO on any ballot initiative to legalize and commercialize high potency marijuana in Arizona. Proponents will tell you that it is all about decriminalization, but the real truth is that it is all about big commercialization of new, very high potency products like concentrates and oils (“wax, shatter, honey oil”) that are vaped. They can contain as much as 90% THC; that is a narcotic by some state’s definitions. In other words, the big dispensaries who are driving this effort to legalize want your kids as their customers; they want huge profits to your detriment. If they didn’t, why make high potency “edibles” in the shapes of cookies, candy, chocolate and soft drinks that appeal to children? “Big Pot” does not care what kind of consequences come with this bill. Want to see another Big Tobacco 2.0.? Pass this ballot initiative and watch Big Pot Corporate move in and ruin your state. Legalization of recreational use sends a message to your kids that it is OK to use, your highways and work places will become more unsafe, recruiting and hiring new people, who are not high, for your businesses will be a problem and, your tourism industry will suffer as many of our tourists complain that Colorado “stinks like weed” and they will not come back. Why am I telling you this? Because I live in a place where all of this happened. NO! on recreational marijuana legalization in Arizona.

Steve Kadar, Littleton

Reasonable people agree that we need to vote NO on the “Smart and Safe Arizona Act” which would legalize recreational marijuana. Eleven other states have legalized marijuana, and the data from these states shows that children are being harmed and communities are paying a high price because of legalization. Children and youth are the most vulnerable when talking about legalization. The statistics show that in the states that have legalized marijuana, more teens get high from and more children are exposed to marijuana products in their homes. Problematic marijuana use is 25% higher among teens in states that legalized recreational marijuana. Use of marijuana in the developing brain negatively affects thought processes and growth. Early use of high potency pot increases the likelihood of substance use disorders, mental health issues and poor school performance. Because of the devastating effect that legalizing marijuana has on our children and the high cost to society, there is no amount of money (which is also questionable) in our tax coffers that would make legalization worth it. Please join me in voting NO on this misleading and dangerous proposal which is neither smart or safe for our children.

Beth Coons, Mesa

The Big Picture - we already have an opioid crisis. Why would we add to it? Recreational marijuana may sound good to some but I would ask my fellow citizens to look at the big picture. While I understand and can embrace medical use, I know this: across the board our insurance costs will go up due to those who abuse and drive impaired—and they will. You can already see the few Big Growers positioning, a “limited number of licenses”, for a cash cow opportunity. Furthermore, we, as citizens, will begin paying for the management programs to address the fall out from voting for a “legal right to use”. The proposed 16% excise tax will be spread out over five sectors, but this user tax will not fully fund the fall out. I vote and chose not to bring this into my home nor let it take money from my checking account. Please join me by opposing recreational Big Marijuana. I care about the future of Arizona citizens and take personal responsibility to look beyond myself. Together we can see the Big Picture; we are smarter than this.

Jodi Rooney, Former Town Councilmember, Prescott Valley

As an Arizona Pediatrician in practice for over 30 years and as a father and grandfather I write in opposition to the legalization of marijuana for recreational use. The evidence from Colorado, Washington and other states’ experience is now indisputable.

1. Children’s use of marijuana skyrockets after it becomes legal for adults, not just because it’s more available but because young people erroneously perceive that if adult voters approve it, then it must not be harmful.

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

2. The edible formulations of marijuana contain such high concentrations of THC that can cause serious medical problems in young children. These products are marketed as candy which dramatically increases the risk of accidental ingestion and is responsible for a marked increase in Emergency Room visits for kids.
3. The lower the age a youth starts using marijuana, the more likely they will become addicted, not graduate from high school, trigger psychiatric disorders, negatively transform the anatomy of the brain and actually lose up to 8 IQ points.
4. The American Academy of Pediatrics (AAP), in an official policy statement reaffirmed its opposition to the legalization of marijuana “citing the potential harms to children and adolescents”. The AAP represents over 62,000 pediatricians nationwide.

To protect Arizona’s children I implore you to vote against this initiative. Our children’s health and future life fulfillment are too important to waste on this experiment.

Dale W Guthrie MD FAAP
Gilbert Pediatrics

Dale Guthrie, Pediatrician, Gilbert Pediatrics, Gilbert

If this initiative passes, your auto insurance will cost more. That’s what happened in other states that legalized pot. Rates went up because there were more accidents. This is shocking because, since 1980, the number of car accidents in the United States has steadily declined everywhere. But now states that legalize marijuana are reversing that trend. The number of car wrecks is going down everywhere in the country except states that have legalized pot. In the first three years after legalization, collision claims increased 16% in Colorado. Other states that legalized after Colorado also saw increases in accidents, according to the insurance industry. Marijuana is also killing more people on our roads. In Washington, the number of fatal wrecks caused by drivers who were high on weed doubled in the first year after legalization. Other states that legalized pot also saw more fatal wrecks caused by stoned drivers. The problem is that stoned drivers react slowly. So if something changes suddenly, like another car appears unexpectedly, they can’t always react fast enough. Also, half of all pot-smokers think it’s safe to drive stoned. Some even claim they drive better. They don’t; research shows stoned drivers are twice as likely to have a serious or fatal accident. But there’s no convincing them. I work with drug addicts, and a lot of them smoke pot and simply refuse to believe marijuana could harm anyone. In Colorado and Washington, half of all marijuana users admit they drive while high, and they think it’s fine. Arizona will be no different. If we legalize pot, more people will drive stoned, there will be more accidents, and the insurance companies will raise your rates just like they’ve done everywhere else that pot is legal.

Gregson Gordon (Former Paramedic), Behavioral Health Technician, Decision Point Center, Prescott

My name is Corinne Gasper and I am the proud of mom of Jennifer Corinne Hrobuchak. She was killed by a man driving high on medical marijuana July 24th, 2012. I have been grieving ever since but I have also been working to help prevent another such tragedy. Jennifer graduated top of her class with a degree in intelligence and analysis research. She did an internship in her senior year with the High Intensity Drug Trafficking of Ohio and decided then after receiving a award for outstanding contribution to the program, that she wanted to fight illicit drug use. This man that killed her was from another state that legalized medical marijuana but this man drove high also had other DUI’s. Nothing stopped him from getting in his killing machine and mowing my daughter down as she made her way to work. She was killed instantly and he was uninjured. Her car was hit broadside and careened through the front of a building. Now our lives are empty and a beautiful woman who would have had an amazing positive effect on the world is gone. He spent a little over a year in jail and still holds that medical marijuana card. She had big plans and our family was so excited to see what wonderful things were in store for her. There is nothing good about this hallucinogenic drug. It causes so much pain to all that use and/or become addicted. It has been proven to be a gateway drug and has been connected to many suicides and violence. Our society will suffer more with legalization of a drug that has been normalized. Our youth think that it must be harmless if it’s legal and will suffer from addiction and also some from mental illness. Please do not legalize this drug!

Corinne Gasper, Galena

Here are a few facts before I share with you my NUMBER ONE reason to vote AGAINST Proposition 207, the Safe and Smart Act. Car insurance premiums will go up. Recreational Marijuana will make our roads more dangerous as surveys consistently find that regular marijuana users believe marijuana doesn't affect their driving and say they regularly drive while high. Car wreck claims and fatal crashes involving marijuana increased in Colorado and Washington after they legalized recreational marijuana. Fatal crashes involving a stoned driver occurs every 2½ days in Colorado. The majority of people who now enter drug treatment centers are addicted to marijuana.

My NUMBER ONE reason to vote AGAINST Prop 207 is Marijuana's negative impact on TEEN BRAIN DEVELOPMENT. During puberty, the brain is hardwiring itself for adulthood. Using marijuana during this time creates neuropathways that often lead to poor decision making and a pattern of questionable choices resulting in a lifetime of struggle. Problematic marijuana use is 25% higher among teens in states that legalized recreational marijuana. We also find that over 90% of people who are in treatment centers for Substance Use Disorder started using it as a teen. Scientific data is showing higher THC levels in today's marijuana is connected to higher rates of psychosis, mental illness, and violent behavior in daily users. I have seen the potency of marijuana dramatically increase and witnessed its adverse effects in my work with youth and adults for over the past 30 years in the areas of education, addiction, treatment, recovery, and prevention.

I hope you are not one of those people fooled by the phycology behind the proposition name "smart and safe." Big business knows most people will not read the 17 pages of small print that protects their interests. I'm voting NO. I hope you'll join me.

Larry Tracey, Buckeye

As an organization of 650 men and women dedicated to drug law enforcement in Arizona we have an insight not shared by the average person with regard to drug use. Both legal and illegal drug use is one of the most single issues that cause harm to our communities and State.

Legalization would make our jobs harder, not easier.

Let's start with our youth. Already, teen usage is rising in Arizona as attitudes about marijuana relax. Legalization will make marijuana more available to kids. This initiative has little to do with smoked marijuana that most of us think of. The legalization will open the markets for the really powerful stuff they call "wax" and "shatter" that have been linked to psychosis. This isn't the plant Baby Boomers smoked in their youth. This is a product manufactured for the greatest potency – to get people as high as possible, as quickly as possible. There's a reason the industry-written initiative puts no limits on those products. It's where the profit is. This initiative is all about Profit\$\$\$

Read the initiative. Ask why there are so many protections and carve outs for the "big marijuana companies" pushing this initiative. Ask who will pay in the long run.

The initiative's drafters acknowledge that cannabis DUIs will increase. But they also ban using the presence of THC in a person's system as evidence of impairment, instead requiring officers to use the vague standard of "impairment to the slightest degree."

We have dedicated our careers to a safer Arizona, one in which lives are not destroyed by mind-altering drugs. If we thought legalizing recreational marijuana would keep AZ safe, we would support it. But we know it will do the opposite. Arizona would be less safe. Please join us in voting no.

Phil Hawk, Executive Director, Arizona Narcotic Officers Association, Phoenix

As a mother of five children and a school counselor who has worked with teens for over 25 years, I'm voting NO on this dangerous initiative to legalize marijuana for recreational use in Arizona. Children are our future.

I've spent countless hours over the last 25 years talking to teenagers and helping them plan for their future. I've seen the increase in teens using marijuana, with often heartbreaking results. We know from states like CO, WA, and CA that when recreational marijuana is legalized, even more teens will use it. And while the big marijuana corporations claim they only

intend their products for adult use, they continue to package and market them to teens as gummies, sodas, candy, cookies, and vape pens.

Why is teen use a problem? Numerous studies have shown that when you start using marijuana before your brain has fully developed (which doesn't happen until age 25), it can permanently alter your brain function related to memory, decision-making, and attention span. You can suffer permanent IQ loss. Some people will become dependent long-term. When I see bright futures dimmed by the effects of adolescent marijuana use, it breaks my heart. So much wasted potential. I think we can all agree that marijuana should be less accessible to our kids. But this proposition and the greedy industry behind it intend to make it more accessible.

Arizona can do better for our kids. Let's protect our future by protecting theirs. Join me in voting NO.

Jane Mathews, Camp Verde

This is a true story: good friends of mine got a call in December of 2018 from their son who lives in Denver. Their son, who is normally an upbeat, lucid and logical young man was rambling and complaining that “they” were out to “get him”. He said that the “global stock market was going to crash due to bitcoin manipulation”. The young man on the phone call was illogical, bordering on hysteria, paranoid, and threatening. Both concerned parents, 48 hours apart, flew to Denver because they knew something was deeply wrong. During the 24 hours after his disturbing phone call, paramedics presented to their son's workplace and were forced to put him in four-point restraints due to his hysteria; he had a psychotic break. He was admitted to a Denver psychiatric hospital and was forced to remain there as an inpatient for two full weeks. Why did this happen? He tried a high potency marijuana product called “wax” that is vaped. The product contained 90% THC similar to the products that the “Smart and Safe” Initiative will sell recreationally in Arizona if this Initiative passes. These products are dangerous. My friends described several teenagers in the hospital that were so damaged from high potency marijuana ingestion, they will never be released as normal adults. Arizona, let's NOT legalize products like this for recreational use. Keep our kids out of psychiatric hospitals, keep our roads safe, and do not compromise our workplaces by passing this dangerous Initiative.

Sylvia Allen, AZ Senator, Dist. 6, Snowflake

Please vote NO on Proposition 207

The yes campaign advertises “More than \$30 million annually will fund addiction prevention, substance treatment, teen suicide prevention, and mental health programs.” (Smart & Safe Arizona Facebook June 1, 2020)

It is sad the industry promotes and sells a product proven to CAUSE addiction, REQUIRE very difficult treatment for recovery from cannabis use disorder, INCREASE risk of suicides and CREATE mental illnesses requiring programs for treatment. There are numerous peer reviewed scientific articles about these issues.

There is NOTHING Smart or Safe about promoting use and increasing these risks with promises to pay for the prevention and treatment of the harms. There is a name for this. It is Addiction Economics. Create an addictive product that creates sales and jobs with the added “benefit” of creating the jobs to take care of the mess it creates – more addiction, more mental health problems, more deaths, more law enforcement issues, more regulations. Hurray for more jobs??? Be careful what you wish for...and what your vote for.

Sally Schindel, Volunteer, Marijuana Victims Alliance, Prescott

I have lived in two states that voted to legalize marijuana for recreational purposes. I am happy to say I no longer live in either one. Arizona has been a safe haven from the downsides of legalized marijuana, and I would be devastated to see the changes happen in our great state that I observed in the others after legalization. It brought a certain group of people into the state that had as a priority in their lives smoking pot and using drugs recreationally. Vehicle accidents and unusual driving

increased in these states. The average person noticed the more erratic behavior of drivers on the road and commented that there must be more drinking and driving causing this trend. Then the statistics came out showing that actually people driving high on marijuana and other drugs were causing the increase. Statistics also show that car wreck insurance claims and fatal crashes involving marijuana increased in Colorado and Washington after they legalized recreational marijuana.

In those states where marijuana is legalized, children are introduced to marijuana at a younger age, and they grow up justifying that it will not affect them to a negative degree. Marijuana is much more easily accessible, so our children are introduced to the idea of taking drugs recreationally as an acceptable lifestyle. Statistics show that marijuana use is at least 25% higher with teens living in states that legalized recreational marijuana.

Medical marijuana is legal in Arizona. But when people start to look at medicine as a recreational item, change happens in individuals and society. Legalizing recreational marijuana will change our state forever. Keep Arizona safe. Please join me in voting no on this proposition.

Dianne Schafer, Prescott

Eleven states have now legalized marijuana, and not one example is successful. The legalization of marijuana across the country has brought many problems to some states. In Colorado for example, a report found that for every dollar Colorado earns from legal marijuana, the state spends over four times more to combat public health and safety issues. In 2018, California was expected to earn over a billion dollars in tax revenue from the sale of marijuana, and it barely earned a third of what was projected.

Not only are the fiscal projections and impacts worrisome, our roadways will become less safe. Since Colorado legalized recreational marijuana, fatal traffic accidents involving stoned drivers have skyrocketed. Someone dies in an accident involving a stoned driver every 2.5 days. Car wreck insurance claims and fatal crashes involving marijuana increased in Colorado and Washington after they legalized recreational marijuana. We have made great strides in making our roadways safer by cracking down on impaired driving. We cannot rollback the gains we have made in driver safety.

Some also say that legalization is needed because of over incarceration. However, this couldn't be further from the truth. Of the 42,312 people in an Arizona prison at the end of fiscal year 2019, only 0.5 percent had been sentenced for marijuana possession. Nationally, fewer than 100 people were in a federal prison for marijuana possession in 2017.

We don't need this in Arizona. There is no upside to legalizing recreational marijuana. For those who need it for pain or to ease chemo-induced nausea, medical marijuana is legal. That won't change. But why would we want to allow recreational use when we know the harm it will do based on what has happened in other states.

I urge you to vote no.

Debbie Lesko, Congresswoman, Peoria

Children. Teen use.

What it does to teenagers is imitates the neurotransmitters responsible for teenage brain development. Adolescents who smoke pot have subtle but definite changes that show up on brain scans. The changes are permanent. Adults who smoke pot do worse on IQ tests, but if they quit getting high, their IQ returns to normal. This is not so for those who start as teenagers; no matter how long they stay off the pot, the IQ they've lost never comes back. Teens who use marijuana regularly do worse in school and drop out is twice the rate of non-users. They're also twice as likely to get addicted. We should do everything we can to prevent teenage use. If this initiative passes, Arizona will have a for-profit marijuana industry, and just like Big Tobacco, the pot industry will target teenagers heavily because that's where the money is. Nearly 90% of the money Colorado's marijuana stores bring in comes from daily around-the-clock users, and almost all of them started during adolescent years when the brain is more susceptible to addiction. The alcohol, tobacco, and marijuana industries all know this

about addiction; that’s why they all pitch their products to teenagers. The pot industry entices teens with marijuana cookies, candy, and vape pens that can be used in class. Teenagers love this stuff and the industry makes sure they get it. That’s why the states with the highest rates of adolescent use – Colorado, Oregon, Massachusetts, Vermont, and Alaska – are all legalization states. If we legalize a for-profit marijuana industry, there will be no way to protect Arizona’s teenagers from an onslaught of pitches and ads all targeting them. So to protect Arizona’s children, please vote NO on this ballot measure.

Mary Zuppardo, Executive Director, Decision Point Center, Prescott

The marijuana industry claims no one has ever died from marijuana. Yet, at least 5 children are dead in Arizona because of marijuana impaired adults. Parents Opposed to Pot is monitoring news reports from around the U.S. and finds at least 225 child deaths related to adult marijuana use in 41 states. Of the five children dead in Arizona, two are dead because of violent acts against them, 2 were left in hot cars by forgetful adults under the influence, and one newborn due to marijuana, meth and cocaine exposure in utero. Yet, the death toll is even higher than our numbers show. The most recent Arizona Child Fatality Review for 2018, found that 32 child deaths were related to marijuana use, which accounts for 30% of the child deaths related to substance abuse. In 2017 the same report found that 46% of such cases had marijuana as one of the drugs that neglectful or violent adults were using, or a total of 62 child deaths.

Since marijuana marketing seems to be targeted at the young adults in their child bearing years, we recommend a NO vote on this ballot measure.

Arizona Child Fatality Report can be found here: <https://www.azdhs.gov/>

PopPot Report on Child Deaths can be found here: <https://poppot.org/wp-content/uploads/2020/04/04162020-Child-dangers-fact-sheet-FINAL.pdf>

Parents Opposed to Pot
POPOT.org

Sally Schindel, Volunteer, Parents Opposed to Pot, Prescott

Legal marijuana is not a tax bonanza for any state. It’s a net loss. As Colorado’s Governor Hickenlooper told CNN, “I tell other governors that we are not making any extra revenue from pot sales...” That’s because every tax dollar Colorado brings in goes to cleaning up the problems marijuana causes; the money goes to drug treatment, to programs to prevent teenage use, or to homeless shelters used by marijuana “tourists.” Not only is nothing left over, there are even more costs. Law enforcement costs go up because police have to enforce drugged driving and underage possession, which both increase. In Colorado, arrests for teenage marijuana possession have gone way up, especially for black and Latino kids. -- Any time you tax a product, someone will try to evade taxes, so black market sales are also a big problem in legalization states. In Colorado, the joke is that only tourists buy the highly taxed weed sold in stores. In California, pot stores were going broke because they couldn’t compete with the black market, so they begged the legislature to waive all taxes and to arrest people selling marijuana illegally. Police now spend so much time and money chasing down black market sales it’s like the 1970s again. --- Alcohol brings in tax dollars, but research shows states spend six times what they reap in taxes to clean up the mess alcohol causes. Marijuana is no different. A study found that for every dollar Colorado makes in marijuana taxes it spends \$4.50 to fix the problems pot causes. We work with drug addicts, and they are the world’s best con artists. But please don’t let the pot industry con Arizona. Legal pot is not a tax windfall. If this passes, it will cost Arizona money and drain our budget.

Ellen Morse, APRN, Psychiatric Nurse Practitioner, Green Valley and Ed Gogek, M.D., Board-certified in Addiction Medicine, Prescott

Prop 207 is about addiction for profit. And it’s addiction for profit at any cost. Prop 207 is an immediate threat to our kids. They want to hook your child so that they can keep them as a customer for life. Already in Arizona there is an incredibly high number of youth vaping THC concentrates like wax, shatter and budder. These products are manufactured for the greatest potency to get people as high as possible as quickly as possible. In fact, the makers of Juul first made a THC vape device

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

called Pax. They knew it would be an easy switch for kids to go from vaping nicotine to THC. We can't trust the marijuana industry to put our kids and communities best interests over their profits. Big tobacco companies didn't and those pushing legal marijuana are using the same playbook. In fact, everything Juul is currently getting in trouble for (marketing to kids, getting kids hooked on flavors and selling the device as a safer alternative) Pax is doing right now.

Prop 207 is 17 pages. If the authors of the initiative were concerned about keeping these products out of the hands of youth, why does it leave out penalties to keep teens from using marijuana.

The stunning reality is that one third of Arizona high school seniors admits to vaping THC concentrates. More concerning is 1 out of 5 gets in a car with a driver that is stoned. All of this is happening and marijuana is illegal for them to use! Imagine if it's legalized. It will open a door that cannot be closed putting our kid's future and the safety of all those who drive on our roads in danger.

They want addiction for profit. Tell them NO loud and clear.

Vote No on Prop 207

Shelly Mowrey, Scottsdale

Against Letter

Here are a few facts before I share with you my NUMBER ONE reason to vote AGAINST Proposition 207, the Safe and Smart Act.

- Car insurance premiums will go up.
- Recreational Marijuana will make our roads more dangerous, as surveys consistently find that regular marijuana users believe marijuana does not affect their driving, and say they regularly drive while high.
- Car wreck claims and fatal crashes involving marijuana increased in Colorado and Washington after they legalized recreational marijuana.
- Fatal crashes involving a stoned driver occurs every 2 1/2 days in Colorado.
- The majority of people who now enter drug treatment centers are addicted to marijuana.

My NUMBER ONE reason to vote AGAINST Prop 207 is Marijuana's negative impact on TEEN BRAIN DEVELOPMENT. During puberty, the brain is hardwiring itself for adulthood. Using marijuana during this time creates neuropathways that often lead to poor decision making and a pattern of questionable choices resulting in a lifetime of struggle.

- Problematic marijuana use is 25% higher among teens in states that legalized recreational marijuana.
- It has been found that over 90% of people who are in treatment centers for Substance Use Disorder started using it as a teen.
- Scientific data is showing higher THC levels in today's marijuana is connected to higher rates of psychosis, mental illness, and violent behavior in daily users, and the potency of marijuana is dramatically increasing year after year.

I hope you will not be fooled by the proposition name "smart and safe." This is a deceitful and very misleading name for a very serious discussion and vote. I am voting NO, and I hope for the sake of the State of Arizona, and its residents, you will vote NO as well.

George Hester, Owner, George Hester Insurance, Buckeye

We are parents and grandparents and we are asking that you vote against the legalization of recreational marijuana. Your NO vote will not affect the use of medical marijuana.

Studies show that in those States that have already legalized recreational marijuana, there has been an increase in deaths among children who have accidentally ingested a family member's recreational marijuana. Those States that have legalized recreational marijuana have seen an increase in disorders including mental health issues and poor school performances. There has also been an increase in vehicle accidents caused by people driving under the influence of recreational marijuana.

We all complain about impaired driving due to alcohol. Why do we want to compound the problem with recreational marijuana?

We need to ask the question as to why our politicians and the drug cartels want our children stoned? What kind of a future are we facing?

Linda Letzer Leeper, Prescott Valley and Patrick Leeper, Prescott Valley

PLEASE VOTE NO ON RECREATIONAL MARIJUANA PROP 207

Today's marijuana is NOT the hippies 60's marijuana! Today it's manufactured for the greatest potency. In the 60's, THC, the main psychotic ingredient in marijuana, was between 4-10%, now it's around 30%. This ingredient is a cause of: psychosis in regular users and a cause of: mental illness, homelessness, schizophrenia, cognitive impairment and even irreversible brain damage (retards learning) to our youth. Over the last 20yrs., a minimum of 8 states have legalized recreational marijuana. We now have Psychiatrists & Epidemiologists who have turned speculation about marijuana's dangers into science. Over the same period, a shrewd & expensive lobbying campaign has pushed public attitudes the other way. The effects are now becoming apparent. Almost everything advocate, well paid lobbyists and the media have told us for a generation is wrong. In reality the health effects of marijuana, have shown to work ONLY in a few narrow conditions. A 4 yr study in Australia of patients w/chronic pain showed over time, cannabis use was actually associated with greater pain. Data confirms that legalization serves as a forerunner to more drug usage. A January 2018 paper in the American Journal of Psychiatry showed that people who used cannabis were almost 3x's more likely to use opiates 3 yrs later. States where it's been legalized, spend more on police, hospitals, crimes, homelessness, and marijuana related traffic accidents. Much more than they receive in taxes from the sale of the product. THC is found in Vapes, candies, cookies and other carriers that are attractive to our youth. Decriminalizing and making it legal also removes the perception that there is anything wrong with using marijuana. This is not something we want in our wonderful state of Arizona.

Connie Martin, Prescott

Arizona already has medical marijuana in accordance with the claims that it does have medical use. Epidiolex is one prescription drug that has been studied and shown helpful in a small number of cases for children with seizures. However, when has it ever worked to make medicine (drugs used for physical and psychiatric treatment) available to the public as something for recreational and social use? I think we have found the dangers of this with cough syrup, Xanax, Aderall, as well as the current opioid crisis our country is now drowning in. We do not need to create another crisis with marijuana that causes brain damage, physical damage, and sometimes death by suicide, traffic fatality, or murder.

Studies have found significant and permanent drops in IQ among regular marijuana users, especially those who start using it in their youth. A recent, multi-national study found a five-fold increase in psychosis among young people who used high-potency marijuana. Youth are being harmed.

This science matters. Recreational marijuana, particularly at the high-potency levels the industry promotes, will make our society sicker, not healthier. A lot of questions remain to be answered, and are being answered in current JAMA and NIH studies, some released as early as May 2020.

Please join informed voices in voting "no" on 207.

Bronwen Skinner, Outreach Coordinator, Parents Opposed to POT, Willow Park

The legalization of marijuana can only lead to problems and heartache for residents. Legal marijuana will not be a great revenue producer and will lead to many problems that may not be readily realized.

School attendance and grades suffer as students become less motivated and involved in learning. Minds are affected by the use of drugs that are not prescribed and monitored by a licensed medical professional. Medicinal marijuana is regulated and documented but recreational use will not be. Minds suffer and futures suffer when drugs are easy to get and use.

Work attendance and production will also suffer as employees become less interested in work ethic and initiative, costing

employers in lost work hours and lost revenue. This cost will be eventually put on the consumer as increased cost for merchandise.

Crime and traffic violations can also increase with the use of drugs. Judgment suffers when under the influence of drugs and accidents happen when poor decisions are made. It may also increase the need for more enforcement procedures and increased personnel to handle the influx of offenders. All this will be reflected in higher taxes of some kind and will affect all consumers.

I have lived and visited where the legalization of marijuana has taken place. Second hand smoke and the smell of marijuana can be very unsettling to those around the user, and the only way to avoid this is to avoid going where marijuana is used. This may be a problem for businesses which happen to be in an area where users are.

Arizona is a wonderful place to live. Please vote “No” and don’t let Arizona become a casualty of this insidious problem.

Jo Poulsen, Prescott

Vote NO on Legalizing High THC Marijuana products

Is Big Marijuana banking on changing our state’s name to “Marizona”? Huge profits are in store for them while we ALL will pay.

Fool me once Big Marijuana--shame on YOU! Fool me twice--shame on ME!

The Marijuana Industry fooled us into voting for the Medical Marijuana Act when they said it was for compassionate care for those who were terminally ill and dying. Remember those heart-wrenching commercials? Now most of the marijuana card holders are young men under 40, NOT cancer patients.

Big Marijuana said it would eliminate the Black Market. They said it would make our towns safer. We have more kids using marijuana, more addicts, more ER visits, more crime, more gangs, more homelessness, more people sentenced to prisons for drug-related offenses. Our towns are NOT safer.

They said it would make the streets safer. More impaired drivers. More wrong-way drivers, more accidents, more kids left in hot cars, more deaths. More tragedies. Our streets and highways are NOT safer.

Higher insurance rates. Higher taxes for health care, law enforcement, judges, jails and prisons, kids dropping out of school and in foster care.

Smarter, Safer? Or do the high THC Levels make it Dumber and More Dangerous?

We have gotten smarter though. We voted against legalizing marijuana in 2016.

Please don’t help the Marijuana Industry to ruin more lives, addict more kids and cost us ALL more. Please really help us to keep our families and communities healthy, smart and safe. Tell the Marijuana Industry and their fancy millionaires, lawyers, lobbyists and advertising agencies to take a big hike.

VOTE NO TO LEGALIZING RECREATIONAL MARIJUANA IN ARIZONA.

Bernice Carver, Flagstaff

Prop 207, the Smart and Safe Arizona Act is another effort by the owner/operators of the existing medical marijuana industry to increase their control of marijuana sales and distribution in our state. According to the initiative, once marijuana is legalized for recreational use, there will be a set number of licenses issued for recreational marijuana operations, just as there are for the current medical marijuana operations, but the current medical marijuana license holders will have the first option to accept or decline the opportunity to pursue a recreational license. This effort to benefit a select interest group by voter initiative was attempted in the last election cycle and was defeated. We need to defeat it again.

In addition to benefiting the few, this initiative promises millions of dollars for education; always a carrot to the public in an effort to legalize drugs. There are additional promises of millions of dollars to “improve public health” and millions of dollars for highway safety to “reduce impaired driving”, among other things. But neither of these last two incentives would be necessary if marijuana was kept in its current status (medicinal only) and not offered to the general public for recreational use.

Legalization of marijuana will have an immediate and direct negative impact on the citizens of Arizona: we will see increased drug use among teens, increased number of people addicted to marijuana, increased driving while impaired incidents on our highways and increased death by impaired drivers on our highways. A quick look at statistics from Colorado and other states that have legalized marijuana will bear out these results. The citizens of Arizona must vote, “No” on the Smart and Safe Arizona Act on November 3rd.

Ivan Anderson, Speaker/Educator, Matforce, Cottonwood

Not my kid! That is what I used to say about my son when it came to drug use. It was always someone else’s kid not mine. Today, I would like to tell his story because he is no longer here to do it himself.

My son started using marijuana around the age 13 years old. My husband and I saw a text message on his cell phone to a friend stating he was looking for some good weed. Knowing the effects of marijuana on his young developing brain, we immediately took the steps necessary to put a stop to his continued use, or so we thought.

Three years later, after receiving a few injuries from a horrible head on car accident caused by an impaired driver, his need for marijuana increased. When he was confronted about using so often, his response was that he couldn’t stop because marijuana had such a grip on him.

Eventually, he went from using marijuana to pain medication. I believe his early use of marijuana, combined with the trauma of the car accident, had prepped his brain to seek harsher drugs. In 2013 my son lost his battle and lost his life.

I can’t tell you how many times I’ve heard “it’s only marijuana.” Tell that to the small child who ended up in the emergency room because she thought her father’s marijuana laced gummy bears was candy. Tell that to the countless other people grieving the loss of a family member because their loved one believed the high potency marijuana we see today is safe.

The harm of recreational marijuana use is greater than the benefit, and that is why I am voting NO on Prop 207.

Jill Martin, Prescott

MEMO – RE: NO RECREATIONAL MARIJUANA

Proposition 207 Smart and Safe Arizona Act

DATE: June 14, 2020

TO: Secretary of State ELECTIONS –

FROM: Vicki Vaughn

RE: NO to INITIATIVE REFERENDUM – RECREATIONAL MARIJUANA –

I am writing to strongly object to legalization of recreational marijuana in the state of Arizona.

The legalization of marijuana has proven to be disastrous in other states where legalized already. Let’s learn from them! Please don’t compare it to liquor, because rarely does one consistently drink before leaving for work or school in the morning, but users of pot REGULARLY have a joint in the morning, on break, at lunch, after dinner, and/or before bed. Drivers young and old are driving impaired. How do we test for this? How do employers regularly test for use in their businesses? The marijuana of today is not the marijuana of old. It is much more potent, and the use of it in edibles exacerbates potential overdoses. I truly believe we will lose businesses in Arizona when they know that using marijuana at work is like grabbing a cigarette.

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

Teens have less drive and enthusiasm because they are constantly impaired. Studies have shown that the brain does not develop until mid-twenties, so all these young adults are suppressing the normal, healthy growth of their brain. Severe and chronic depression is common, and even schizophrenia has shown to be a result. These are serious, well-documented studies. Arizona narrowly defeated this last presidential election. Outside influencers should not be allowed the strength they are showing to have. Please, please, take these arguments seriously and do not allow this on the ballot.

Ms. Vicki Browning Vaughn, Paradise Valley

TO WHOM IT MAY CONCERN

NO to RECREATIONAL MARIJUANA

Proposition 207 Smart and Safe Arizona Act June 14, 2020

This letter is my objection to the legalization of recreational marijuana in the state of Arizona. We know there is a ton of money being poured into Arizona to see this happen. Why are we allowing outsiders to influence our State?

Medical marijuana is already legal in Arizona but that should not be an argument for the legalization of RECREATIONAL use. State like California, Oregon and Colorado have had disastrous results trying to regulate it. The revenues proposed have not shown to be true (even though many will not tell you that unless you delve into the horrendous expenses as a result!) While the affect will be felt by many, teenagers and young adults are the most at risk. Many studies have shown the brain is still developing into the middle twenties and pot stops the growth of synapsis commonly causing severe and chronic depression and even schizophrenia. These are serious and documented studies!

How do we know when a driver is impaired? How do employers know when employees are using and possibly impaired?

Marijuana today much more potent than what was available years ago. Arizona has seen tremendous growth in business moving here because of many factors....one being the control they have over drugs....and marijuana IS A DRUG! The loss of safety at work and school is not worth it!

Last presidential election was close with this being narrowly defeated. Largely voters did NOT UNDERSTAND what it meant. They did not have the historical evidence available now from CA, OR and CO.

As one who loves Arizona, takes pride in the economic success, and looks forward to grandchildren living here, I vote

Mr Vernon Vaughn, Paradise Valley

Recent lobbying campaigns have made Americans more tolerant of marijuana. As legalizations spread, more are becoming heavy users of cannabis, despite links found to mental illness and violence. The number of Americans who use recreational cannibals is soaring. Cannabis currently being consumed is far more potent than in the past. This is measured by the amount of THC it contains. This chemical is responsible for the drug's psychoactive effects. Two countries that track mental illness, Finland and Denmark, show a significant increase of psychosis since the increase in cannabis use. Many marijuana advocates will acknowledge that this drug may cause paranoia. Why is it that those who so adamantly oppose the smoking of tobacco, don't find the deep inhaling of marijuana harmful? Psychiatrists working with heroin addicts find they almost always used marijuana daily in their teens. 25% of Arizona teens who use marijuana today get it from medical marijuana cardholders. We cannot make it even more readily available to them. The legalization of recreational marijuana could cause irreversible damage to our youth for decades into the future.

Thomas L Courtney Jr., Prescott and Janice Moss, Prescott

This year, an initiative to legalize recreational marijuana is on your ballot. It is bad news for you, your family and Arizona. First, it would lead to an increase in marijuana use by our kids as the marijuana industry has already shown they will target them. As a father of five and someone who cares about Arizona's future, I know how vital it is that we protect our kids from the harms of marijuana. The data from other states that have passed similar initiatives shows higher rates of kids using marijuana. When kids use marijuana while their brains are still developing, it can result in harm ranging from changes in memory, concentration, and motivation to permanent IQ loss and ongoing dependence. The consequences would be devastating.

The initiative would also put our families at risk on the road by increasing the number of impaired drivers. In Colorado, where recreational marijuana was legalized in 2012, traffic deaths involving drivers using marijuana more than doubled. In Washington, another “legal” state, drivers testing positive for THC almost tripled after legalization. I don’t want to put my family or yours at that kind of risk.

Let’s not forget Arizona already offers medical Marijuana as a treatment. Those who really need it, can get it. Proliferating the use of this dangerous substance beyond medicinal use just isn’t worth it.

Finally, the initiative is written to support crony capitalism. Big Marijuana - the writers and backers of the initiative – wrote the law to give themselves a monopoly for the first 60-days on a limited number of licenses. Should we put our kids and families at risk to pass an initiative that gives Big Marijuana the monopoly on a dangerous new industry? No. Arizona can do better. I encourage you to vote no.

Warren Petersen, House Majority Leader, AZ House of Representatives, Gilbert

The Arizona Chapter of the American Academy of Pediatrics, representing over 1100 pediatricians and other pediatric healthcare providers, opposes Proposition 207 which would legalize recreational marijuana in Arizona.

Proposition 207 fails to include sensible regulations to limit children’s and adolescents’ access to marijuana. Just like tobacco products and alcohol, marijuana should be regulated to prohibit:

1. Advertising and marketing tactics that target children and adolescents
2. Use on college campuses, schools, and child care centers

Even with these types of regulations, which are absent in Proposition 207, youth remain common targets and ultimately consumers of these products to the detriment of their health and welfare. The Arizona Chapter of the American Academy of Pediatrics believes that more effective regulation of the marijuana industry is crucial to protect newborns, children and adolescents from potential harm.

Marijuana use in pediatric populations presents risk, and marijuana use by adolescents is known to cause:

1. Negative medical, psychological, and cognitive side effects
2. Altered brain development, with detrimental effects on brain structure and function
3. Negative social outcomes for adolescents who use marijuana, such as poor school performance and decreased high school graduation rates
4. Health risks due to inhalation of marijuana smoke which contains tar and other harmful chemicals

Proposition 207 sends an inappropriate message that marijuana is a safe substance and fails to adequately protect the health and welfare of our children. For these reasons, Arizona pediatricians oppose this proposition and urge you to vote no.

Mary Rimsza, MD, FAAP, Advocacy Committee Chair, Arizona Chapter of the American Academy of Pediatrics, Phoenix

Sponsored by Arizona Chapter of the American Academy of Pediatrics

As a legislator, advocating for Arizona’s families is a top priority. That’s why I am voting NO on the initiative to legalize recreational marijuana – and I urge you to do the same. While there are many problems with this initiative that should concern us, there are two that trouble me the most. First and foremost, this initiative would make marijuana more accessible to your kids and empower Big Marijuana to target them. The data is clear. More kids use marijuana in states that legalize it for recreational use. The initiative will keep most localities from banning recreational pot shops, permit rampant social media advertising, and authorize the industry to sell marijuana gummies, candies, soda, cookies, and vape pens. A multitude of studies show the damage adolescent use of marijuana does to our children’s developing brains. Until they turn 25, the

prefrontal cortex (responsible for decision making, judgment and impulsivity) is still developing. Sadly, permanent IQ loss and long-term dependence can result when kids begin using young and continue that use. As a mother and grandmother, I don't want to see our children's potential robbed. We must protect them. Second, the initiative will put your family at risk on the road. Legalization of recreational marijuana increases the number of impaired drivers on the road, putting us all in danger and at times ending in tragedy. In Colorado – which legalized recreational marijuana in 2012 – one-third of marijuana users admit they drive stoned every day. Arizona families can't afford to take that same risk. For the sake of our children, our future, and our families, I urge you to vote NO.

Nancy Barto, Representative, Phoenix

It has been said that each state is a “laboratory of democracy.” If that is the case, states that have legalized recreational marijuana provide an opportunity for additional marijuana research. Arizona should not follow their lead until we have more positive reasons to do so. Granted, not all of the limited research to date is negative, but there are too many studies with concerning results regarding marijuana's effects on the cognitive development of our youth and young adults to justify acceptance of recreational marijuana for Arizonans. We should learn from the experience of the other states.

The most recent Arizona Youth Survey, completed every two years by students across the state in 8th, 10th and 12th grades, showed an increase in marijuana use by Arizona students. Of those who used marijuana in the last 30 days, 25% obtained it from someone with a medical marijuana card (<https://azcjc.gov>). Legalizing recreational marijuana will only make it more accessible to our young people.

According to the National Institute of Health (NIH), regular marijuana use is associated with prolonged negative effects on attention, memory and learning, leading to reduced intellectual functioning and education attainment. The NIH also says regular marijuana use can increase the risk of developing marijuana addiction, using other drugs, criminal behavior, attempting suicide, lower life satisfaction, lower average incomes, greater welfare dependence, unemployment, and workplace injury, accidents and absenteeism (<https://www.drugabuse.gov/drug-topics/marijuana>).

Marijuana is not harmless. Please take time to study these websites. Recreational marijuana will not promote a Smart or Safe Arizona, especially for our youth and young adults. Vote NO!

Paul Braithwaite, DO, Physician & Parent, Prescott

In 2016, Arizona voters rejected legalizing recreational marijuana because it was a bad deal based on false promises. Today, the same is true with this new ballot measure. That's why I'm asking you to vote “NO” again.

We know from states that have fully legalized marijuana that it has real consequences: more deaths on highways caused by high drivers, dramatic increases in teen drug use, and more newborns exposed to marijuana.

Fully legalized marijuana puts the future of Arizona's drivers at risk. In Colorado, every 2½ days someone dies in a marijuana-related traffic death. That's not what we want for Arizona. We want safe roads.

The next generation of Arizonans, our kids, also face a real risk from legalized marijuana. States that have legalized marijuana have significantly higher teen drug use than states that have not, and Colorado leads the nation in first-time teen marijuana use. That's not what we want for our next generation.

It's not just our teens at risk -- it's also babies. Large hospital organizations in Colorado are now trying to repeal legalized marijuana as they are finding more newborns exposed. Nearly 50% of newborns who were tested had marijuana in their systems in one major hospital.

The ballot measure promises new tax revenue for a variety of causes, but states like California and Massachusetts have only raised a fraction of what was promised. The promises are great, and yet the money never seems to materialize or do what's been promised.

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

Arizona has a bright future, but fully legalized marijuana doesn't need to be part of it. The current system with medical marijuana is serving the people who need it for health-related reasons. We don't need the wholesale expansion that full-throttle legalization will bring. Please vote "NO."

Doug Ducey, Governor, State of Arizona, Phoenix
Sponsored by Arizonans for Strong Leadership

Arizona is a national leader in so many areas. It's time we lead again by defeating Proposition 207. Why? First and foremost, we must do better for our kids. As a mother of four and a grandmother of 11, I am deeply saddened by the prospect of how this initiative would harm children. States that have passed initiatives similar to Prop 207 lead the country in rates of kids using. Arizona would be no different. Kids would become easy prey for an industry hungry to create a new generation of users. Prop 207 would give the industry license to advertise on every platform, establish retail stores in every major locality, and sell edible marijuana products like gummies, cookies, candy, soda, and vape pens. With those conditions, the industry will succeed in hooking too many of our kids and stealing their potential early. Scientific research has revealed that when kids use marijuana before their brain has fully developed (which doesn't occur until their late 20's), it can damage their brain and obstruct development. The results range from slower processing, inability to concentrate, and decreased motivation to permanent IQ loss. Some will become dependent on marijuana long-term. This is reason enough to vote no. But Prop 207 would also make it more dangerous for us and our families out on the road. The increase in users will lead to an increase in impaired drivers, as we have seen in other states. 70% of Colorado users admit they drive stoned – and almost a third do it daily. In Washington, drivers testing positive for THC tripled after they passed a similar initiative. Those aren't good odds for our families to be up against when we get in the car. I encourage you to protect Arizona's families and future and reject Prop 207.

Sine Kerr, State Senator LD13, State of Arizona, Buckeye

Please VOTE NO on Prop 207

MomsStrong.org represents parents across the U.S. who have witnessed their children suffer psychosis after marijuana use and others who lost their children to marijuana-related suicide. We vehemently oppose legal marijuana in the state of Arizona.

An Arizona dad, whose son was valedictorian, class president, and graduated from Stanford University wrote, "There is ample scientific evidence that marijuana use by teenagers whose brains are in the developmental stage are at risk for psychotic events which may be long term. There is also evidence that long-term use by adults can also lead to mental impairment issues." His son died after mental health issues (paranoia, panic, schizophrenia) triggered by marijuana led him to commit suicide.

Scientific evidence abounds detailing the link between the high potency cannabis available today (THC greater than 10%) and mood disorders leading to violence, depression, psychosis, and suicide. Our website MomsStrong.org aims to make available the current research and anecdotal evidence that marijuana is a dangerous drug, especially to the developing brain. We recommend voters who want to learn more read this opinion editorial:
<https://www.baltimoresun.com/opinion/op-ed/bs-ed-op-0419-marijuana-psychosis-20190415-story.html>

Arizona Dad's story and appeal to vote NO: <https://momsstrong.org/2016/10/26/arizona-dad-tells-hes-prop-205-legalizing-marijuana-based-familys-story/>

Sally Schindel, Volunteer, Moms Strong, Prescott

Proposition 207 Has Public Health Benefits and Risks

The Arizona Public Health Association has been Arizona's independent voice for public health for over 90 years. We believe Proposition 207 poses both public health risks and benefits.

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

Benefits include decriminalization for possession of small amounts of marijuana and expungement of prior marijuana convictions. Possession of marijuana is a felony in Arizona (except for medical marijuana patients). Felony convictions and incarceration have lasting impacts on the mental, physical, and economic health of the individual and their children, lifetime lower earning potential, and reduced educational attainment. Incarceration and felony convictions for marijuana offenses have multigenerational social, economic, and health impacts that have been disproportionately thrust on communities of color because they are more likely to be arrested for and convicted of marijuana offenses.

Proposition 207 also includes monitoring and regulation of production, potency, testing, and labeling of marijuana products. The tax revenue would support evidence-based public health programs, including substance use prevention and treatment.

The Act would allow existing medical marijuana dispensaries to co-locate with dispensaries that could sell Cannabis to all adults over 21, which will make it easier to access and use. The risks of marijuana use include impaired neurological development from use in adolescence, increased visits to emergency rooms from marijuana intoxication or accidental ingestion by children, adverse birth outcomes from maternal use, and injuries caused by impaired driving or workplace use.

If the Act passes, we urge the state to use its full regulatory authority to enforce purchasing age-limits, packaging and potency standards, regulate advertising and place of use restrictions, enact workplace use policy requirements, and solidify motor vehicle operation restrictions and penalties. Arizona officials should also partner with state universities to analyze and publish data on its public health impacts.

For additional information and analysis visit www.azpha.org.

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

The marijuana industry is trying to sell us on legalization by telling us jails and prisons are full of innocent pot-smokers, but it's not true. Here's the data: Half of all U.S. prison inmates are behind bars for violent crimes. The rest are mostly in for property crime like burglary or for drunk or drugged driving. Only 15 percent are in for drug crimes, and almost all of those are in prison for trafficking, not possession. Fewer than one percent of prison inmates are locked up solely for possession, and there's always much more to the story; most of them either pleaded down from a more serious charge or were caught with so much dope they were obviously selling it. And only 5 percent of this already small number involves marijuana; the other 95 percent were in possession of (and often selling) hard drugs. In other words, no one goes to prison solely for simple marijuana possession. As the Los Angeles Times wrote, it's "pure bunk" that "tax money, cop time and jail space are wasted corralling and incarcerating marijuana users. Maybe that was true decades ago. But today it's a myth. No one gets busted and jailed for merely smoking a joint." Please don't believe anyone who tells you otherwise.

Ed Gogek, M.D., Medical Director, New Freedom in Recovery, Prescott

The Smart and Safe Arizona Act couldn't be further from the truth.

There is nothing smart and nothing safe about increasing the number of people driving under the influence of marijuana and high potency THC concentrates. To find out how legalization impacts the safety of our roads, we need only to look at Colorado. The Rocky Mountain High Intensity Drug Trafficking Area produces the gold standard of reports on how legalization has impacted the state. Colorado serves as an experimental lab for the nation to determine the impact of legalizing marijuana. They have gathered and examined meaningful data and have identified trends. It's designed to help people make informed decisions if legalization is considered in their state.

Here's what the report found.

Since recreational marijuana was legalized, traffic deaths in which drivers tested positive for marijuana increased 109 percent while all Colorado traffic deaths increased 31 percent.

Since recreational marijuana was legalized, traffic deaths involving drivers who tested positive for marijuana more than doubled from 55 in 2013 to 115 people killed in 2018. This equates to one person killed every 3 days in 2018 compared to one person killed every 6 ½ days in 2013.

Since recreational marijuana was legalized, the percentage of all Colorado traffic deaths that were marijuana related increased from 15 percent in 2013 to 23 percent in 2018

Driving soon after using marijuana increases the risk of a motor vehicle crash. For less-than-weekly marijuana users, smoking, eating, or drinking marijuana containing 10mg or more of THC is likely to cause impairment that affects their ability to drive, bike, or perform other safety-sensitive activities.

More stoned drivers equals more death on Arizona highways. Worse, it could be you or a loved one. Keep our roads safe! I urge you to Vote NO on Prop 207.

Darren Lee, Scottsdale

As a representative of the citizens of Arizona's 1st legislative district, I am always looking to make decisions that are best for our children, our families, and our state. We are being asked to pass Prop 207 to legalize recreational marijuana in Arizona, a decision that would result in significant harms. We voted NO in 2016. Once again, out of state groups are trying to force us to accept their out of state vision!! I am strongly opposing it!! Prop 207 has been paid for by the marijuana industry and was written to give them a total monopoly. Prop 207 would increase use of marijuana by our kids and grandkids, putting their developing brains at risk of damage just as they are beginning their lives. It would allow the marijuana industry to advertise broadly and sell products that inherently appeal to kids like gummies, cookies, candy, soda, and vape pens. Prop 207 would make our families less safe on the road by increasing the number of stoned drivers on our streets and highways. It would relax health and safety requirements for medical marijuana by exempting those who hold a medical and recreational license from employing a medical doctor or following any requirement deemed burdensome. Prop 207 would make it harder for business owners and employers to maintain safe workplaces and find a sober workforce. And Arizona would foot the bill, as Prop 207 caps the tax at 16% regardless of what legalization actually costs our state (in Colorado, it's \$4.50 for every \$1 of revenue). Add up all these harms and more and this doesn't look like a decision that is good for Arizona. I'm voting NO and I hope you'll join me.

Steve Pierce, Representative/past Senator, AZ House of Representatives, Prescott

The Arizona Builders Alliance represents the vertical commercial construction industry in Arizona. Recreational use of marijuana in the state is a significant safety concern for our industry. The top priority of the commercial construction industry is the safety of our workers. Worker impairment leads to risks on the jobsite that will harm our workers.

Marijuana is linked to increases in job accidents and injuries. The National Institute on Drug Abuse notes that short-term effects of marijuana include impaired body movement, difficulty with thinking, slower reaction times, limited problem-solving and an altered sense of time. The outcome is obvious. Heavy equipment and machinery do not mix with recreational marijuana. Impaired workers on a job site will endanger their own lives and the lives of others.

Safety on the way to the jobsite is critical as well. Recreational marijuana will lead to more dangerous roads.

The recent 2018 MADD study details the aftermath of the Colorado legalization of marijuana on traffic fatalities. Since legalization, marijuana related traffic deaths increased 151 percent. Traffic deaths involving drivers testing positive for marijuana doubled from 55 in 2013 to 138 in 2017. This equates to one person killed every 2 ½ days.

As Arizona continues to grow, we need safe worksites and safe roads. We strongly oppose legalizing recreational marijuana.

Tom Dunn, President, Arizona Builders Alliance, Gilbert

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CBD is already legal in all states when the THC (marijuana psychological high component is under .03%). Most who want to legalize recreational marijuana say it is because they have pain and other medical problems that THC solves for them. CBD products give you pain and other medical problem relief; therefore we do not need to legalize recreational marijuana. Vote no on the so-called smart and safe initiative for the following reasons:

1. Marijuana use harms the brain, and legalization will increase mental health problems. Cannabis use may increase the risk of developing schizophrenia, depression, and other psychiatric disorders.
2. Colorado's number of fatalities where a driver tested positive for any cannabinoid (Delta 9 or any other metabolite) increased from 55 (11% of all fatalities) in 2013 to 139 (21% of all fatalities) in 2017.
3. There were 31 organized crime case filings in 2012 and 119 in 2017
www.colorado.gov/pacific/publissafety/news/colorado-dividion-criminal-justice-publishes-report-impacts-mariana
4. Reaction time (RT), perception, short-term memory and attention, motor skills, tracking, and skilled activities are altered with cannabis intoxication.
5. U.S. states that legalized cannabis, 40% of high school seniors had used cannabis compared with 26% in states that do not have legalized cannabis (11). Moreover, only 16.4% of high school seniors thought that cannabis smoking puts users at a greater risk for adverse effects.
www.nsc.org/Portals/0/Documents/NSCDocuments_Advocacy/Divisions/ADID/Position-on-Cannabis-and-Driving.pdf

Linda Gray, former Senator and Public Safety Chair; Member of National Safety Council/Alcohol & Impairment Department

Linda Gray, Former Arizona Senator, Prescott

I've worked in the drug prevention field for over 10 years. I have read the very valid studies surrounding the harms of marijuana and spent years teaching our community's parents and youth about these dangers. But, today I'm choosing to speak as a parent of two teenagers and a child young enough to not know a time that marijuana wasn't legal. This has been my personal experience.

Each year more youth are using marijuana. I'm not looking at the data, though it does support this statement. I'm hearing it from parents everywhere. Most of the parents I talk to in my job, plus the parents of my children's friends, all have concerns about marijuana. Their child is using it, or being pressured to use it, on an almost daily basis.

It's more potent than ever. Our children aren't smoking a joint. They are vaping THC, the chemical that gets you high. There's so much THC in the vapes that kids are being taken to the hospital for sickness, disorientation, injuries due to falls, and more. For reference, a joint in my high school days was 4% THC, vapes today are 60%+ THC.

Parents are at a loss as to what to do. They usually start out by thinking it's not a big deal because it's "just marijuana." Then their child starts doing weird stuff and they quickly realize something is wrong and need to intervene on behalf of their child. But it's "just marijuana," so what do they do? People have a hard time believing marijuana can cause problems until it does. As a parent, I cannot support any more legalized drugs. It's just too harmful to my children, my children's children and beyond. I'm voting against Prop 207.

Nikki Rosson, Dewey

ARIZONA CHAMBER OF COMMERCE & INDUSTRY URGES YOU TO VOTE NO ON PROPOSITION 207

The Arizona Chamber of Commerce & Industry strongly urges you to vote NO on Proposition 207.

Arizona voters in 2016 rejected marijuana legalization. They should do so again.

Despite the assurances of marijuana proponents, more harm than good will result from legalization. The potential consequences of legalization are severe, ranging from an uptick in workplace accidents and lower overall workplace productivity, to jeopardizing our workforce development efforts and desire to ensure at least 60% of Arizonans secure a post-high school credential or training.

On the public health side, Arizona faces increased rates of addiction and costs that come with drug treatment and

rehabilitation. Research indicates that fatal car crashes involving marijuana have spiked dramatically, as have the number of drivers with marijuana in their system. We're already navigating a global pandemic; we don't need to put even more stress on the public health system.

The claimed state revenue benefits are likely to fall short. The costs of drug treatment and rehabilitation programs make legalization an expensive proposition when state and city budgets are already buckling under tremendous fiscal strain.

If legalization passes by this initiative, it will be essentially carved in stone. Current Arizona law severely limits the ability of the Legislature to reverse or alter a voter-passed measure, even in cases of severe unintended consequences or a public health emergency. We should not pass a new law by initiative that will be impossible to ever change or undo, nor should we encourage special interests to use Arizona's ballot box as a personal laboratory for risky experiments.

There will always be individuals who want to get high. But Arizona should not calibrate a sweeping, untested public policy effort around them.

Glenn Hamer, President and CEO, Arizona Chamber of Commerce & Industry, Phoenix
Sponsored by Arizona Chamber of Commerce & Industry

The Arizona Hospital and Healthcare Association and its member hospitals are committed to providing high quality healthcare and improving the health of Arizona communities. For these reasons we oppose the legalization of marijuana for non-medical purposes. Evidence indicates marijuana is not a harmless substance. Like all drugs, it carries substantial health risks, and should remain a regulated substance for medicinal purposes as approved by Arizona voters in 2010. In states that have approved recreational use of marijuana, studies show increases in both emergency department visits due to marijuana intoxication and unintentional exposures in children resulting in hospitalization. The higher potency of today's marijuana increases the chance of psychotic episodes, including hallucinations and paranoia. Legalizing commercial marijuana will also increase access to marijuana by youth and contribute to the growing perception among young people that marijuana is safe for them to consume recreationally. Yet there is clear and convincing evidence of the harmful effects of marijuana on the brains of pre-teens, teenagers, and young adults. Make no mistake, the goal of the marijuana industry behind this ballot initiative is to promote its product to the widest market available and to profit from it. They will fight every effort by the government to enact tough regulations that limit the THC, the main psychoactive compound in marijuana, content of edibles and the marketing of their products. While the criminal justice reforms in this initiative are valuable, they are a distraction—or guise—from the true intent of the industry, which is to get more people addicted for the industry's own profit. The motto of medical providers is "first, do no harm." With this in mind, we must speak up and urge Arizona voters to vote "no" on the legalization of marijuana in November.

Ann-Marie Alameddin, President and Chief Executive Officer, Arizona Hospital and Healthcare Association, Phoenix and Mike Patterson, Chief Executive Officer, Havasu Regional Medical Center, Lake Havasu City

As adults, let's protect Arizona's youth today and in the future. Arizona has already voted previously to make marijuana available medically. We should not now vote to make medicine available to recreate with. Marijuana is either medicine or it is something to recreate (or get high with) but it cannot be both. I have been serving Arizona's youth for over 30 years as a teacher, a drug abuse non-profit founder and a former director of a state agency caring for youth and families, there are no positive outcomes to scaling more marijuana into our state. In fact, youth use rates will rise. While dispensaries will profit, the state will in fact incur an increase in spending for drug treatment, healthcare, law enforcement and more. We cannot afford this, it provides no benefit and in fact further breaks down families, schools and communities. I am an adamant no and ask you to consider the future well being of Arizona's youth and families.

Debbie Moak, Phoenix

I was once a marijuana user for decades and strongly believed that marijuana was safe and non-addicting. However my attitude changed completely once I WENT TO WORK IN A MASSACHUSETTS MARIJUANA DISPENSARY FOR A YEAR AND A HALF AS A BUDTENDER. To maximize its profits, the marijuana industry is manufacturing unnatural marijuana products that are exceedingly harmful to physical and mental health.

It’s all about profits for the marijuana industry, and marijuana contaminated with mold, fungus, bacteria, pesticides and heavy metals is being produced. I was fortunate to wake up to the harms of my corporation’s marijuana, seek medical attention, diagnosed with heavy metal poisoning. I had absolutely no idea going into the marijuana industry that it was capable of such treachery. I was gullible and duped that my marijuana corporation was producing a clean, safe product, for this is what it espoused. I naively trusted the Commonwealth of Massachusetts to be regulating the marijuana industry and protecting public health, instead of understanding the reality of regulatory capture by the marijuana industry.

Regulatory capture does not only result in sale of contaminated marijuana, but also no limit on THC, allowing promotion and sale of extreme high potency THC. High potency THC increases addiction. This is the unspoken mission statement of the marijuana industry. The resulting carnage of harm to brains, such as psychosis, is collateral damage from the marijuana industry’s quest for profits, its inconvenient truth.

I had no understanding of the reality wrought from commercialization – the deceptive and dangerous industrialized addiction-for-profit marijuana industry. I was fortunate to wake up to the harms and survive. Many others haven’t been so fortunate. My hope is that Arizonans see the truth and choose health instead of falling for the deception.

Anne Hassel, Former budtender, Chicopee

Sponsored by Sally Schindel

Rep. Walt Blackman Letter June 17, 2020

Arizona’s children are our key to a bright future. That’s why I’m adamantly opposing Proposition 207. Our children need healthy minds to have the best chance at success. But prop 207 would harm their developing brains. According to Staci Gruber, associate professor of psychiatry at Harvard Medical School, “the brain is abnormally vulnerable during adolescence.” Studies show that when marijuana use begins before the brain is developed (late 20’s) and continues into adulthood, development is inhibited, the brain is altered and often damaged, and permanent IQ loss and long-term dependence can ensue. Prop 207 would also empower the Big Marijuana industry to target our kids. To continue making a profit, Big Marijuana needs to hook the next generation of their customer base. Prop 207 would allow advertising on every platform, including social media, and prohibit most localities from choosing to ban retail pot shops. It would also allow the industry to sell marijuana products attractive to kids, including gummies, candy, cookies, sodas, and vape pens. The increased access, visibility, and appealing products combine to make our children incredibly vulnerable. And the data is pretty clear. States that choose to pass initiatives like this one have among the highest rates of adolescent use in the country. But we aren’t doomed to make the mistakes that other states have made. Arizona can and MUST do better to protect our children and our future. I’m urging you to vote NO on prop 207.

Walter J. Blackman
Arizona State Representative
Legislative District 6

Walter Blackman, Arizona State Representative Legislative District 6, Snowflake

The “Smart and Safe Arizona Act” is a misleading initiative at worst, and a misnomer at best. There is nothing smart or safe about the legalization of pot; and, Arizona Voters should reject organizer’s plot to poison our cities, placate our children, and plunder our public resources. The initiative sponsors claim that more money will be set aside for “Public Safety and Expanding Public Health Services” – and they are correct that more money will be needed in those areas to deal with the detrimental health affects of pot legalization. Increases in driving under the influence, pot induced psychosis, and debilitating addiction are all pointed consequences to legalization.

Moreover, while pot advocates love to point to the alcohol industry as an example of how regulation could occur, neither Federal nor State tax and regulatory structures are adequately formed to deal with the onslaught of the burdens of pot legalization. In fact, a recent study published in the Journal of American Medical Association (JAMA) Psychiatry found that,

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“long-term, heavy use is linked to psychological and physical health concerns, lower educational attainment, decline in social class, unemployment, and motor vehicle crashes.” No matter how you look at it, legalizing pot is bad for our communities, our families, and our society. Please vote, “No”.

Christopher Clements, Chairman & Founder, Rise UP Foundation, Paradise Valley

Speaker Bowers Letter

Submitted personally and unofficially. Why the lies? The greedy and manipulative marijuana money machine continues to lie about how their “harmless” product in order to cash in at the cost of our kids, our health and our safety! What lies, you ask? Here’s one - Marijuana is harmless. Really? Even before birth, one can suffer the harmful impacts of marijuana. When a pregnant mother uses marijuana, THC can enter the child’s brain, affecting brain development. Use during pregnancy can also result in growth restriction, pre-term birth, and low birth weight. Next, studies show that when youth begin marijuana use before brain development is complete (age 25) the brain can suffer permanent damage. More studies are augmenting the evidence between marijuana use and mental illness, including schizophrenia and violent paranoia. Today’s marijuana is extremely potent. In the 70s a joint had about 2% THC. Today it’s 20 to 25% THC. Other products show levels up to 75 and even 100% THC. Prop 207 sets weak potency caps that would make it very easy for anyone – including our kids – to overconsume. Another lie? This will benefit our economy. Check with “legal” states to see. Many never reached their projected revenues. Those that did usually spend far more in marijuana-related costs to the state than they bring in. Colorado, which legalized in 2012, spends \$4.50 on marijuana-related costs for every \$1 of revenue. To boost the Marijuana economy more, Prop 207 caps the marijuana tax at 16% regardless of Arizona’s cost. I’m not lying about marijuana to my kids. Please join me.

Russell W Bowers, Speaker of the House, House of Representatives, Mesa

I am writing to state my opposition to Proposition 207. Why would we want to legalize the recreational use of marijuana when we know the harm it will do? Eleven states have legalized marijuana, and it has never been successful. The following two issues alone should cause you to vote against it: 1) Auto insurance rates go up, due to more accidents caused by impaired drivers. 2) Many regular marijuana users believe the propaganda that being stoned does not affect their driving. Yet, in Colorado, someone dies in a traffic accident involving a stoned driver every 2-1/2 days. Please think about that before you go to the polls.

But here’s the big issue--the effect it will have on Arizona's youth. Legalizing recreational marijuana means that it will be more accessible to youth. Studies already show that more youth are using marijuana because of the propaganda they hear that it is not harmful. That propaganda is wrong. Studies have revealed that significant, permanent drops in IQ result from regular marijuana use, especially for those who start using in their youth. Studies have also shown that a significant increase in mental health issues for teens occurs from regular marijuana use.

Be aware of the facts. The high potency marijuana is where the money is. Once it is legalized, these products will be more available to our society, especially for our youth. This will lead to more addiction among our youth, more mental health and brain development issues, such as those I mentioned above, and less productivity in the workplace.

Legalizing recreational marijuana will be bad for Arizona. Please join me in voting no on Proposition 207.

Vernon Koehlinger, Buckeye

As a father, grandfather and business owner I ask you to join me in opposing the legalization of recreational marijuana in Arizona. I’m in the business of selling cars and each year we take pride in announcing the safety features of the new models because we know these features are important to our buyers. But honestly, I’d prefer you never need to use these features. Should this initiative pass, our roads will be less safe and law enforcement will, according to this initiative’s own language, have less than ideal guidelines when dealing with impaired drivers. When we hand you the keys to your new

vehicle, we want you to have a safe, enjoyable experience whenever you are behind the wheel. We know that legalization puts more impaired drivers on the roads and that is bad for Arizona. And, if you take a minute to read this initiative, you will also see that it greatly benefits a very small group of people who are already in the business of selling marijuana. As a businessman, I appreciate an entrepreneur, however, read between the lines. This isn't a citizen's initiative, this is something that will permanently negatively impact our state, while lining the pockets of those who are already in the business of selling marijuana. We can do better. Please vote No.

Jim Click Jr., President, Jim Click Automotive Group, Tucson

The team at Impact Employee Solutions receive calls daily from Employers in Arizona concerned with marijuana situations at work. Since 2011, when we opened our doors as a third party administrator of drug-free workplace programs, we've seen marijuana drug positive tests triple within employment testing. Employers that have been with us since the start long for earlier times when they had the right to conduct a drug-free workplace for safety's sake, experienced fewer accidents, and were free of the constant threat of legal claims or lawsuits surrounding marijuana. A decade ago, a marijuana drug user did not have special protections that the rest of us don't have. Now they do. In this initiative, marijuana drug users will have legal protections above all other employees.

During the COVID-19 lockdown, most employees worked from home. During March and April, marijuana sales spiked. While churches, drug recovery groups, and coalitions were forced to disband, stores that sold marijuana products were deemed essential and use skyrocketed. Marijuana use increased. Employers reported witnessing marijuana use during employee video conference calls on company time. If access is this easy, why would we legalize it, commercialize it, and encourage its use more widespread? Employers are stuck with the medical law that protects drug users now. Why impose more legal and safety harm on Employers and employees?

An Employer loses rights to maintain a safe environment for all when employees can smoke weed before coming to work and the law protects the drug user. Employers will have to prove impairment for an adverse employment decision when the pot industry knows there is no standard. Arizonans need to really think if our business communities benefit from more pot use by employees. IES opposes the legalization of marijuana and this initiative.

Gina Kesler, CEO, HSB Consulting Inc dba Impact Employee Solutions, Phoenix and Jay Hughes, Vice President, HSB Consulting Inc dba Impact Employee Solutions, Phoenix

We firmly believe that strong families build strong communities. Unfortunately, drug abuse in the United States is at epidemic proportions, and the dangers of recreational marijuana to public health and safety are well documented. The use of recreational marijuana has proven to negatively affect everything from education to job stability and is especially harmful to our most vulnerable populations. Recent studies have shed light particularly on the risks marijuana use poses to brain development in youth. The use of marijuana has proven to have negative effects on attention, memory, and learning.

Access to more mind-altering drugs, like marijuana, has a ripple effect on families. Money that is better spent on bills, groceries and household expenses might now be wasted on drugs. There is also substantial evidence to show that recreational marijuana use leads to problems in the workplace which could lead to unemployment. It also may lead to other serious issues such as family neglect, divorce, domestic violence and child abuse.

At a time when it is more important than ever to stay connected with our families and our neighbors, recreational marijuana may create brain fog, anxiety and a detachment from society or reality. Rather than more legalized drugs we should find ways to increase our capacity to connect with our families and neighbors. For the good of the community and the family we strongly oppose this dangerous proposal.

Elder C. Dale Willis Jr., Area Seventy, The Church of Jesus Christ of Latter Day Saints, Mesa

In Arizona we have seen the devastating effects of a health crisis pandemic on our health, our economy, our mental health, really all aspects of our lives. Why would we choose to self-inflict a more devastating permanent crisis and legalize recreational marijuana? Eleven states have now legalized marijuana, and not one example is successful, why ignore the

facts. In every state, more teens are stoned, more drivers are impaired, more workers flunk drug tests, there are significant and permanent drops in IQ among regular marijuana users, and a five-fold increase in psychosis among young people who used high-potency marijuana. The percentage of 8th, 10th and 12th grade Arizona students who say they use marijuana has increased over the past four years. Calls to the Maricopa County poison control center involving marijuana ingested by children under 10 years old increased tenfold from 2014.

Proponents will say that legalizing recreational use will get the criminal element out of the marijuana industry not true. Colorado's Amendment 64 promised a regulated market would do away with the illegal dealers and drug cartels. In fact, it appears to have done just the opposite. More people are being charged with serious marijuana-related felonies in Colorado than in the years before legalization. Charges are up nearly seven-fold from 2014 through 2017. There's no reason to think Arizona will be any different.

Medical marijuana is legal in Arizona. That isn't going to change, we have had it since 2010. Recreational marijuana, particularly at the high-potency levels the industry promotes, will make our society sicker, not healthier. Why would we want to allow recreational use when we know the harm it will do to our youth, our business, and our communities based on what has happened in other states. I urge you to join me and vote no.

Jay Hughes, Phoenix

I am an Arizona citizen, employed in the insurance industry, a husband, father, grandfather, and active in many aspects of my community. I am an advocate of public safety, public health, and proper protocol amongst my fellow citizens.

Commercial vehicle (e.g. trucks & busses) drivers are held to a higher standard when it comes to their actions; both personal and professional. The acceptable level of blood alcohol content for these drivers is lower than other 'personal auto' drivers. Commercial drivers have a ZERO TOLERANCE level for specific drugs that, if identified in a test, will disqualify them from operating their commercial vehicle. They lose their right to work. Why? Public safety requires they not operate while under the influence of impairing substances. Why would we allow other citizens to operate vehicles under the influence? Why would we allow our public roadways, the workplace of commercial vehicles, to become increasingly dangerous with drivers that are impaired by drugs, including marijuana, and contributing to an ever increasing challenge for the auto insurance industry to have any hope of positive results from their Underwriting efforts?

No amount of tax revenues can overcome the increased costs to public from dangerous roadways, exposure to innocent children, and increased load upon our first responders and enforcement communities. The cost of 'getting high' will be higher injuries and fatalities with diminished societal values and mental health. I want to live in a safe, healthy, and vibrant Arizona, one that's not stoned.

The appropriate actions are to control access, use, and increase the penalties for persons that choose to operate impaired. This starts NOW by discontinuing any further legalization of marijuana.

Richard Bren, Vice President of Insurance, PFA Transportation Insurance & Surety Services, Litchfield Park

In an era where there is much talk about 'defunding' police departments, we are faced with great choices. Do we put our police departments in charge of checking for 'stoned' teens and adults. Teens and adults don't need any more ways to drive cars and trucks in an impaired state. I taught elementary children for 12 years in Phoenix and high schoolers for 4 years. I have read studies that indicate that use of marijuana decreases a person's IQ. The children I have had contact with don't need any help getting 'dumber' and more numb when it comes to motivation and goal setting. We don't need any more fatal accidents or any other ingredient that adds to the opiod crisis in Arizona. Please say no to voting for this proposed amendment.

Jane Luckman, concerned retired teacher and attorney, Scottsdale

Most people have not heard that marijuana use is linked with mental illness. My brother and I wish we knew this many years ago. Back in the 1970's, when THC potency was 5%, I had a psychotic episode while getting high – it was incredibly

frightening. I didn't use it much. My brother, however, liked the "fun house" experience and used it regularly. He now has schizophrenia. He is permanently disabled, on SSDI for the last 7 years and will be on it for the rest of his life (he's 60). By the way, he has a graduate degree from USC and came from a loving home.

Most people have not heard marijuana can pull the trigger for a mental illness in a person who may have family history--that's about 10% of the population. THC potency will rise with commercialization. Researchers tell us this will bring an increase in psychosis in just a few years because the higher potency products put people with no predisposition to mental illness at risk. Most people do not know the THC, the psychoactive ingredient, has increased by 4-5 x with the flower and 10-20 x with the dabs & waxes.

My brother believed he was being followed by the CIA, so he lived underneath a freeway. When he wasn't there, he was in jail.

The LA Times reported recently that the increase in homelessness in LA is due to an increase in the rise of substance use and mental illness. Shouldn't we be doing everything in our power to prevent more of both of these?

My brother says if he knew marijuana would make him go crazy, he never would have tried it. Most people have never heard this. Maybe if more people did, we'd have less mental illness.

VOTE NO on Prop 207

Heidi Swan, Author, A Night in Jail, Hermosa Beach
Sponsored by Sally Schindel

On behalf of our sons, Sean Quigley and Andy Bauer, we strongly urge you to vote NO on Proposition 207.

Sean was a microbiology major at the U of A. He had been on the dean's list and was driven, organized, loved life, and wanted to live it fully and authentically.

Andy had planned to become a neurosurgeon and was taking his first classes toward that end in his freshman year of college. He was kind, gentle, and had a great sense of humor.

Both young men started with casual marijuana use that quickly led to despair and their loss of hope. They became distant, unfocused, and depressed. In that depression, they each took their own lives.

THC-induced psychosis and suicide rates are increasing, especially within the adolescent population, and the links between high-potency marijuana and these issues are becoming clearer.

Neither of our sons knew each other, but our stories are remarkably similar. In fact, we have met many other parents who have shared almost identical stories. We speak out in honor of our sons. Because it can cause serious mental health issues, high-potency THC should not be recreational.

Janean Quigley RN, Flagstaff and Kira Russo, Flagstaff

The biggest problem with this initiative is not that it legalizes marijuana, but that it legalizes a for-profit marijuana industry that will do anything to boost profits. I work in drug treatment. Research shows clearly that pot-smoking heroin addicts have a much harder time getting clean from heroin. But the \$15 billion marijuana industry has spent millions to convince us that pot helps opioid addicts, even though the opposite is actually true, and many of my patients believe them. That's what happens when you legalize a for-profit industry that makes its money selling an addictive drug. We know how dishonest the alcohol and tobacco companies are; the pot industry is no different. But today, lots of marijuana users are fed up with the industry. In 2015, the political director of the pro-legalization Marijuana Policy Project quit after working there for years. He

said the industry had taken over and is pushing widespread use, which is great for profits but terrible for public health. He's not the only person who loves marijuana but hates the industry. Willie Nelson has smoked weed for decades, but he recently announced he is fighting against corporate marijuana. We know what the tobacco industry does; they use every sneaky trick to get teenagers started as young as possible, because people who start using an addictive drug in their early teens will be heaviest lifetime users. The pot industry is already targeting teens heavily in states that have already legalized it. That's why those states have the highest rates of teenage use. So please vote NO on this ballot measure. Remember, you are not voting against legalizing marijuana; you are voting against legalizing a for-profit marijuana industry that will use its money and power to misinform us all, to target teens and to promote widespread drug use.

Ed Gogek, M.D., Medical Director, New Freedom in Recovery

Vote no on Prop 207. Prop 207 is wrong for families, wrong for businesses, and wrong for Arizona. Under this disastrous act, individuals can grow marijuana in their homes, communities can not ban marijuana shops, and employers will be put at great risk. Recreational use in other states such as Colorado have proven to be a monumental mistake. A third of marijuana users admitted to DAILY driving stoned, teen use has gone dramatically up, and more pregnant women use - leading to more newborns who test positive for THC intoxication. There is no roadside test for THC intoxication, which would also weaken our current DUI laws. The millionaires behind this initiative don't care about our kids - they allow gummies, candies, cookies and more to be sold, which are all highly THC concentrated and even adults may regularly overdose on such products. Over 98% of funding for this initiative has come from the big-marijuana businesses who stand to make even more for themselves - while our citizens and our state will suffer forever from the negative effects. Passing this initiative, which has been funded primarily by three large marijuana producers who stand to enrich themselves further, makes recreational use permanent for our state. Make the wise and safe choice for our children, our first responders, our businesses, and our state and vote NO to recreational marijuana Prop 207.

Jennifer Clark, Scottsdale

BALLOT FORMAT

PROPOSITION 207

PROPOSED BY INITIATIVE PETITION RELATING TO THE RESPONSIBLE ADULT USE, REGULATION AND TAXATION OF MARIJUANA

OFFICIAL TITLE

AMENDING SECTION 36-2817, ARIZONA REVISED STATUTES; AMENDING TITLE 36, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 28.2; AMENDING TITLE 42, CHAPTER 5, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 10; AMENDING TITLE 43, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 43-108; RELATING TO THE RESPONSIBLE ADULT USE, REGULATION AND TAXATION OF MARIJUANA.

DESCRIPTIVE TITLE

THE LAW WOULD ALLOW LIMITED MARIJUANA POSSESSION, USE, AND CULTIVATION BY ADULTS 21 OR OLDER; AMEND CRIMINAL PENALTIES FOR MARIJUANA POSSESSION; BAN SMOKING MARIJUANA IN PUBLIC; IMPOSE A 16% EXCISE TAX ON MARIJUANA SALES TO FUND PUBLIC PROGRAMS; AUTHORIZE STATE/LOCAL REGULATION OF MARIJUANA LICENSEES; AND ALLOW EXPUNGEMENT OF MARIJUANA OFFENSES.

A “YES” vote shall have the effect of allowing adults 21 years or older to use, possess, or transfer up to one ounce of marijuana and cultivate for personal use not more than six marijuana plants at a primary residence; banning smoking marijuana in public places and open spaces; amending criminal classifications and penalties for marijuana possession and use; allowing the retail sale of marijuana at licensed establishments; imposing a 16% excise tax on marijuana sales to fund community colleges, infrastructure, public safety, and public health programs; authorizing state and local regulation of the sale and production of marijuana by a capped number of licensees; and allowing courts to vacate and expunge certain marijuana arrests, charges, adjudications, convictions, or sentences.

YES

A “NO” vote shall have the effect of retaining current law regarding the use of marijuana.

NO

207

BALLOT FORMAT PROPOSITION 207

PROPOSITION 208

OFFICIAL TITLE

AN INITIATIVE MEASURE

AMENDING TITLE 15, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 10.1; AMENDING SECTION 15-1655, ARIZONA REVISED STATUTES; AMENDING TITLE 43, CHAPTER 10, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 43-1013; RELATING TO EDUCATION FUNDING.

Be it enacted by the People of the State of Arizona:

Section 1. Short title

This act may be cited as the “Invest in Education Act”.

Section 2. Findings and declaration of purpose

The People of the State of Arizona find and declare as follows:

1. All Arizona students deserve a certified, qualified teacher in their classrooms and to learn in the safest possible environment.
2. Years of underfunding by the Arizona Legislature have led to crisis-level teacher shortages and woefully inadequate support services.
3. Additional permanent funding is needed to develop, recruit and retain qualified teachers, hire counselors, close the achievement gap, improve career and vocational education for Arizona students, prepare Arizona students for good jobs and careers and meet Arizona employers’ need for a skilled workforce.

Section 3. Title 15, Arizona Revised Statutes, is amended by adding chapter 10.1, to read:

CHAPTER 10.1 ADDITIONAL SUPPORT FOR PUBLIC EDUCATION

ARTICLE I. GENERAL PROVISIONS

15-1281. Student support and safety fund; exemption; distribution; definitions

A. THE STUDENT SUPPORT AND SAFETY FUND IS ESTABLISHED CONSISTING OF MONIES DEPOSITED PURSUANT TO SECTION 43-1013, PRIVATE DONATIONS AND INTEREST EARNED ON THOSE MONIES. MONIES IN THE FUND ARE CONTINUOUSLY APPROPRIATED. MONIES IN THE FUND AND ITS ACCOUNTS MAY NOT BE TRANSFERRED TO ANY OTHER FUND EXCEPT AS PROVIDED IN THIS SECTION, DO NOT REVERT TO THE STATE GENERAL FUND, AND ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190 RELATING TO LAPSING OF APPROPRIATIONS. THE STATE TREASURER SHALL ADMINISTER THE FUND.

B. ALL MONIES IN THE STUDENT SUPPORT AND SAFETY FUND MUST FIRST BE SPENT, AND THE STATE TREASURER SHALL TRANSFER MONIES FROM THE FUND, TO PAY:

1. THE ACTUAL REASONABLE COSTS INCURRED BY THE STATE TREASURER TO ADMINISTER THE FUND.
2. THE ACTUAL REASONABLE COSTS INCURRED BY THE AUDITOR GENERAL AND DEPARTMENT OF EDUCATION TO IMPLEMENT SECTION 15-1284.
3. THE ACTUAL REASONABLE COSTS INCURRED BY THE DEPARTMENT OF REVENUE TO IMPLEMENT AND ENFORCE SECTION 43-1013.

4. THE ACTUAL REASONABLE COSTS INCURRED BY THE STATE BOARD OF EDUCATION TO IMPLEMENT SUBSECTION D, PARAGRAPH 3 OF THIS SECTION.
5. ANY OTHER MANDATORY EXPENDITURE OF STATE REVENUES REQUIRED TO IMPLEMENT THIS CHAPTER AND THE INVEST IN EDUCATION ACT.
- C. THE STATE TREASURER MAY PRESCRIBE FORMS NECESSARY TO MAKE TRANSFERS FROM THE STUDENT SUPPORT AND SAFETY FUND PURSUANT TO SUBSECTION B OF THIS SECTION.
- D. ON OR BEFORE JUNE 30 AND DECEMBER 31 OF EACH YEAR, THE STATE TREASURER SHALL TRANSFER ALL MONIES IN THE STUDENT SUPPORT AND SAFETY FUND IN EXCESS OF THE AMOUNTS PAID PURSUANT TO SUBSECTION B OF THIS SECTION AS FOLLOWS:
 1. FIFTY PERCENT AS GRANTS TO SCHOOL DISTRICTS AND CHARTER SCHOOLS, IN PROPORTION TO THE WEIGHTED STUDENT COUNT PURSUANT TO SECTION 15-943, PARAGRAPH 2, FOR THE SCHOOL DISTRICT OR CHARTER SCHOOL FOR THE PRIOR FISCAL YEAR, FOR THE PURPOSE OF HIRING TEACHERS AND CLASSROOM SUPPORT PERSONNEL AND INCREASING BASE COMPENSATION FOR TEACHERS AND CLASSROOM SUPPORT PERSONNEL. FOR THE PURPOSES OF THIS PARAGRAPH, THE STATE EDUCATION SYSTEM FOR COMMITTED YOUTH AND THE ARIZONA STATE SCHOOLS FOR THE DEAF AND THE BLIND SHALL RECEIVE GRANT FUNDS IN THE SAME MANNER AS SCHOOL DISTRICTS AND CHARTER SCHOOLS.
 2. TWENTY-FIVE PERCENT AS GRANTS TO SCHOOL DISTRICTS AND CHARTER SCHOOLS, IN PROPORTION TO THE WEIGHTED STUDENT COUNT PURSUANT TO SECTION 15-943, PARAGRAPH 2, FOR THE SCHOOL DISTRICT OR CHARTER SCHOOL FOR THE PRIOR FISCAL YEAR, FOR THE PURPOSE OF HIRING STUDENT SUPPORT SERVICES PERSONNEL AND INCREASING BASE COMPENSATION FOR STUDENT SUPPORT SERVICES PERSONNEL. FOR THE PURPOSES OF THIS PARAGRAPH, THE STATE EDUCATION SYSTEM FOR COMMITTED YOUTH AND THE ARIZONA STATE SCHOOLS FOR THE DEAF AND THE BLIND SHALL RECEIVE GRANT FUNDS IN THE SAME MANNER AS SCHOOL DISTRICTS AND CHARTER SCHOOLS.
 3. TEN PERCENT AS GRANTS TO SCHOOL DISTRICTS AND CHARTER SCHOOLS, IN PROPORTION TO THE WEIGHTED STUDENT COUNT PURSUANT TO SECTION 15-943, PARAGRAPH 2, FOR THE SCHOOL DISTRICT OR CHARTER SCHOOL FOR THE PRIOR FISCAL YEAR, FOR THE PURPOSE OF PROVIDING MENTORING AND RETENTION PROGRAMMING FOR NEW CLASSROOM TEACHERS TO INCREASE RETENTION. THE STATE BOARD OF EDUCATION SHALL PRESCRIBE THE FORM AND FORMAT OF MENTORING AND RETENTION PROGRAMMING SUPPORTED BY MONIES TRANSFERRED PURSUANT TO THIS PARAGRAPH, EXCEPT THAT THE EQUIVALENT OF ONE FULL-TIME MENTOR MAY BE ASSIGNED TO NOT MORE THAN FIFTEEN NEW CLASSROOM TEACHERS EMPLOYED BY THE SCHOOL DISTRICT OR CHARTER SCHOOL. IF A SCHOOL DISTRICT OR CHARTER SCHOOL RECEIVES MONIES PURSUANT TO THIS PARAGRAPH IN EXCESS OF ITS NEEDS FOR MENTORING AND RETENTION PROGRAMMING, THOSE EXCESS MONIES MAY BE USED FOR TEACHER RETENTION. THE STATE BOARD OF EDUCATION SHALL ADOPT RULES TO IMPLEMENT THIS PARAGRAPH NOT LATER THAN SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS SECTION. FOR THE PURPOSES OF THIS PARAGRAPH, THE STATE EDUCATION SYSTEM FOR COMMITTED YOUTH AND THE ARIZONA STATE SCHOOLS FOR THE DEAF AND THE BLIND SHALL RECEIVE GRANT FUNDS IN THE SAME MANNER AS SCHOOL DISTRICTS AND CHARTER SCHOOLS.
 4. TWELVE PERCENT TO THE CAREER TRAINING AND WORKFORCE FUND ESTABLISHED BY SECTION 15-1282.
 5. THREE PERCENT TO THE ARIZONA TEACHERS ACADEMY FUND ESTABLISHED BY SECTION 15-1655.
- E. GRANTS MADE PURSUANT TO THIS SECTION ARE EXEMPT FROM TITLE 41, CHAPTERS 23 AND 24.
- F. FOR THE PURPOSES OF THIS SECTION:
 1. "CLASSROOM SUPPORT PERSONNEL" MEANS ANY NONADMINISTRATIVE SCHOOL PERSONNEL, INCLUDING CERTIFIED PERSONNEL, WHO PROVIDE CLASSROOM SUPPORT AND INSTRUCTIONAL SUPPORT SERVICES AS PRESCRIBED BY THE SCHOOL DISTRICT GOVERNING BOARD OR CHARTER SCHOOL GOVERNING BODY, INCLUDING LIBRARIANS, NURSES, COUNSELORS, SOCIAL WORKERS, SPEECH PATHOLOGISTS, BEHAVIORAL COACHES AND PSYCHOLOGISTS.
 2. "MENTORING AND RETENTION PROGRAMMING" MEANS REGULAR, JOB-EMBEDDED, IN-

PERSON, ONE-ON-ONE FEEDBACK THAT IS FOCUSED ON INSTRUCTION AND ENSURING NEW CLASSROOM TEACHER QUALITY, SUCCESS AND RETENTION.

3. “NEW CLASSROOM TEACHER” MEANS A CLASSROOM TEACHER WHO IS IN THE TEACHER’S FIRST, SECOND OR THIRD YEAR OF TEACHING.

4. “STUDENT SUPPORT SERVICES PERSONNEL” MEANS ANY CLASSIFIED, NONADMINISTRATIVE SCHOOL PERSONNEL WHO PROVIDE STUDENT SUPPORT SERVICES AS DEFINED BY THE SCHOOL DISTRICT GOVERNING BOARD OR CHARTER SCHOOL GOVERNING BODY, INCLUDING CLASSROOM AIDES, MEDIA SPECIALISTS, HEALTH ASSISTANTS, SECURITY PERSONNEL, STUDENT FOOD SERVICE PERSONNEL, CLERICAL STAFF, STUDENT TRANSPORTATION PERSONNEL AND SCHOOL SITE PLANT OPERATORS.

5. “TEACHER” MEANS ANY NONADMINISTRATIVE PERSONNEL, INCLUDING CERTIFIED TEACHERS, WHO INSTRUCT STUDENTS OR SUPPORT STUDENT ACADEMIC ACHIEVEMENT AS PRESCRIBED BY THE SCHOOL DISTRICT GOVERNING BOARD OR CHARTER SCHOOL GOVERNING BODY, INCLUDING CLASSROOM TEACHERS, EARLY CHILDHOOD TEACHERS, MENTOR TEACHERS, INSTRUCTIONAL COACHES AND ACADEMIC INTERVENTIONISTS.

15-1282. Career training and workforce fund; exemption; distribution

A. THE CAREER TRAINING AND WORKFORCE FUND IS ESTABLISHED CONSISTING OF MONIES DEPOSITED PURSUANT TO SECTION 15-1281, PRIVATE DONATIONS AND INTEREST EARNED ON THOSE MONIES. MONIES IN THE FUND ARE CONTINUOUSLY APPROPRIATED. MONIES IN THE FUND AND ITS ACCOUNTS MAY NOT BE TRANSFERRED TO ANY OTHER FUND EXCEPT AS PROVIDED IN THIS SECTION, DO NOT REVERT TO THE STATE GENERAL FUND, AND ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190 RELATING TO LAPSING OF APPROPRIATIONS. THE STATE TREASURER SHALL ADMINISTER THE FUND.

B. ALL MONIES IN THE CAREER TRAINING AND WORKFORCE FUND MUST FIRST BE SPENT, AND THE STATE TREASURER SHALL TRANSFER MONIES FROM THE FUND, TO PAY:

1. THE ACTUAL REASONABLE COSTS INCURRED BY THE STATE TREASURER TO ADMINISTER THE FUND.

2. THE ACTUAL REASONABLE COSTS INCURRED BY THE DEPARTMENT OF EDUCATION TO IMPLEMENT AND ADMINISTER SECTION 15-1283.

3. ANY OTHER MANDATORY EXPENDITURE OF STATE REVENUES REQUIRED TO IMPLEMENT THIS SECTION AND SECTION 15-1283.

C. THE STATE TREASURER MAY PRESCRIBE FORMS NECESSARY TO TRANSFER MONIES FROM THE CAREER TRAINING AND WORKFORCE FUND PURSUANT TO SUBSECTION B OF THIS SECTION.

D. THE STATE TREASURER SHALL TRANSFER MONIES IN THE CAREER TRAINING AND WORKFORCE FUND IN EXCESS OF THE AMOUNTS PAID PURSUANT TO SUBSECTION B OF THIS SECTION AT THE DIRECTION OF THE DEPARTMENT OF EDUCATION IN ACCORDANCE WITH SECTION 15-1283.

15-1283. Career training and workforce program; grants; rules

A. THE DEPARTMENT OF EDUCATION SHALL ESTABLISH A CAREER TRAINING AND WORKFORCE PROGRAM TO DO ALL OF THE FOLLOWING :

1. PROVIDE MULTI-YEAR GRANTS OF UP TO FIVE YEARS TO SCHOOL DISTRICTS, CHARTER SCHOOLS AND CAREER TECHNICAL EDUCATION DISTRICTS FROM THE CAREER TRAINING AND WORKFORCE FUND ESTABLISHED BY SECTION 15-1282 FOR THE PURPOSE OF PROVIDING SERVICES TO STUDENTS IN GRADES NINE THROUGH TWELVE.

2. PROVIDE SUPPORT TO SCHOOL DISTRICTS, CHARTER SCHOOLS AND CAREER TECHNICAL EDUCATION DISTRICTS THAT RECEIVE GRANTS FROM THE CAREER TRAINING AND WORKFORCE FUND ESTABLISHED BY SECTION 15-1282.

B. NOT LATER THAN NINE MONTHS AFTER THE EFFECTIVE DATE OF THIS SECTION, THE DEPARTMENT OF EDUCATION SHALL ADOPT RULES TO IMPLEMENT THIS SECTION. THE RULES SHALL INCLUDE:

1. PROCEDURES AND REQUIREMENTS FOR SCHOOL DISTRICTS, CHARTER SCHOOLS AND CAREER TECHNICAL EDUCATION DISTRICTS TO APPLY FOR, RECEIVE AND RENEW GRANTS FROM THE CAREER TRAINING AND WORKFORCE FUND ESTABLISHED BY SECTION 15-1282, INCLUDING:

(a) REQUIRING THAT GRANT APPLICATIONS BE APPROVED BY THE GOVERNING BOARD OR GOVERNING BODY OF THE SCHOOL DISTRICT, CHARTER SCHOOL OR CAREER TECHNICAL EDUCATION DISTRICT.

(b) PROVIDING REAL-TIME, ACCESSIBLY FORMATTED DATA REGARDING STUDENT GRADES, ATTENDANCE AND BEHAVIOR TO GRADE NINE TEACHERS AND SUPPORT STAFF.

(c) COMMITTING TO ALLOCATE TIME FOR GRADE NINE TEACHERS AND SUPPORT STAFF TO MEET DURING THE SCHOOL DAY TO REVIEW DATA AND DEVELOP STRATEGIES TO INTERVENE WITH AT-RISK STUDENTS IN GRADE NINE, KEEPING RECORDS OF SUCH MEETINGS AND PROVIDING THOSE RECORDS TO THE DEPARTMENT ON REQUEST.

(d) USING GRANT MONIES TO ESTABLISH AND EXPAND PROGRAMS, OPPORTUNITIES AND STRATEGIES ALLOWED UNDER THIS SECTION AND NOT USING GRANT MONIES TO MAINTAIN PROGRAMS, OPPORTUNITIES AND STRATEGIES ESTABLISHED BEFORE THE EFFECTIVE DATE OF THIS SECTION, EXCEPT WHEN A USE IS NECESSARY TO REPLACE THE LOSS OR EXPIRATION OF TIME-LIMITED GRANTS AND FEDERAL MONIES.

2. PROCEDURES FOR THE DEPARTMENT'S EVALUATION OF GRANT APPLICATIONS RECEIVED PURSUANT TO THIS SECTION.

3. ALLOWABLE USES OF GRANTS RECEIVED FROM THE CAREER TRAINING AND WORKFORCE FUND ESTABLISHED BY SECTION 15-1282, INCLUDING:

(a) DEVELOPING OR EXPANDING CAREER AND TECHNICAL EDUCATION PROGRAMS THAT ARE TIED TO MEDIUM TO HIGH-WAGE, HIGH-DEMAND CAREERS THAT RESULT IN ONE OR MORE OF DIRECT WORK EXPERIENCE, INDUSTRY CERTIFICATION OR POSTSECONDARY CREDITS.

(b) DEVELOPING OR EXPANDING CAREER AND TECHNICAL EDUCATION PROGRAMS THAT INSPIRE AND PREPARE STUDENTS TO BECOME CLASSROOM TEACHERS.

(c) HIRING SCHOOL COUNSELORS.

(d) DEVELOPING AND IMPLEMENTING ACADEMIC ACCELERATION PROGRAMS UNDER WHICH OBJECTIVE MEASURES ARE USED TO ENROLL STUDENTS WHO HAVE REACHED PROFICIENCY INTO THE NEXT MORE RIGOROUS COURSE IN THAT CONTENT AREA.

(e) EXPANDING COLLEGE-LEVEL EDUCATIONAL OPPORTUNITIES, INCLUDING:

(i) ADVANCED PLACEMENT, INTERNATIONAL BACCALAUREATE OR COMPARABLE COLLEGE-LEVEL COURSES.

(ii) DUAL CREDIT, CO-ENROLLMENT PROGRAMS OR EXTENDED CO-ENROLLMENT PROGRAMS OFFERED IN CONJUNCTION WITH AN ARIZONA COMMUNITY COLLEGE, PUBLIC UNIVERSITY OR OTHER ACCREDITED INSTITUTION OF HIGHER LEARNING OR POSTSECONDARY EDUCATIONAL INSTITUTION.

(iii) RECRUITING, LICENSING, EMPLOYING AND TRAINING PERSONNEL TO PROVIDE COLLEGE-LEVEL EDUCATIONAL OPPORTUNITIES FOR HIGH SCHOOL STUDENTS.

(f) ASSISTING STUDENTS IN COMPLETING GRADE NINE WITH SUFFICIENT CREDITS TO BE ON TRACK TO ON-TIME GRADUATION, INCLUDING:

(i) EXPANDING COUNSELING SERVICES TO STUDENTS IN GRADE NINE AND PROVIDING SUMMER BRIDGE PROGRAMS FOR AT-RISK, INCOMING NINTH GRADERS.

(ii) IMPLEMENTING EVIDENCE-BASED STRATEGIES AND PROGRAMS TO COMBAT CHRONIC ABSENTEEISM.

(iii) PROVIDING TUTORING AND MENTORING SERVICES.

(iv) PROVIDING REAL-TIME, ACCESSIBLY-FORMATTED DATA REGARDING STUDENT GRADES, ATTENDANCE AND BEHAVIOR TO GRADE NINE TEACHERS AND SUPPORT STAFF.

(v) ALLOWING GRADE NINE TEACHERS AND SUPPORT STAFF TO MEET DURING THE SCHOOL DAY TO REVIEW DATA AND DEVELOP STRATEGIES TO INTERVENE WITH AT-RISK STUDENTS IN GRADE NINE, KEEPING RECORDS OF SUCH MEETINGS AND PROVIDING THOSE RECORDS TO THE DEPARTMENT UPON REQUEST.

(g) EXPANDING TUTORING, MENTORING, COUNSELING, MENTAL HEALTH AND WRAP-AROUND

SERVICES THAT MEET HIGH SCHOOL STUDENTS' IMMEDIATE NEEDS.

(h) FUNDING TO OFFSET THE COSTS OF STUDENTS ENROLLED IN NINTH GRADE AND WHO PERSIST TO COMPLETE FOUR YEAR CAREER AND TECHNICAL EDUCATION PROGRAMS OFFERED PURSUANT TO SECTION 15-393.

4. PROCEDURES THAT WILL ALLOW THE DEPARTMENT TO PROVIDE ONGOING SUPPORT TO SCHOOL DISTRICTS, CHARTER SCHOOLS AND CAREER TECHNICAL EDUCATION DISTRICTS THAT RECEIVE GRANTS PURSUANT TO THIS SECTION.

C. THE DEPARTMENT OF EDUCATION SHALL:

1. BEGIN ACCEPTING APPLICATIONS FOR GRANTS PURSUANT TO THIS SECTION NOT LATER THAN ONE YEAR AFTER THE EFFECTIVE DATE OF THIS SECTION.

2. NOTIFY THE STATE TREASURER WHEN GRANTS ARE AWARDED UNDER THIS SECTION AND DIRECT THE STATE TREASURER TO TRANSFER MONIES FROM THE CAREER TRAINING AND WORKFORCE FUND ESTABLISHED BY SECTION 15-1282 TO GRANTEEES.

D. GRANTS MADE PURSUANT TO THIS SECTION ARE EXEMPT FROM TITLE 41, CHAPTERS 23 AND 24.

15-1284. Separate local-level funds; annual reporting; no supplanting

A. EACH SCHOOL DISTRICT AND CHARTER SCHOOL THAT RECEIVES MONIES FROM THE STUDENT SUPPORT AND SAFETY FUND ESTABLISHED BY SECTION 15-1281 SHALL ESTABLISH A SEPARATE LOCAL LEVEL FUND TO RECEIVE MONIES FROM THAT FUND. THIS SUBSECTION APPLIES TO THE STATE EDUCATION SYSTEM FOR COMMITTED YOUTH AND THE ARIZONA STATE SCHOOLS FOR THE DEAF AND THE BLIND.

B. EACH SCHOOL DISTRICT, CHARTER SCHOOL AND CAREER TECHNICAL EDUCATION DISTRICT THAT RECEIVES MONIES FROM THE CAREER TRAINING AND WORKFORCE FUND ESTABLISHED BY SECTION 15-1282 SHALL ESTABLISH A SEPARATE LOCAL-LEVEL FUND TO RECEIVE MONIES FROM THAT FUND.

C. SCHOOL DISTRICTS, CHARTER SCHOOLS AND CAREER TECHNICAL EDUCATION DISTRICTS THAT RECEIVE MONIES FROM EITHER THE STUDENT SUPPORT AND SAFETY FUND ESTABLISHED BY SECTION 15-1281 OR THE CAREER TRAINING AND WORKFORCE FUND ESTABLISHED BY SECTION 15-1282 SHALL PROVIDE:

1. AN ACCOUNTING OF MONIES RECEIVED FROM THOSE FUNDS EACH FISCAL YEAR THROUGH THE UNIFORM SYSTEM OF FINANCIAL RECORDS.

2. INFORMATION REGARDING CLASSROOM TEACHER SALARIES FOR EACH FISCAL YEAR THROUGH THE UNIFORM SYSTEM OF FINANCIAL RECORDS, INCLUDING THE AVERAGE CLASSROOM TEACHER SALARY, THE AVERAGE SALARY FOR A FIRST-YEAR CLASSROOM TEACHER, AND THE AVERAGE SALARIES FOR CLASSROOM TEACHERS IN THEIR FIFTH, TENTH, FIFTEENTH, AND TWENTIETH YEARS OF TEACHING IN THE SCHOOL DISTRICT, CHARTER SCHOOL OR CAREER TECHNICAL EDUCATION DISTRICT.

D. THE DEPARTMENT OF EDUCATION AND THE AUDITOR GENERAL SHALL ALLOW THE ADDITIONAL REPORTING REQUIRED BY SUBSECTION C OF THIS SECTION THROUGH THE UNIFORM SYSTEM OF FINANCIAL RECORDS AND THE ARIZONA CHART OF ACCOUNTS.

E. NOTWITHSTANDING ANY OTHER LAW, THE ADDITIONAL MONIES RECEIVED BY SCHOOL DISTRICTS, CHARTER SCHOOLS AND CAREER TECHNICAL EDUCATION DISTRICTS FROM THE STUDENT SUPPORT AND SAFETY FUND ESTABLISHED BY SECTION 15-1281 AND THE CAREER TRAINING AND WORKFORCE FUND ESTABLISHED BY SECTION 15-1282 ARE IN ADDITION TO ANY OTHER APPROPRIATION, TRANSFER OR ALLOCATION OF PUBLIC OR PRIVATE MONIES FROM ANY OTHER SOURCE AND MAY NOT SUPPLANT, REPLACE OR CAUSE A REDUCTION IN OTHER FUNDING SOURCES.

15-1285. Local revenues and revenue control limitations; exemption

NOTWITHSTANDING ANY OTHER LAW, MONIES RECEIVED BY SCHOOL DISTRICTS AND CAREER TECHNICAL EDUCATION DISTRICTS PURSUANT TO THIS CHAPTER:

1. ARE NOT CONSIDERED LOCAL REVENUES FOR THE PURPOSES OF ARTICLE IX, SECTION 21, ARIZONA CONSTITUTION.
2. ARE EXEMPT FROM ANY BUDGETARY, EXPENDITURE OR REVENUE CONTROL LIMIT THAT WOULD LIMIT THE ABILITY OF SCHOOL DISTRICTS OR CAREER TECHNICAL EDUCATION DISTRICTS TO ACCEPT OR EXPEND THOSE MONIES.

Section 4. Section 15-1655, Arizona Revised Statutes, is amended to read:

15-1655. Arizona teachers academy; tuition and fees scholarships; fund; annual report; definitions

A. Eligible postsecondary institutions shall implement an Arizona teachers academy to incentivize students to enter the teaching profession and to commit to teach in Arizona public schools. The Arizona board of regents, in consultation with eligible postsecondary institutions, shall develop and implement centralized administrative processes for the academy, including:

1. A marketing and promotion plan to recruit students for the academy.
2. Data collection and reporting.
3. Tracking postgraduation service requirements.
4. Coordinating induction services.
5. Distributing monies in the Arizona teachers academy fund between eligible postsecondary institutions.
6. Collecting reimbursement from individuals who fail to meet service obligations.

B. The Arizona teachers academy may include new or existing teacher preparation program pathways that are student-focused and that employ proven, research-based models of best practices already being implemented. Each eligible postsecondary institution may develop a portfolio of teacher preparation programs to offer as part of the academy. Programs offered as part of the academy shall include accelerated models for:

1. High-demand teacher specializations, including special education, science, technology, engineering and mathematics.
2. Critical need areas, including low-income public schools, public schools located on Indian reservations and rural public schools.
3. Individuals seeking postbaccalaureate coursework that results in professional certification.

C. Each eligible postsecondary institution shall develop formalized partnerships with public schools in this state to build commitments for teacher employment on completion of the Arizona teachers academy. The targeted deployment of teachers who have completed the academy shall be based on the needs of each school system and the community that is being served as well as the individual skills of each teacher.

D. Each eligible postsecondary institution shall provide to each full-time student who is enrolled in the Arizona teachers academy an annual scholarship of ~~\$10,000 per year~~ UP TO THE ACTUAL COST OF TUITION AND FEES for a maximum of two academic years or four semesters for graduate university students, ~~\$5,000 per year~~ UP TO THE ACTUAL COST OF TUITION AND FEES for a maximum of four academic years or eight semesters for undergraduate university students, ~~\$3,000 per year~~ UP TO THE ACTUAL COST OF TUITION AND FEES for a maximum of two academic years or four semesters for community college students for tuition and fees associated with the student's program of study, and ~~\$2,500 onetime for teachers seeking~~ UP TO THE ACTUAL COST OF OBTAINING national board certification AND RENEWAL, AND UP TO THE ACTUAL COST OF OBTAINING A TEACHING CERTIFICATE INCLUDING THE ACTUAL COST OF THE EXAM, after all other financial gifts, aid or grants received by that student or teacher. Scholarships under this subsection are subject to all of the following:

1. If the student does not successfully complete the academic year in good academic standing, the student shall reimburse the Arizona board of regents for the total amount of the scholarship for tuition and fees the student received for that year.
2. For each academic year that the student successfully completes and for which the student receives a scholarship for all tuition and fees, the student must agree to teach for one full school year in a public school in this state. For students teaching and receiving the scholarship concurrently, the commitment period begins after graduation from the Arizona teachers academy. For teachers seeking a national board certification, the teaching commitment is one additional year after completing the requirements of the national board certification program.
3. If the scholarship does not cover remaining tuition and fee costs after other aid received, the eligible postsecondary institution may not charge students the remaining difference. If the scholarship amount exceeds tuition and

fee costs at an eligible postsecondary institution, the institution may use the remaining amount to support Arizona teachers academy costs.

4. If the student does not fulfill the student's obligation to teach in a public school, the student must reimburse the Arizona board of regents for the proportional amount of the scholarship for tuition and fees that the student received that corresponds to the number of school years the student agreed to teach but did not teach in a public school in this state.

5. If the student is physically or mentally unable to fulfill the requirements of the Arizona teachers academy, the Arizona board of regents shall establish a process for assessing the student's ability to repay the financial assistance received and shall make a determination on any terms of repayment.

6. The Arizona board of regents shall establish a process for deferring service or repayment based on factors adopted by the board.

E. Students enrolled in a noneducation program in the Arizona teachers academy must complete one or more teacher preparation courses to ensure the likelihood that the student will transition into a postbaccalaureate program to receive a teaching certification following graduation.

F. The Arizona teachers academy fund is established consisting of MONIES DEPOSITED PURSUANT TO SECTION 15-1281, SUBSECTION D, PARAGRAPH 5 AND legislative appropriations made for the purpose of administering the Arizona teachers academy. Monies in the fund are continuously appropriated and are exempt from the provisions of section 35-190 relating to the lapsing of appropriations. The Arizona board of regents shall administer the fund and shall establish criteria for distributing monies in the fund to eligible postsecondary institutions each fiscal year to fund the costs of the academy. Monies in the fund may be used only for:

1. Reimbursing Arizona teachers academy scholarships that cover the balance of tuition and fees for undergraduate, graduate and postbaccalaureate students enrolled in the Arizona teachers academy after all other gifts and aid received.

2. Support for teachers who are currently employed in a public school in this state and who are seeking a national board certification.

3. Induction services for Arizona teachers academy graduates.

4. Implementing a marketing and promotion plan to recruit and retain students in the Arizona teachers academy WITH PARTICULAR EMPHASIS ON ENSURING PARTICIPANTS REFLECT THE DIVERSITY OF THE STATE'S STUDENT POPULATION and administering the Arizona teachers academy. Annual expenditures for marketing, promoting and administrating the Arizona teachers academy may not exceed three percent of the monies in the fund each fiscal year.

G. Monies remaining in the Arizona teachers academy fund at the end of each fiscal year may be used by eligible postsecondary institutions for Arizona teachers academy costs in the next fiscal year.

H. On or before August 1 of each fiscal year, the state general fund appropriation for the Arizona teachers academy for the current fiscal year shall be reduced by the amount of monies remaining in the Arizona teachers academy fund at the end of the prior fiscal year.

F. H. On or before March 1, 2020 and each year thereafter, the Arizona board of regents shall report to the joint legislative budget committee and the governor's office of strategic planning and budgeting on all of the following:

1. The total number of students enrolled in the Arizona teachers academy by eligible postsecondary institution in the current academic year.

2. The number of Arizona teachers academy graduates receiving induction services in the current academic year.

3. The estimated amount of monies committed from the Arizona teachers academy fund in the current fiscal year.

F. I. On or before September 1, 2019 and each year thereafter, the Arizona board of regents shall report to the governor, the president of the senate and the speaker of the house of representatives, and shall submit a copy to the secretary of state, on all of the following:

1. The total number of students enrolled in the Arizona teachers academy at each eligible postsecondary institution by year of college enrollment and the number of teachers receiving a scholarship through the Arizona teachers academy for national board certification.

2. The percentage of students who completed each year of the academy and who plan to continue to the subsequent year, delineated by each teacher preparation program offered by each eligible postsecondary institution as part of the Arizona teachers academy.

3. The number of teachers who completed a program of study through the Arizona teachers academy by each eligible postsecondary institution.
 4. The number of teachers currently teaching in a public school in this state as part of an agreement for receiving an Arizona teachers academy scholarship.
 5. The number of graduates receiving induction services.
 6. The number of students who have defaulted on their obligation and who are in repayment agreements.
 7. The number of students who have deferred repayment agreements.
 8. The number of students who have completed repayment agreements.
 9. The methodology for distributing any monies appropriated for the Arizona teachers academy to each eligible postsecondary institution and the amounts distributed to each.
 10. The amount of unused monies in the Arizona teachers academy fund from the prior fiscal year.
- K. J. For the purposes of this section:
1. “Eligible postsecondary institutions” means universities under the jurisdiction of the Arizona board of regents and community colleges in this state that offer postbaccalaureate programs that lead to teacher certification and that have entered into an agreement with the Arizona board of regents relative to these postbaccalaureate programs.
 2. “Tuition and fees” means tuition, mandatory fees and program fees that are associated with a program in the Arizona teachers academy leading to teacher certification and that are charged by an eligible postsecondary institution.

Section 5. Title 43, chapter 10, article 2, Arizona Revised Statutes, is amended by adding section 41-1013 to read:

43-1013. Income tax surcharge for public education

A. IN ADDITION TO ANY OTHER TAX IMPOSED BY THIS CHAPTER, FOR TAXABLE YEARS BEGINNING FROM AND AFTER DECEMBER 31, 2020, THERE SHALL BE LEVIED, COLLECTED AND PAID AN INCOME TAX SURCHARGE TO ADVANCE PUBLIC EDUCATION IN THIS STATE AS FOLLOWS:

1. IN THE CASE OF A SINGLE PERSON OR A MARRIED PERSON FILING SEPARATELY, A SURCHARGE AT THE RATE OF THREE AND ONE-HALF PERCENT OF TAXABLE INCOME IN EXCESS OF \$250,000.
2. IN THE CASE OF A MARRIED COUPLE FILING A JOINT RETURN OR A SINGLE PERSON WHO IS A HEAD OF HOUSEHOLD, A SURCHARGE AT THE RATE OF THREE AND ONE-HALF PERCENT OF TAXABLE INCOME IN EXCESS OF \$500,000.

B. NOTWITHSTANDING SECTIONS 42-1116 AND 43-206, THE DEPARTMENT SHALL SEPARATELY ACCOUNT FOR REVENUES COLLECTED PURSUANT TO THE INCOME TAX SURCHARGE IMPOSED BY THIS SECTION, AND SHALL DEPOSIT THOSE REVENUES IN THE STUDENT SUPPORT AND SAFETY FUND ESTABLISHED BY SECTION 15-1281.

C. THE INCOME TAX SURCHARGE LEVIED BY THIS SECTION MUST BE COLLECTED REGARDLESS OF WHETHER THE INCOME TAX RATE BRACKETS IN THIS CHAPTER ARE CHANGED, REPLACED OR ELIMINATED BY AN ACT OF THE LEGISLATURE.

Section 6. Severability

If any provision of this act or its application to any person or circumstance is declared invalid by a court of competent jurisdiction, such invalidity does not affect other provisions or applications of this act that can be given effect without the invalid provision or application. The invalidated provision or provisions shall be deemed reformed to the extent necessary to conform to applicable law and to give the maximum effect to the intent of this act and, to the fullest extent possible, the provisions of this act, including each portion of any section of this act containing any invalidated provision that is not itself invalid, shall be construed so as to give effect to the intent thereof.

Section 7. Exemption from rulemaking

For the purposes of adopting rules to implement this act, and for twenty-four months after the effective date of this act, the department of education, the state board of education and the department of revenue are exempt from both of the

following:

1. Any executive order or other directive purporting to limit or restrict the ability of the department of education, the state board of education and the department of revenue to adopt new rules.
2. The rulemaking requirements of title 41, chapters 6 and 6.1, Arizona Revised Statutes, except that each department shall provide the public with a reasonable opportunity to comment on proposed rules and shall publish otherwise-exempted rules.

Section 8. Standing and fee shifting

A. The People of the State of Arizona desire that this act, if approved by the voters and thereafter challenged in court, be defended by the State of Arizona. If the Attorney General fails to defend or enforce this act or fails to appeal an adverse judgment against its validity or application, in whole or in part, any resident of this state shall have standing to initiate or intervene in any action or proceeding to enforce or defend this act.

B. The court shall award fees and expenses to any resident who initiates or intervenes in, and prevails on the merits of, any action or proceeding to enforce or defend this act pursuant to subsection A of this section. For the purposes of this section, “fees and expenses” includes the reasonable expenses of expert witnesses, the reasonable cost of any study, analysis, report, test or project found by the court to be necessary to prepare the party’s case, and reasonable attorneys’ fees.

ANALYSIS BY LEGISLATIVE COUNCIL

Beginning January 1, 2021, Proposition 208 would impose a 3.5% income tax surcharge on taxable individual income (including pass-through income from sole proprietorships, partnerships, limited liability companies and subchapter S corporations) over:

1. \$250,000 for a single person or a married person filing separately.
2. \$500,000 for a married couple or a single person who is a head of household.

The current tax rate of 4.5% on taxable income over the above-stated amounts, combined with the new 3.5% surcharge would result in a total tax of 8% on taxable income over the above-stated amounts.

The new revenue generated by the income tax surcharge would be placed in the student support and safety fund, to be used first to pay the administrative costs of implementing, administering and enforcing the measure, and then as follows:

1. 50% for grants to school districts, charter schools, the state education system for committed youth and the state schools for the deaf and blind for teacher and classroom support personnel hiring and base salary increases. (Proposition 208 would define "teacher" as any nonadministrative personnel who instruct students or support student academic achievement, as determined by the school district or charter school governing body, including instructional coaches and academic interventionists and would define "classroom support personnel" as any nonadministrative personnel who provide classroom support and instructional support services, as determined by the school district or charter school governing body, including librarians, nurses, counselors, social workers, speech pathologists, behavioral coaches and psychologists.)

2. 25% for grants to school districts, charter schools, the state education system for committed youth and the state schools for the deaf and blind for student support services personnel hiring and base salary increases. (Proposition 208 would define "student support services personnel" as any classified, nonadministrative personnel who provide student support services, as defined by the school district or charter school governing body, including classroom aides, media specialists, health assistants, security personnel, clerical staff, student food service personnel, student transportation personnel and school site plant operators.)

3. 10% for grants to school districts, charter schools, the state education system for committed youth and the state schools for the deaf and blind for mentoring and retaining new classroom teachers in their first, second or third year of teaching. A mentor hired with these monies could not be assigned to mentor more than 15 new classroom teachers.

4. 12% for grants to school districts, charter schools and career technical education districts for a career training and workforce program for students in grades 9-12. The grant monies could be used for a variety of purposes, including developing new or expanded programs tied to medium-to-high wage/high-demand careers, developing new or expanded programs that inspire and prepare students to become classroom teachers, hiring school counselors, expanding college-level educational opportunities (including advanced placement, international baccalaureate and dual credit courses), assisting students completing

the ninth grade to be on track for on-time graduation, expanding tutoring, mentoring, counseling and mental health services and funding students in career and technical education programs.

5. 3% for the Arizona teachers academy, which incentivizes college students to enter the teaching profession and to commit to teach in Arizona. The measure would eliminate the current caps on the scholarship amount that each student enrolled in the academy may receive and allow each enrolled student to receive up to the actual cost of tuition and fees for the student's program of study. Also, the marketing plan for the academy would have a particular emphasis on ensuring that the academy participants reflect the diversity of the state's student population.

The new revenue generated by the income tax surcharge could not replace, reduce or supplant other school district, charter school or career technical education district funding.

The Arizona Constitution limits the ability of the Legislature to amend an approved initiative measure or to appropriate or divert monies created or allocated by an approved initiative measure. Any future legislative changes to the initiative measure may be made only if they are approved by at least three-fourths of the members of each house of the Legislature and the changes further the purposes of the initiative measure, or if they are approved by the voters through referendum or initiative.

JOINT LEGISLATIVE BUDGET COMMITTEE FISCAL ANALYSIS

PROPOSITION 208

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 208 would establish a 3.5% income tax surcharge for single taxpayers on their taxable income in excess of \$250,000 and for married persons on their taxable income in excess of \$500,000.

The income tax surcharge is projected to generate \$827 million in revenue, which will be deposited into the Student Support and Safety Fund (SSSF), in the first full year of implementation. SSSF monies would first be used to pay administrative costs of certain agencies. The remainder of these monies would be primarily distributed to school districts, charter schools, and career technical education districts. The state education system for committed youth and the Arizona State Schools for the Deaf and the Blind would receive monies in the same manner as school districts and charter schools.

The actual deposit will depend on a variety of factors, including:

- Whether high-income taxpayers leave or shift income out of the state because of the new tax surcharge.
- Whether higher tax rates will reduce business investment. Some high-income taxpayers pay individual income taxes on the “pass-through” income from their businesses.

Given this uncertainty, our revenue estimate is speculative and subject to change.

The proposition may also have other impacts on state tax collections. For example, increasing salaries for school employees may result in higher General Fund income and sales tax collections. Any shift of income outside the state or decline in business investment may also reduce existing tax collections.



ARGUMENTS “FOR” PROPOSITION 208

Arizona students, parents, retirees, business owners, teachers, and many others have been battling for better education with little help from elected leaders. So, we fixed it ourselves.

Hundreds of thousands of you helped put Prop 208, the Invest in Education Act, on the ballot. We know there are questions and misinformation out there, so we’d like to address them now.

1. If you and your spouse earn between \$1 and \$500,000 in combined personal income, how much more will you pay?

Answer : Zero. \$0.00. Nothing.

2. If you, as an individual, earn between \$1 and \$250,000 in personal income, how much more will you pay?

Answer: Zero. \$0.00. Nothing.

3. If your household makes \$501,000 in personal income, how much more will you pay?

Answer: \$35 per year. Yes. That’s right. You’ll pay a 3.5 percent surcharge only on the income above \$500,000. Taxes on the first half-million dollars of earnings do not change!

4. How much does this tax small businesses?

Answer: Zero. \$0.00. Nothing. This initiative ONLY applies to personal income, not business income. This is worth repeating: There are no business-tax increases. This surcharge only applies to personal income.

5. Why should Arizona voters support Prop. 208?

Answer: Invest in Education restores the annual funding Arizona’s students, teachers, and educators have been promised since 2008 – funding that was cut during the last recession.

Our schools need this stability now.

Our teachers need job security and a wage that allows them to focus on teaching, not worrying about their basics like groceries and rent. Our state needs an education system that will provide opportunity to every student. And our economy needs a strong public school system.

This is the right policy for Arizona at the right time for our state.

Join me in voting yes.

Andrea Nemecek, State Director, Invest in Education, Phoenix
Sponsored by AEA and Stand for Children

The Invest in Education Act is an initiative that will help our children and educators have the resources they need to succeed and is needed now more than ever.

We need to pass the Invest in Education Act to protect school funding because a decade of cuts to education funding have hit the hardest on our state’s most vulnerable population- our children. Arizona spends \$800M less on education than it did

a decade ago. With cuts to school funding, we've seen the worst teacher shortage in history, rising class sizes, and valuable school programs and services eliminated. This measure is right for the times- it both restores and past cuts and protects future funding.

Arizonans are in unprecedented times and now, voters have a chance to take action for students and teachers with the Invest in Education initiative, which adds dedicated resources for our public schools that politicians can't cut. These resources will help our schools hire more certified teachers, reduce class sizes and hire social workers and counselors to help keep our schools safe and our students learning. The funding will also allow us to purchase resources for social emotional learning, updated resources and materials, and more technology and resources for today's virtual learning environment.

Now it is time to take the responsibility for funding schools into our own hands because our children deserve better and this will ensure that our children's schools are adequately funded. Our communities and our students deserve great schools. These are the children of our future.

I urge you to vote YES on the Invest in Education Act.

Jodi Hekter, President FlorenceEA, Ashleigh Muhme, Vice President FlorenceEA, Heather Hellmich, Secretary FlorenceEA
Sponsored by Florence Education Association

Jodi Hekter, President, Florence Education Association, Mesa

What does it take to educate a student? People are the main component to provide a high, quality public education experience. Despite recent increases of funding, Arizona still spends \$800 M less on education than it did a decade ago leaving per pupil spending at 49th in the nation. This has left districts without enough resources to hire and retain all the employees needed to run a school: bus drivers, food service workers, custodians, counselors, office assistants, grounds keepers, classroom aids and of course, teachers. Each staff member is integral to the education community created at individual schools where students spend quality time learning, growing and becoming their best selves. Voting yes on Prop 208 INVESTinED would restore our districts ability to hire and retain teachers and support staff with competitive wages and attract the best people for each job. Our district has struggled to hire and retain bus drivers. We have continuously unfilled job openings for classroom aids. With competitive salaries on offer, students will get access to computer coding, additional Advanced Placement classes, auto-diesel and elementary music. Because we recognize the diversity of our student population, the district's mission is to ensure that students complete their school experience ready for college and career and are prepared to contribute to Arizona's 21st century economy.

Yes on INVESTinED means Yes for our students and Yes for their future.

Lisa Millerd Amphitheater Education Association President
Rebecca Green Amphitheater Education Association Vice-President, Certified

Lisa Millerd, President, Amphitheater Education Association, Tucson and Rebecca Green, Tucson

Sunnyside Education Association supports the Invest in Education Act which seeks to rectify the legislature's cuts over the last decade. The Sunnyside community has felt the direct impact of these cuts on our students. The legislature's refusal to fully restore public education funding has harmed our students and families through cuts to essential programs and services. The Invest in Education Act protects funding by asking those in Arizona with the highest 1% of personal incomes to pay a little more (3.5% on individual earnings over \$250,000 or joint earnings over \$500,000) to invest in our communities and the future of our state. We know our kids are worth it and ask the voters to approve this initiative.

Within our district, the Invest in Ed Act will help better fund art, music, and library programs in our elementary schools to give students a well-rounded education. Invest In Ed will guarantee funding for Career and Technical Education programs to equip students with the skills necessary for established and developing career fields. The act ensures the funding necessary to

help decrease the teacher shortage and retain the high-quality education support professionals who are imperative to student success. Sunnyside Education Association strongly encourages all Arizonans to vote YES on the Invest In Ed Act.

Victoria Schroeder, President, Sunnyside Education Association, Tucson

On November 3, we have a once-in-a-generation chance to make a positive change for public education in Arizona. Voting YES on Proposition-208 will invest almost \$1-billion into our classrooms across Arizona. Right here in Tucson Unified, Proposition-208 will invest over \$17-million into teacher pay, almost \$9-million for support professionals and over \$3-million for teacher retention. Beyond the investment in pay, Proposition-208 will increase funding for Career and Technical Education (CTE) programs, which ensure Arizona graduates are ready for the careers of tomorrow. Supporting Proposition-208 is good for students, educators and our economy. As both a classroom teacher and a candidate for the TUSD Governing Board, I urge you to vote YES on Proposition-208.

Let's be clear: Arizona ranks dead last for pay and per-pupil spending. We have over 2,000 classrooms without a certified teacher. Every year across the state, my colleagues are making the decision to leave the profession. Businesses are choosing not to locate in Arizona because our education system is collapsing. We must make this investment in our kids. The funds brought into TUSD will ensure we can retain top educators for our kids and that our CTE programs are funded. Support professionals are some of the most underpaid folks in education yet they are vitally necessary to making the classroom a learning environment. Proposition-208 will invest millions into our schools, and local economies, without raising taxes on 99% of Arizonans. When educators have more money to spend locally, local businesses benefit. By ensuring we have highly-qualified teachers in our classrooms, we know our kids learn more. Proposition-208 is our chance to do something big for every kid in Arizona. We can't wait any longer for this investment. Please vote YES on Proposition-208. Adam Ragan, teacher and candidate for Tucson Unified School District Governing Board.

Adam Ragan, Candidate, Tucson Unified School District Governing Board, Tucson

All Arizona children are entitled to a quality public education. Over a decade of funding cuts to public education have hurt our most vital resource: Arizona's children. These cuts have led to large class sizes, teacher and support staff shortages, and reductions in educator salaries. Now, as a community, we are faced with a new crisis, COVID19, which is causing our economy to slow down and will likely lead to even greater reduction in education funding. Passing the Invest in Education Act will restore past cuts and protect future funding, ensuring that all Arizona children have access to the quality public education they deserve. Invest in Education will put an estimated 940 million voter protected dollars into Arizona's public schools, preventing the legislature from diverting the funds to causes other than what voters intended when approved. It contains strong accountability measures to ensure that funding is directed toward its intended purposes. These funds will be used for teacher mentoring programs, paying support staff a livable wage, and attracting and retaining high-quality teachers for Arizona's children.

As Arizona emerges from this crisis, what has been true for Arizona students will remain true: every single student deserves a qualified, certified teacher, every campus should be safe, and career readiness and vocational training are essential. When Invest in Education is approved by voters, the status of public education in Arizona will be one step closer to being what our children deserve.

Vote Yes on Prop 208.

Becky Williams, President, Scottsdale Education Association, Scottsdale

Support Arizona's future – a well-educated populace – by voting for the citizens' initiative Invest in Education. As retired educators, we have seen our children, grandchildren, and professional colleagues struggling to succeed with the nation's poorest funding, the worst teacher shortage in history, rising class sizes, and having valuable school programs and services eliminated.

The COVID19 pandemic has created unique, unprecedented demands for teachers, their curriculum and delivery, health and safety, students, and families. Yet school staff and facilities had already been critically underfunded for decades before the pandemic. Some technology that could have mitigated the effects of quarantines for many students and their families has been rendered impossible by decades of underfunding.

When many of our retired members were active educators, reasonable funding for public schools meant that quality education was the presumed expectation. The pandemic has not eliminated that expectation. Rather, it is decades of underfunding in Arizona that has made that expectation more and more of a struggle each year. The pandemic simply added many more layers of hurdles to an already Herculean task for schools, students, and families.

The Invest in Education Act will protect education funding, giving all students the opportunity to succeed in schools that continue their struggle against the severe cuts of the past and that struggle now to overcome unique, unprecedented hurdles such as COVID19.

Dr. Janie Hydrick, President
Arizona Education Association -Retired

Janie Hydrick, President, Arizona Education Association-Retired, Chandler

The citizens of Arizona have the ability to help right the wrongs of previous cuts to education funding. Prop 208, also known as Invest in Ed, will provide voter-protected education funding that includes tough accountability requirements to ensure the funds are used as intended. Arizona spends close to \$1 billion less on education than it did a decade ago. Teachers and education professionals have endured cuts, furloughs and larger class sizes. This measure will help reduce the teacher shortage and reduce class sizes that Arizona's students have suffer through for year.

Invest in Ed will protect education funding for years to come and will prevent further cuts to education due to the economic impact of COVID-19. Only Arizonans making more than \$250k will see a tax increase in the form of an income tax surcharge.

Arizona's students and teachers are worth every penny that Invest in Ed will secure for education funding. The possibilities and successes our students will have with proper education funding and resources are limitless!

Vote YES on voter-protected, permanent education funding. Vote YES on Invest in Ed.

June Blaine, President, Higley Education Association, Queen Creek

Like so many of you, I was inspired and filled with hope when thousands of teachers and public-school supporters in the Red for Ed movement stood up and said "enough!" As the parent of a teacher, and as a lawmaker pushing for change, I've seen the chronic defunding of education, the crowded classrooms and the disrespect of our educators up close. The politicians in the majority have prioritized tax cuts over kids for too long. They have failed to fix our teacher-shortage crisis and have not fully restored the billions cut from education after the Great Recession.

As voters, you can change that. You can direct the investment to our schools that our kids need to succeed in a competitive 21st century economy, pay our educators what they deserve, and pull Arizona out of the national basement in per-pupil funding. And, most importantly, your yes vote on Invest in Ed means this money is protected and can't be taken away.

The educators who marched on the Capitol never gave up. Now we have a once-in-a-life time chance to invest in Arizona, attract jobs, and even the playing field for all kids. Vote yes on Invest in Ed.

Charlene Fernandez, Democratic Leader, Arizona House of Representatives, Yuma

Arizona's top business leaders have consistently said that the keys to improving Arizona's business climate and economy are increased funding for Arizona's K-12 public education system and developing a more skilled workforce. It is not surprising

that they view those two issues as the greatest needs considering Arizona’s public schools are 48th in the nation in per pupil funding. More than a decade of underfunding the institutions that are responsible for educating our future workforce have resulted in one of the worst teacher-shortage crises in the nation, overcrowded classrooms and students learning from insufficient and outdated learning materials and supplies.

The Invest in Education Act will raise millions of new dollars in annual, sustainable funding that will go directly to schools. This new funding for public schools will be especially important as Arizona grapples with significant budget shortfalls caused by the COVID economic crisis. During the Great Recession, no state cut more from public education than Arizona, but the new revenue from the Invest in Education Act cannot be touched by the legislature and will be protected from cuts.

In challenging economic times, a tax on the wealthiest Arizonans makes the most sense because it will NOT raise taxes on people struggling to put food on the table or struggling small business owners. This measure will only tax those who are earning more than \$500,000 (married filers) or \$250,000 (single filers), and even with this additional surcharge, these wealthy Arizona taxpayers will still pay a lower effective tax rate than in the majority of other states. More importantly, it will give our public schools the resources they will need to give every child the education they deserve, it will strengthen our workforce, lead to more jobs, and will enable Arizona to emerge from this economic crisis stronger than before.

David Lujan, Director, Arizona Center for Economic Progress, Phoenix

Children’s Action Alliance supports the Invest in Education Act because it will produce millions of new, sustainable dollars annually for public schools so that every Arizona child will have the opportunity to receive the quality education they deserve. Arizona has one of the worst teacher shortages and some of the largest class sizes in the nation. This measure will enable us to provide meaningful pay raises for teachers, classroom aides, and other student support staff. This will also enable schools to hire more counselors, school nurses, and other staff who keep students healthy and safe. Investing in public education now is especially important so school staff and administrators can help students recover the learning losses caused by the COVID-19 crisis.

A quality public school in every neighborhood is one of the most effective ways to create more jobs and economic growth. Proposition 208 is a reasonable solution to produce the revenue our public schools need because working- and middle-class families and small business owners will not see any increase to their taxes. The wealthiest Arizonans, who continue to do well even during this crisis, will be asked to pay a little more so that every child can have the opportunity to learn and succeed. Business leaders support strong schools because they know that our future workforce must be prepared to meet the demands of the future economy.

A “yes” vote for Proposition 208 is a vote to put thousands of Arizona children living in poverty on the path toward opportunity and prosperity. A “yes” vote for Proposition 208 is a vote to give every Arizona student the opportunity to learn from a qualified, certified teacher in the classroom that is not overcrowded. A “yes” vote for Proposition 208 is a vote for a brighter future for all Arizona children.

Siman Qasim, President and CEO, Children's Action Alliance, Phoenix

As Arizona realizes all the effects of the Covid-19 crisis, one thing is very clear: We will rebuild stronger if we find the courage to increase school funding.

When students are successful, the economy is boosted. Career readiness and vocational education are essential. Businesses want to operate (and relocate!) to areas with good schools, graduating qualified students, and skilled workers.

Before the coronavirus, Arizona suffered from a debilitating teacher shortage and class sizes pushing 40 students per classroom. The Invest in Education measure (Proposition 208) was the right solution then. And now, it’s even more imperative.

It's imperative that we keep current teachers and recruit more to ensure that every child has a qualified teacher – whether in a classroom, or in front of a computer.

It's imperative that schools have the technology they need to ensure that every child receives a meaningful education that leads to future success.

It's imperative that we protect education from any economic downturn caused by the virus.

Prop 208 is the right solution at the right time - it restores past cuts, protects against future cuts, helps recruit new teachers and pay current teachers what they deserve. It gives students and their teachers the tools they need to be successful.

It's time to Invest in Education. Please vote Yes on Prop 208.

Rebecca Gau
Stand for Children AZ Executive Director

Rebecca Gau, Executive Director, Stand for Children Arizona, Mesa

The Invest in Education Act is essential now more than ever. This Act helps to restore funding that has been cut over the last 10 years. It is an even distribution of the funds, so it is not based on your zip code area. The funds are not taken from the most vulnerable, but from the wealthiest, ensuring they pay their fair share.

In these times, due to COVID-19, so many of us are struggling. Cuts to education make it impossible for schools to run the programs that are needed for our students. We need Invest in Ed to provide support for our students now and in the future. Education is a lifeline for most. It provides stability, food, friends, and an all-important education so that students have future opportunities to attend college or decide on a career. We need to fund education through #InvestInEd because our beautiful state has failed in doing that.

Vote Yes on Invest in Ed!

Christina Bergeron, Teacher, Surprise

A strong education is important to the families in our rural communities. I am both a parent and a Career and Technical Education teacher in rural Douglas. We need to protect school funding so that all children in my community can receive a quality education.

This measure is especially crucial for the working-class families in my community. We know that strong schools create better opportunities for students to go to college or trade schools so they may gain meaningful employment. This, in turn, creates a quality, well-trained workforce for our communities and country.

My CTE curriculum changed drastically when several years ago, the legislature cut funding to CTE and were no longer going to fund freshmen. This meant that the quality of Career and Technical Education for freshmen took a nose-dive. It is next to impossible to provide high quality, hands-on training to freshmen with zero funding. Prop 208 will help ensure that educators have the resources they need to prepare students to be career ready at all grade levels.

I urge you to vote YES on Prop 208 the Invest in Education Act.

Brita Kimble, Parent, CTE Teacher, Douglas

This November we have an opportunity to support Arizona's children by voting YES on the Invest in Education Act. This permanent and protected funding stream will help ensure that we are able to attract and retain the best and brightest teachers for our students. Arizona will be able to reduce our very large class sizes, and provide the resources, such as counselors, that

our students need. With the recent economic downturn we are experiencing, it's imperative we protect education funding now, and in the future. We can do that through the Invest in Education Act, which affects only those individuals making over \$250,000, or \$500,000 married a year.

Better educational opportunities will create more job opportunities in the future, strengthening our economy for years to come. Business want to go where they have a school system that will graduate skilled workers and a YES vote will help Arizona move in that direction.

We encourage you to help restore and protect education funding this November and vote YES on the Invest in Education Act.

Trina Berg

President, Peoria Education Association

Trina Berg, President, Peoria Education Association, Phoenix

Invest in education, of course we should. That's what Proposition 208 will allow us to do. The time is now because here in Arizona we have slashed teacher pay, allowed classroom sizes to grow to record levels and not provided our schools the technology to function in this environment. Arizona continues to be at the bottom for school funding and teachers continue to leave Arizona in record numbers.

Invest In Ed will restore, increase and protect school funding so that every child has the opportunity to learn, in a safe environment and pursue better opportunities. We can do this if everyone is willing to pay their fair share, no one person making less than \$250,000 per year will see a tax increase, and only if you are a couple making more than \$500,000 per year would you pay an additional \$35 per year!

This is not a partisan issue, it's common sense economics. An investment in our students, teachers and our educational system is an investment in our future!

Vote YES on Prop 208, for better schools and a better Arizona!

Fred Yamashita

Executive Director

AZ AFL-CIO

Fred Yamashita, Executive Director, Arizona AFL-CIO, Phoenix

Arizona's per-pupil funding is one of the lowest in the nation and remains lower than it was before the Great Recession.

Our counselor-to-student ratio is the worst in the country.

Average class sizes in our state are at record high levels.

There were more than 1,800 unfilled teaching positions at the start of the 2019-2020 school year, and many remained vacant throughout that time.

Arizona spends \$800M less on education than it did a decade ago.

These facts are unacceptable, and they must change.

Please join the Alhambra School District Education Association (ADEA) in fully supporting the Invest in Education Act. This initiative will create a permanent and sustainable revenue stream for our schools, and help our children and educators have the resources they need to succeed.

It's time for the voters to do what our legislators would not: Fully Fund Our Public Schools. The children of Arizona deserve no less.

Sunny Martin, PAC Chair, Alhambra School District Education Association, Scottsdale and Lisa Elliot, President, Alhambra School District Education Association, Surprise
Sponsored by Alhambra School District Education Association

Quality education is important to the families in our communities. We want a quality education for our children because we know they are the future of our community.

This measure supports children by providing a stable funding source for our public schools. Our state legislature has made over a generation of cuts to school funding, as we have seen the worst teacher shortage in history, rising class sizes, and valuable school programs and services eliminated. The Invest in Education Act will help to restore education funding and protect education funding for the future and give all students the opportunity to succeed in school. Specifically, this will help Flowing Wells attract new teachers and retain successful teachers, provide more technology and counseling resources, and address the needs of our Special Education student population.

This measure will bring in millions of valuable dollars to local school districts and ensure that our children's schools are adequately funded. With this measure, we can give our local school districts the resources to succeed and we can provide a quality public education to our children.

I urge you to vote YES on the Invest in Education Act.

Mario Ruiz, President, Flowing Wells Education Association, Tucson

I'm well over retirement age and I have never yet seen money voted for education go to the teachers. They way the bill was drafted there is no accountability on how the money will be spent by each district and no guarantee that any teacher or peripheral staff will ever see any of this money in a paycheck. Ask yourself, "How many times have I voted for an education bill?" Then why are our teachers so poorly paid?

Pat Lister, Mesa
Sponsored by Arizona Free Enterprise Club

The students of Arizona deserve the best education possible. You can support those students and the future of Arizona by supporting the Invest in Education Act. A decade of cuts to education funding have hit hardest on our state's most vulnerable population – our children.

Students succeed when class sizes are lower, when they have one-on-one support from a dedicated certified educator in the classroom, and when they have dedicated support staff in their schools. With cuts to school funding, we've seen the worst teacher shortage in history, rising class sizes, and valuable school programs and services eliminated. The Invest in Education Act will protect education funding giving all students the opportunity to succeed in school.

This initiative will help our children and educators have the resources they need to succeed.

We urge you to vote YES on the Invest in Education Act.

The Mesa Education Association

Joshua Buckley, President, Mesa Education Association, Gilbert

Support our students in Arizona by supporting the Invest in Education Act. For years Arizona has continued to cut funding for our schools. Educators, and education advocates, have been on the front lines fighting for our students. It's time Arizona invests in our kids. We need to make sure that there is protected money, so our kids can thrive during their educational journey.

Arizona has experienced a negative impact on our education system. We are experiencing teacher shortages, cuts in the arts programs, less support help like nurses, counselors, and paraprofessionals, all things which hurt our children. We have run down buildings, outdated textbooks, and technology.

This initiative will greatly help our students. I urge you to vote Yes on the Invest in Education Act

Heather Ayres, President of the Isaac District Education Association, Isaac District Education Association, Phoenix

The Invest in Education Act will restore critical funding for education so that our children can be provided with the quality education they need and deserve.

With cuts to school funding, class sizes have increased and valuable school programs and services have been eliminated. Over 1,000 classrooms do not have a qualified certified teacher.

The Invest in Education Act will help our children have the resources they need to succeed. There will be money to lower class sizes and have certified teachers in all our classrooms. There will be money to hire school nurses, counselors, and other specialists to address students' particular needs.

An investment in education is an investment in the future. Quality education is critical to producing a skilled workforce. Moreover, increased educational attainment will permit students to move up the economic ladder, resulting in increased spending and economic growth.

We must invest in our children now for a strong, vibrant Arizona.

Show our students that we value them by protecting the funding needed for the quality education they deserve.

We urge you to vote YES on the Invest in Education Act.

Patrick H Castro, President, Roosevelt Education Association, Chandler

Sponsored by Roosevelt Education Association

The Arizona Interfaith Network (AIN) urges your support for Proposition 208: The Invest in Education Act. It provides an enduring investment in Arizona's students, our most valuable asset.

Now more than ever, our public schools, a cornerstone for our communities, need our support. Our Arizona students, parents, and teachers have become all too familiar with overcrowded classrooms, decrepit buildings, outdated textbooks, lack of classroom materials, and the loss of art, music and other enrichment programs. Especially alarming are the numbers of teachers moving to other states or leaving teaching altogether because they could not support themselves and their own families. Metrics from a myriad of sources confirm Arizona's low standing in educational investment.

Proposition 208 changes the trajectory after years of frustratingly incremental measures that have failed to adequately repair the damage done to Arizona's schools over decades. Arizona did not restore education spending during the economic recovery, directing spending toward unproven and inequitable ventures and leaving both critical supplies and the support staff that teachers need unfunded.

With "Invest in Education," voters can establish a sustainable stream of funds, from an income tax surcharge, helping to bring balance to the patchwork of taxes that fund education. The money raised would be used only for teacher salaries, salaries for the personnel who support students and teachers, teacher mentoring and retention programs, career and technical education and Arizona Teachers Academy scholarships.

Arizonans understand the importance of well-funded public education, and they know the value of investing in the state's future. This initiative allows voters to act on those convictions. AIN encourages a YES vote on the Invest in Education Act.

Monica Dorcey, President, Arizona Interfaith Network, El Mirage; The Rev. Martha Seaman, Boardmember, Arizona Interfaith Network, Scottsdale; and The Rev. Leah Sandwell-Weiss, Boardmember, Arizona Interfaith Network, Scottsdale
Sponsored by Smart and Safe Arizona

As a kindergarten teacher heading into her 23rd year in an Arizona classroom, I understand without question the importance of Invest in Education. Due to continued cuts to education over the past 12 years, Arizona has one of the highest class size averages in the nation. In fact, in my kindergarten classroom, I can have up to 29 students before I receive any assistance. When faced with large class sizes like mine, it is difficult to provide individualized instruction and build relationships with students, which is unacceptable.

Not only can Invest in Education give school districts like mine an opportunity to lower class sizes so all students have individual needs met, it will provide the opportunity to have a certified teacher in every classroom. Arizona currently has over 1,800 classrooms without a certified teacher, our students deserve better than a revolving door of substitutes; they deserve a quality education. We have been facing a teacher shortage for the past several years due to abysmal pay for years; Invest in Education will provide the funding to pay educators the salary they deserve and fill those empty classrooms for our students so they all have the opportunity to learn and succeed.

My students have incurred cut after cut to their classrooms for decades. My students, and every student in this state, deserves better. Students not only deserve a certified teacher in every classroom, they deserve access to counselors, social workers, specialists of every type, nurses, bus drivers, librarians, a maintenance staff on every campus so students can learn in a clean and safe environment. My students, and every student across Arizona DESERVES BETTER.

Arizona students and schools deserve a YES vote on Invest in Education.

Kelley Fisher, Kindergarten Teacher, Deer Valley Unified School District

Kelley Fisher, Kindergarten Teacher Deer Valley Unified School, Sun City

I urge you to vote YES on Proposition 208 - the Invest in Education Act.

Arizona is facing unprecedented times. We have watched as our way of life has fluctuated to meet the new needs of our changing economy and societal values. The recent events that began as a crisis are now becoming an opportunity to rebuild our society, including our public education system.

The Stay Healthy, Return Smarter, Return Stronger message from our Governor applies to our public schools. This recent Arizona crisis comes at a time when public schools have already been in financial crisis since 2008; recent events are making the funding crisis even more devastating. The legislature, while making some adjustments to public school funding, has been unable to meet the needs of Arizona's children and future workforce.

In most business sectors, the adaptation to new business models have received government funding and assistance, while public schools have not. They remain underfunded and struggling to find ways to financially adapt to meet public education's previous needs, and now must look at how to fund new needs addressing safety and learning. Proposition 208 will help meet those needs of Arizona's children by creating protected, dedicated funding for public schools. The projected \$690M that will go into public education funding certified, paraprofessional and teacher mentoring will allow us, the professional educators of Arizona, to do the work of providing every child with the education they need and deserve.

Amber Franco, President, Gilbert Education Association, Mesa

The Invest in Education citizen’s initiative will make sure everyone pays their fair share so that Arizona students have the schools they deserve. This initiative will voter protect \$940 million new dollars for public education funding. This permanent and sustainable revenue will be used for teacher salary increases, reducing class size, and making sure students have access to nurses, counselors, and other support staff who are critical to student success.

Since 1892, Arizona Education Association has been the voice and advocate for public school students, staff, and teachers throughout the state.

As educators, Arizona’s students are at the center of everything we do. As trained professionals, we always do what is best for our students and schools. We know that our students need one-on-one attention, up-to-date textbooks, and well-maintained buildings with working air conditioning.

We know that to succeed, students need to have the schools they deserve.

A look inside Arizona’s schools reveals legislative neglect years in the making—outdated textbooks held together by rubber bands, rodent-infested classrooms, broken down technology, and more. Class sizes are increasing, classrooms are stocked with obsolete resources, and school conditions have deteriorated.

The COVID-19 crisis has devastated Arizona’s working families and widened the inequities. Now, more than ever, we must protect school funding so that every child has the opportunity to learn in a safe and healthy school.

The path forward is to take matters into our own hands. That’s why hundreds of educators hit the streets during the hot summer months to collect enough signatures to get the Invest in Education initiative on the ballot.

The AEA requests that you stand with our students and educators and vote yes on the Invest in Education Initiative.

Joe Thomas, President, Arizona Education Association, Gilbert; Marisol Garcia, Vice President, Arizona Education Association, Phoenix; and Angela Philpot, Treasurer, Arizona Education Association, Mesa
Sponsored by Arizona Education Association

I strongly support the Invest in Education Act. By improving the quality, accessibility and diversity of education for our students, we empower their lives and create positive outcomes for our entire community.

As a public school employee for more than 30 years and leader of the Mesa Education Support Professionals Association, I’ve witnessed how the lack of school funding adversely impacts learning. Today, Arizona’s per-pupil funding remains the lowest in the nation, and state class sizes are at record levels. The Invest in Education Act bridges the gap created when the legislature made permanent cuts during a temporary recession. The most effective way to reduce poverty and crime while improving prosperity for our economy and workforce is through robust public education.

Please vote yes on the Invest in Education Act. Give our students and the professionals who support them the funding needed to accomplish our mission and serve our students.

Frank Hunter, President, Mesa Education Support Professional Association, Tempe

As a teacher in the great state of Arizona, I strongly urge you to support the Invest in Education Act.

Education is important to the families in our communities. We want a strong, quality education for our children because we know they are the future of our community.

This measure supports working class families by providing a stable funding source for our public schools. We know that a quality education means a better chance for our children to go to college and thrive in a fruitful workforce.

NOVEMBER 3, 2020 ★ GENERAL ELECTION

Our state legislature has been cutting funds to public education year after year and it has to stop now. This measure is a way for the people to take responsibility for funding schools into our own hands and ensuring that our children's schools are adequately funded.

I'm tired of my students receiving the short end of the stick. I'm tired of seeing my colleagues leaving the profession. I'm tired of education not being properly funded in our state.

It's time to change the narrative. It's time to support Arizona's future.

It's time to Invest in Education.

Vote YES for the Invest in Education Act.

Jay Barbuto, Teacher and Co-President, Phoenix Elementary Classroom Teachers Association (PECTA), Tempe

While we cannot guarantee what the future will hold, we can stabilize public education funding for the children of Arizona by restoring past cuts and protecting future funding. It is imperative that we restore public education funding. Our students cannot wait.

In Chandler, Proposition 208 (the Invest in Education Act) will allow for the hiring of more specialized educators to provide necessary interventions at an early age. These early interventions will promote greater academic success and save thousands of dollars over the course of a student's career.

The time is right for just such a measure. School closures and the shift to distance learning during the COVID-19 outbreak laid bare the inadequacies and inequities of our current public education funding system. We have the opportunity to rebuild a stronger Arizona if we have the courage to make this small, fair change and protect school funding. In the process, we will secure future jobs by preparing our students for the workforce. We will create opportunities in career and technical education, a field that has long been underfunded and undervalued. During these difficult times, we have seen the need for the restoration of these programs.

We urge you to vote YES on Prop 208 to protect our current students and generations of Arizona students to come.

Chandler Education Association Executive Board

Katie Nash, President, Chandler Education Association, San Tan Valley

The Invest in Education Act is just that... an investment in education funding. Students in Arizona's schools today, across all grade levels, have never experienced a fully funded classroom.

The success of the Invest in Education Act will be a game changer for our students because it will ensure that we can retain qualified educators. Data supports that the most effective tool in the classroom is not technology, materials, or programs, it is our educators. These professionals working with our students every day need to stay in our schools in our diverse Marana community.

Teacher retention in Arizona ranks among some of the lowest in the country. They are leaving the profession daily due to inadequate pay and lack of resources, including competitive salary for education support professionals. In addition, class sizes in Arizona are the largest in the nation. This leaves many teachers with class sizes in the thirties and higher.

This act will address these needs and more. The Invest in Education Act is an investment in our students, our teachers, and the future of Arizona.

We urge you to vote YES on the Invest in Education Act!!

Sandra Faulk
President - Marana Education Association

Sandra Faulk, President, Marana Education Association, Tucson

The Arizona Interfaith Network (AIN) urges your support for Proposition 208: The Invest in Education Act. It provides an enduring investment in Arizona’s students, our most valuable asset.

Now more than ever, our public schools, a cornerstone for our communities, need our support. Our Arizona students, parents, and teachers have become all too familiar with overcrowded classrooms, decrepit buildings, outdated textbooks, lack of classroom materials, and the loss of art, music and other enrichment programs. Especially alarming are the numbers of teachers moving to other states or leaving teaching altogether because they could not support themselves and their own families. Metrics from a myriad of sources confirm Arizona’s low standing in educational investment.

Proposition 208 changes the trajectory after years of frustratingly incremental measures that have failed to adequately repair the damage done to Arizona’s schools over decades. Arizona did not restore education spending during the economic recovery, directing spending toward unproven and inequitable ventures and leaving both critical supplies and the support staff that teachers need unfunded.

With “Invest in Education,” voters can establish a sustainable stream of funds, from an income tax surcharge, helping to bring balance to the patchwork of taxes that fund education. The money raised would be used only for teacher salaries, salaries for the personnel who support students and teachers, teacher mentoring and retention programs, career and technical education and Arizona Teachers Academy scholarships.

Arizonans understand the importance of well-funded public education, and they know the value of investing in the state’s future. This initiative allows voters to act on those convictions.

AIN encourages a YES vote on the Invest in Education Act.

The Rev. Martha Seaman
The Rev. Leah Sandwell-Weiss
Monica Dorcey, President

Monica Dorcey, President, Arizona Interfaith Network, El Mirage; The Rev. Martha Seaman, Director, Arizona Interfaith Network, Scottsdale; and The Rev. Leah Sandwell-Weiss, Member, Arizona Interfaith Network, Tucson
Sponsored by Arizona Interfaith Network

Everybody benefits from an educated society. That is why it is so important that we make an early investment in our future by funding education for our children through the Invest in Education Act.

For more than a decade, Arizona has seen drastic cuts to K-12 education funding. It is time we restore that funding so that all children can succeed in the classroom. Additional funding would allow for smaller class sizes and increased teacher retention. It would also allow for dedicated school nurses, counselors, and support staff at each school so that every child can access the services they need.

As a community, we have the chance to provide this education for our students now. It is time to restore funding to our classrooms.

A vote for the Invest in Education Act is a vote for a better Arizona.

Lisa Love, Vice President, Washington District Education Association, Phoenix

In the twelve years since the great recession of 2008, Educators in Arizona have been working with our state lawmakers and the governor’s office to bring back the funding that was cut. It took a teacher walk out after waiting for a decade to push this issue to the forefront and make some progress in 2018. However, we have not restored all funding to at least 2008 levels. Arizona’s CURRENT students are FUNDED LESS THAN the students of 12 YEARS AGO.

Tempe Union needs a dedicated source of funding that is immune to tinkering by the state legislature. The Invest in Education Act, Prop 208 is that funding source. It will provide Tempe Union High Schools with much needed revenue to reduce class sizes, restore resources that provide social-emotional support for our students, and bring back vital support positions that have disappeared over the last decade.

An entire generation of Arizona students suffered through funding cuts and we just can't afford to wait any longer. NOW is the time for smaller class sizes. NOW is the time to pay certified teachers a professional salary. NOW is the time for all Arizona students to have access to a qualified school nurse, counselor, librarian, and support staff who keep them safe and healthy. NOW is the time to fully restore education funding. NOW is the time for INVESTinEd.

The Tempe Secondary Education Association urges you to vote YES for the Invest in Education Act.

Steve Adams, TSEA co-president, Tempe Secondary Education Association, Phoenix and Kim McElwain, TSEA co-president, Tempe Secondary Education Association, Chandler

Now more than ever, Arizona students need our help to restore and protect education funding. Invest in Education is a solution that will provide permanent funding for K-12 public education. It will expand programs for high school students looking to pursue career and technical education avenues, bring more highly qualified teachers to Arizona classrooms and help keep them there, and canNOT be subjected to supplanting or reduction by the Arizona Legislature.

In early March, 1,800 yard signs decorated the lawn outside the Capitol to represent the 1,800 classrooms in Arizona that are without highly qualified teachers. Our students deserve better!

Moreover, schools cannot safely function without nurses, counselors, bus drivers, instructional aids, and nutritional service workers. It is not too much to ask that we offer our professional wages for them, so they can afford to feed their families while they take care of ours.

Arizona needs to be economically competitive, and this means ensuring that our students - our future workforce - are highly educated. Invest in our students' future and vote YES on Invest in Education!

Carrie Wolf, President, Tempe Elementary Education Association, Tempe
Sponsored by Tempe Elementary Education Association

Deer Valley Education Association supports a YES vote on Invest in Education. We believe that every student must have the opportunity to learn from a certified educator. There were 1,845 unfilled teaching positions at the start of this year across Arizona. Arizona students are walking into classrooms with substitute after substitute, which means a lack of quality education, sometimes for an entire school year. This is unacceptable for our students.

We also firmly believe that students must have access to counselors, social workers, nurses, support staff, vocational education, special education programs and other critical services for our students. The counselor-to-student ratio in Arizona is the highest in the nation and many schools are without counselors at all, especially at the elementary level. Class sizes are at record levels, with averages that are some of the highest in the nation. In Deer Valley, for example, classes from 3rd grade through high school typically have more than 30 students, and frequently, no room to seat them all. Invest in Education would allow districts like Deer Valley to lower class size, which in turn allows educators to more adeptly meet the individual needs of every student in the classroom; it would allow for schools to expand their counselor and other support systems as well, and provide students with every outlet for success. We know the public schools within Deer Valley, and across the state, are the cornerstones of our communities. The members of those communities want strong schools that provide quality education, meet the needs of every student, and prepare them for the future. Invest in Education will do that for our communities. The Deer Valley Education Association urges everyone to support Arizona students by voting YES on Invest in Education.

Kelley Fisher, Vice President, Deer Valley Education Association, Sun City; Harley Killman, President, Deer Valley Education Association, Peoria; Cheryl Heath, Treasurer, Deer Valley Education Association, Peoria; and Hannah Ball, Secretary, Deer Valley Education Association, Peoria

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

Support Arizona’s children and educators, support the Invest in Education Act. After withstanding a decade of deep education cuts, Kyrene’s children and educators are left holding the burden of underfunded schools alongside children and educators across the state.

We have seen teacher shortages and some of the largest class sizes in the last 10 years. We are losing our newest teachers faster than we can recruit and retain new teachers. When funding to education was cut, Kyrene had to cut back on the amount of time our students received for PE, Art, Music, and Library each week. In the last decade, we have lost valuable resources that our children need to achieve academic and social/emotional success. The Invest in Education Act will protect education funding giving Kyrene students the opportunity to succeed in school.

Currently, Kyrene is taking part in equity work for all educators in the district. The funding obtained from the Invest in Education Act would allow Kyrene to continue this important work without the hindrance of inadequate funding. This permanent funding would also positively impact our students with special needs by increasing funding directly related to our instructional assistants allowing for increased staffing.

This initiative will help Kyrene’s children and educators get what they need to succeed in Arizona’s schools. By voting YES, you are strengthening our schools and communities.

Kyrene Education Association urges you to vote YES for our children and educators, vote YES for Arizona, vote YES on the Invest in Education Act.

Kinora Hernandez, President, Kyrene Education Association, Chandler

We all know by now that strong public schools are the backbone of our communities. The COVID pandemic has taught us all a valuable lesson. Times have certainly changed but public school funding has not. During this historic period, we all discovered the depth of the inequities among our districts, sites, and student populations. District responses to try to open access to all students at all levels was exceptional, considering they were working with 4th quarter funding alone. Educators have worked hard to feed and protect our students, recognize and address their trauma from the perils of the ordinary world and now, “during these unprecedented times” we have struggled to keep up with those demands and are forging new paths to deliver education to students with little or no access to technology, switching up lessons to fit the various platforms and still show calm and collected even when we are scared for our own families and colleagues.

Through it all we are asked to “make do” with less and less and of course, being the profession we are, we have summoned up our creativity and courage and done just that. However, everything has a limit and this pandemic has demonstrated to everyone that the continued stretching of public education funding has reached its limit. Our politicians still haven’t restored more than \$800 million in cuts from the last ten years, and thousands of skilled educators can’t afford to stay in the classroom because of low salaries. Through the Invest in ED ONLY the wealthiest making more than \$250k and households making \$501,000, who are still doing well during this crisis, will see a tax increase, and can afford an additional \$35 per year. Our children deserve better and this ballot measure assures their future

Margaret Chaney, President, Tucson Education Association, Tucson

Sierra Vista’s children deserve more! Please support Arizona’s rural children by supporting #InvestinEd, the Invest in Education Act. A decade of cuts to education funding have hit hardest on our state’s most vulnerable population – our children.

Sierra Vista has seen the worst teacher shortage in history, our students have suffered without having qualified teachers in all grade levels. Furthermore, classroom sizes have increased, allowing many of our most vulnerable students to fall through the cracks. Also troubling is the lack of funding for our second language learners which impacts all students. The Invest in Education Act will protect education funding, giving all students the opportunity to succeed in school.

Sierra Vista’s children deserve instruction from a caring and certified teacher in the classroom. They deserve a school nurse, counselor, librarian, and educational school support staff to keep them safe and healthy.

This initiative will help Sierra Vista’s children and educators to have the resources they need to be successful and competitive nationwide.

I urge you to vote YES on the Invest in Education Act.

Brenda Kilmurray, President, Sierra Vista Unified School District, Sierra Vista
Sponsored by Sierra Vista Unified Education Association

I support Invest in Ed because having strong neighborhood public schools is key to building stronger communities and an economy that works for all Arizonans. A strong public education system empowers more Arizonans with the skills they need to move up the economic ladder. No state in the country cut more from public education between 2008 and 2014 than Arizona -- and our schools are feeling the impact through teacher shortages, overcrowded classrooms, outdated classroom resources, and unsafe school buildings.

Invest in Ed will put \$940 million in new funding into Arizona classrooms each year – and it’s funding the legislature can’t touch! The revenue will be raised by increasing the state income taxes on the wealthiest 4 percent in Arizona. It is a solution that makes sense, especially when you consider that the wealthiest 1 percent received 27% of all of the Trump federal tax cuts (an average of \$47,940). If we pass Invest in Ed, Arizona students will get the resources they need to succeed in the classroom and we’ll have paid for it in a fair way. Join me in voting YES on Prop 208!

Ruben Gallego, Congressman, Gallego for Arizona, Phoenix

If Arizona hopes to compete in the regional and national marketplace of the future, a dramatic investment in our public education system is long overdue. Strong public schools are the centerpiece of safe and desirable neighborhoods, the foundation of local entrepreneurship, small business and corporate growth. No fewer than 95% of Arizona students attend public schools and yet as of 2020, our state is in the bottom five nationally for teacher pay and per-pupil investment with the nation’s second-largest class sizes. These are all issues that make Arizona students and communities less competitive compared to our regional neighbors. In a state that has spent nearly \$200 million to date subsidizing private schools, it is long past time for us to invest in the public schools producing the vast majority of our future nurses, mechanics, artists, business owners, engineers and more. Arizona needs a significant investment in our public schools and the Invest in Education act is the first impactful step towards making that investment - for our schools, our communities, our economy and our state.

Beth Lewis, Cofounder and director, Save Our Schools Arizona, Chandler and Dawn Penich-Thacker, Cofounder and spokesperson, Save Our Schools Arizona, Tempe

The Osborn Education Association (OEA) is asking you to vote YES on proposition 208 Invest in Education! OEA aims to improve learning and working conditions in our local public schools. Arizona ranks amongst the worst for overcrowded classrooms, is last in counselor to teacher ratio, and ended the school year with over 1,800 teacher positions unfilled. The coronavirus pandemic only exacerbates the urgent need to solve the teacher retention crisis, lower class sizes, and offer the social emotional support our children need.

We are urging you to vote YES on Invest in Education because it will restore the funding our students and educators have missed out on for over 10 years. Educators, parents and students have written, called and met with lawmakers to share our stories: classrooms lacking basic supplies, schools without nurses and teachers who feel they have no choice but to walk away from a profession they love. Since there has not been enough political will to restore funds to our public schools, educators have worked tirelessly the past two years to get Invest in Education on the ballot. Educators have spent evenings, weekends and summers knocking on doors, collecting signatures and hearing from you: parents, voters and community members. Education is your priority, too!

Help us Invest in Education by voting YES on Proposition 208, so we can provide the quality education every Arizona

child deserves, but don't stop there! Continue to be an advocate for our public schools by attending your local school board meetings and commenting on education bills proposed at the legislature. Together, we can create a public education system worthy of our students and educators.

Alexis Aguirre, OEA Political Chair, Osborn Education Association, Phoenix

Arizona spends \$800M less on education than it did a decade ago. As a result, our schools are experiencing teacher shortages, historically high class sizes, the worst counselor to student ratio in the country and lack of access to infrastructure and one to one technology. All of these issues adversely affect our rural schools more severely because of the inequitable funding formula for Arizona schools.

Every child in Arizona deserves a certified, highly qualified teacher and fairly compensated paraprofessionals. Invest In Ed creates new, voter-protected funds that can only be spent on education and can't be touched by politicians. This measure will improve schools by investing in teachers, support staff, vocational education and job training.

We must do all that we can to create schools that our kids deserve. We urge a YES vote for Invest In Ed.

Amy Bowser, Teacher and President, Humboldt Education Association, Prescott Valley; Katie Taylor, Teacher and Vice President, Humboldt Education Association, Prescott Valley; Marissa Busk, Teacher and Secretary, Humboldt Education Association, Prescott Valley; and Lisa Groves, Teacher and Treasurer, Humboldt Education Association, Dewey

I'm graduating high school in 2021 and I have spent my entire life in one of the worst funded educational systems in the country. Here's what that means:

In elementary school, we would have one teacher start the school year and another teacher would finish it. Sometimes it got to the point of having three teachers in the same year. We had going away parties often.

In middle school, we would only be able to use a certain amount of tissues or pieces of paper from the teacher. And when I got to high school, it got a lot worse.

It is not normal that bringing in supplies for teachers will get us 100 extra credit points.

It is not normal that when our teacher runs out of dry erase markers, we have to stop class and ask the teacher next door to spare one.

It is not normal to have teachers tell us that they spend countless hours and pennies buying supplies themselves, so they don't run out. This is not normal.

The money that our teachers are spending to keep supplies in their classrooms, is coming from the money they work for.

They aren't getting repaid for it. And teachers aren't being paid enough to begin with. Nobody I know is going to college to be a teacher. Everyone is aware how little they get paid.

The work teachers are doing is some of the most important work in the world. Teachers create adults and we are failing to pay them for the hours of effort they are putting in to create the best, most well-rounded, and smartest adults they can. Voters have to fix this. Please vote yes on Invest In Education.

Jocelynn Pearson, Student, Arcadia High School, Phoenix

Funding public schools is a mandatory requirement of the State and the financial burden should be an obligation of all Arizonans. Isolating K-12 pay increases on less than 2% of filers is awful public policy and should be rejected.

Kevin McCarthy, President, Arizona Tax Research Association, Gilbert

The effort to destroy Arizona’s increasingly fragile economy is in full force with the so-called “Invest in Education Act.” Funded almost exclusively by out-of-state interests, the measure’s primary purpose seems to be nothing more than to make Arizona as unpleasant of a place to live as California. And it does so by relying on the most volatile and regressive of revenue streams: the income tax.

In fact, the act not only **DOUBLES** the income tax on tens of thousands of Arizona families, but also on our small businesses. Considering the massive hit businesses have already taken during the coronavirus pandemic, it is simply unconscionable to turn around now and impose the largest tax increase in Arizona’s history.

While it purports to be helping our teachers, the reality is that very little of the taxpayer funds raised by this measure will end up in the pockets of educators. Rather, the bulk of the funds go to “support personnel” and new programs that have little to do with educating students. In fact, there is literally nothing in the measure to ensure that the funds are spent in a way to actually improve education in our state.

The passage of this act would result in Arizona having one of the least competitive tax codes in the country. It would also cause irreparable damage to our economy, driving people to more family-friendly states.

During these difficult times, our focus should be on building our economy back up and ensuring Arizona’s students get the best education possible. This measure, designed and funded by people who don’t even live in our state, fails badly on both of those counts. Vote NO on Prop 208

Victor Riches, President & CEO, Goldwater Institute, Phoenix

The Arizona Chamber of Commerce and Industry strongly urges you to vote no on Proposition 208.

Arizona’s economy is not immune to the consequences of the pandemic. As the state begins its safe reopening, we face a double-digit unemployment rate and record-level jobless claims. If Proposition 208 passes, it will do tremendous damage to our economic recovery, and especially to our small businesses.

Many small business owners file their business taxes through pass-through entities accounted for in the personal income tax code; they’ll be hit hard. Arizona has boasted high rates of entrepreneurial activity for years compared to other states. But this initiative will mean reduced growth for existing small businesses, and fewer new small businesses. The opportunity for small businesses to grow from within will be severely jeopardized.

The proponents of the initiative claim their plan will help teachers. It won’t. By tying teacher pay to highly volatile tax revenues, we would be placing their funding at tremendous risk. Teachers and staff would have no assurance that compensation from this source would be available year to year or business cycle to business cycle.

Arizona businesses value teachers. They are preparing our most precious resource for our shared future. They have earned the 20% raise that takes full effect with the start of the new school year. We all want to improve teacher pay, but this attempt is dangerous.

If it were to pass, the highest income tax rate for the affected taxpayers would increase by a whopping 78%, dramatically undermining Arizona’s ability to grow jobs when we need them most. Arizona’s economy can thrive again, but we’ll need policies to spur job growth.

We urge you to vote no on Proposition 208. It will hurt teachers and it will hurt small businesses.

Glenn Hamer, President & CEO, Arizona Chamber of Commerce and Industry, Scottsdale
Sponsored by Arizona Chamber of Commerce and Industry

This ballot measure represents a near doubling of Arizona’s income tax rate. Worse, it especially hits small businesses, who will bear an unfair burden from it.

Right now, Arizona’s small businesses are recovering from the economic harm done by the COVID pandemic. And yet this tax increase would have small businesses – many of which pay based on personal tax rates – paying substantially more than Arizona’s largest corporations, which pay a lower corporate rate. How does that make sense?

It doesn’t.

This tax increase is estimated to cost taxpayers around \$1 billion annually. That’s a whopping amount, especially considering that our economy is recovering from recession and high unemployment.

There’s no guarantee how much of this money will actually reach teachers. Normally when there’s a huge tax increase we know for certain what the money will be spent on. In this case, most of the money can be spent outside the classroom, which would be terribly wasteful.

Arizona’s K-12 education needs more money. There is little debate about that. The key is to ensure it is spent in ways that benefit children and teachers, and not bureaucracy and overhead.

This ballot measure isn’t the answer. It will do more harm than good to small businesses; will raise less money than promised; and will result in more waste in our education system, not less.

Arizona’s small business owners have sacrificed a lot this year. They have fought through the challenges of COVID-19, working hard to keep their doors open and protect the health and safety of their employees and their customers. They deserve our thanks, not a massive tax increase.

We can do better than this ballot measure. Please join me in voting “NO” on this crippling tax increase.

Doug Ducey, Governor, State of Arizona, Phoenix
Sponsored by Arizonans for Strong Leadership

Education is the top priority for the Southern Arizona Leadership Council. As a business organization we believe that by supporting our entire P-20 education system we could create a world-class workforce, build a vibrant economy, and increase prosperity for all. However, SALC cannot support Prop 208. Prop 208 is too narrow in scope to make an impact while using a tax scheme that will thwart economic development.

This initiative fails to provide funding for early childhood education, our community colleges, and our universities. According to the Arizona Education Progress Meter seventy-nine percent of Arizona’s three and four-year old children are not in quality early learning settings. Investing in early childhood education increases educational attainment which is the key to a skilled workforce that attracts new businesses and jobs to our state and leads to greater economic growth. This proposal ignores our higher education institutions, our universities and community colleges, and does not address their funding shortfall at such a critical juncture while facing challenges posed by the pandemic.

The districts in Arizona have many different and varying needs. Some need teachers, some need to invest in the classrooms and others require capital. The funds from Prop 208 will not be under local control to invest. The funding goes almost entirely to salaries, regardless of the needs of the schools or their students.

Raising income taxes on a small portion of Arizona’s taxpayers is not a fair, balanced way to fund education which is a shared responsibility. Additionally, it will hamper Arizona’s ability to grow our economy. While advocates of this measure present it as a pro-business strategy, their plan to tax the most mobile taxpayers who can easily take their business and taxes elsewhere will backfire on our state. SALC strongly urges you to vote No on Prop 208.

Edward Maxwell, President/CEO, Southern Arizona Leadership Council, Tucson

NAIOP Arizona, the commercial real estate association, strongly supports ensuring our public schools have the resources they need to improve academic outcomes and increase the number of highly-skilled individuals. Our industry relies on economic growth, and a strong education system is an important factor in attracting new businesses to Arizona.

However, NAIOP Arizona opposes the proposed “Invest in Education Act” because it would damage the competitive tax and economic environment Arizona has worked so hard to build.

Of particular concern is the impact this initiative would have on small businesses, most of which file taxes under the individual income tax code. The proponents of this initiative assert that wealthy individuals will be the ones paying this tax. The reality is that small businesses will bear a heavy share of the increased tax payments.

Small businesses are still struggling to recover from the devastating impact of COVID-19 related closures. Many small businesses laid off employees and incurred unanticipated expenses to reengineer their operations to protect the health of customers and remaining workers. The last thing they need now is an increase in taxes.

The benefits of a well-educated workforce are broadly shared by our entire community. Unfortunately, the funding mechanism used by this initiative is the exact opposite. It singles out a small sliver of taxpayers under the pretense that most Arizonans will be unaffected. This is misleading. Small businesses are the backbone of our economy and have suffered unprecedented losses due to the COVID-19 pandemic.

Simply put, this is not the right time for a tax increase. Instead, this is the time to focus on regrowth. Arizona was among the leading states in the nation for job growth before the pandemic. Recovery and growth should be our focus. This will lead to improved state revenues and resources for our schools.

Suzanne Kinney, President and CEO, Arizona Chapter of NAIOP, Phoenix

The Greater Phoenix Chamber opposes the “Invest in Education Act.”

The proposed initiative would enact a 3.5% surcharge on incomes over \$250,000 (individuals) and \$500,000 (households). As we battle the COVID-19 pandemic, there is a critical need to grow Arizona’s economy and remain competitive in business attraction and economic development. This initiative will significantly harm this ability and pose serious threats to the business community’s recovery.

Proponents of the measure developed the initiative without serious consultation from businesses. Even with additional drafting from the previous cycle’s initiative and guidance suggested by the business community, details are lacking on several items including:

- Negative repercussions on small business
- Revenue projections and volatility of the tax collections
- Rationale for doubling the income tax rates
- Exclusion of higher education

The business community’s largest concern is that this intended “tax the rich” proposal will result in significant tax hikes for small businesses that pay taxes through the individual income tax. Small businesses are Arizona’s core DNA, creating hundreds of thousands of jobs. Arizona’s small businesses are already struggling in the wake of the COVID-19 pandemic; this tax increase will further hinder their efforts to stabilize and will significantly harm efforts to grow our economy.

The business community recognizes the importance of education funding, however we need to look at a holistic P-20 approach to funding. This initiative excludes community colleges and universities which are drivers of workforce development and economic activity in communities across the state. The conversation of increased education funding is not over, however, this initiative does not evaluate education funding in a holistic manner that will move us forward.

On behalf of our 2,400 business members and their hard-working employees, we urge you to join us in voting NO.

Todd Sanders, President & CEO, Greater Phoenix Chamber, Phoenix
Sponsored by Greater Phoenix Chamber

Arizona's small business owners urge you to vote 'no' on Proposition 208.

Raising taxes on small businesses during an economic recession is just wrongheaded. While Proposition 208 asks you to raise income taxes on individuals, the people this proposition will really hurt are small businesses. Small businesses employ nearly one half of all working Arizonans. For most of these mom-and-pop shops, employee payroll is the largest expense. When faced with an 80% tax increase on their business income, owners will have no other choice but to cut staff to make ends meet. This increased tax will be on top of the losses many businesses incurred from government-imposed COVID-19 lockdowns. Arizona is a small business state. A place where new businesses startup and other businesses aspire to locate. Our state's competitive tax rates help attract business investment. Investments that include jobs for working Arizonans. The drastic tax increase in Prop 208 will reduce opportunity for Arizonans by cutting off the flow of new businesses and better jobs. Further, supporters of this measure claim to want a reliable source of revenue for school funding. That's not what you will get if you vote for this proposition. This proposition seeks to impose a new top tax bracket. History proves that this source of revenue is the most unreliable. It is the first revenue source to decrease during any economic downturn. So instead of helping teachers during times of economic need, the dollars will disappear—leaving Arizona's schools hanging out to dry.

Arizona's small business owners rely on a good education system to educate tomorrow's workers. We don't need an education system funded by a flimsy, wrongheaded policy that will kill jobs and destabilize our schools at the same time. Vote 'no' on Prop 208.

Chad Heinrich, State Director, National Federation of Independent Business, Phoenix
Sponsored by National Federation of Independent Business

INVEST IN EDUCATION (Proposition 208)

Vote NO on Proposition 208. It will make our economic recovery more difficult, and it won't help teachers.

The Arizona Small Business Association recognizes the importance of education and even supported the Red of Ed movement and the 20% pay raise by 2020 initiative from Governor Ducey. However, the Invest in Ed initiative puts all the burden squarely on the backs of individuals and small businesses while giving a free pass to corporations.

Because small businesses file taxes on the individual portion of the tax code, Proposition 208 will increase taxes by nearly 80% and create a huge burden for small businesses who are already struggling in the wake of the COVID-19 pandemic. If Proposition 208 passes, it will be the nail in the coffin for many of us. No more hiring, no expansion, no recovery, and less tax dollars for Arizona's teachers.

The greatest beneficiary to a properly funded educational system are corporations who recruit employees to Arizona because of high performing schools and the quality of life. Creating a tax that targets only a portion of the taxpayers is patently unfair and creates a slippery slope for future initiatives.

This is not the time to be implementing a tax increase as Arizona attempts to emerge from the COVID-19 pandemic where we have experienced double-digit unemployment and record-high jobless claims.

Arizona has prided itself on being highly competitive on a national stage because of our business-friendly environment. This

initiative will make Arizona less competitive with other states and significantly harm the ability to grow our economy.

This small business tax is a tax on the state's recovery. It won't help teachers. Vote NO on Proposition 208.

Jess Roman, Chief Executive Officer, Arizona Small Business Association (ASBA), Phoenix

I wish to voice opposition to the proposed Proposition 208.

Upon review of the proposed proposition I find it lacks accountability on how the additional tax dollars will be spent. Resulting in none of the proposed tax money being required to be spent in the classroom.

Todd Hoffman, Phoenix

Sponsored by Arizona Free Enterprise Club

The Arizona Lodging & Tourism Association represents a diverse and broad alliance of businesses across the state – more than 95,000 guest rooms statewide and members, inclusive of world-class resorts, hotels, sports teams and tourism venues, airlines, attractions, arts, culture, culinary and hundreds of businesses that supply goods and services to these entities – and we stand united in opposition to Proposition 208.

A growing economy has delivered increased business activity and visitor volume to our state, resulting in new and sustained job growth and a stronger operating environment. The proposal to double Arizona's top income tax rate would be detrimental to Arizona's economy and is disastrous public policy.

Our industry is known to embrace competition and innovation, and we recognize how much damage this initiative would do by taking Arizona's top income tax rate to the top 10 highest in the nation. It will diminish our ability to compete to attract vital businesses and travelers.

Becoming a high-tax state would severely harm our industry and the residents and visitors who rely on our properties, attractions, and destinations for jobs and tax revenues. Many of our lodging and tourism small businesses would end up paying higher tax rates than larger corporations.

It is common to hear stories of visitors moving to Arizona or investing in our state after experiencing our quality of life, business-friendly environment, and welcoming climate. That will change if the only state in our region with a higher top income tax rate is California.

Revenues from the tax brackets targeted by this initiative are volatile. Teachers deserve pay that they can count on. We must continue the course of strengthening teacher and staff pay with reliable, sustainable sources.

This proposal is bad for Arizona and bad for tourism. We urge you to vote NO on Proposition 208.

Kim Sabow, President & CEO, Arizona Lodging & Tourism Association, Phoenix

Prop 208 is a radical attempt to impose a new \$1Billion income tax increase by charging a 3.5 percent surcharge on Arizona's small businesses and top income earners. This would have the effect of nearly doubling the top individual income tax bracket. This radical increase would give Arizona the 5th highest income tax rate in the nation, trailing only California, Hawaii, Oregon and Minnesota.

Joining the ranks of the high-income tax states would be a decision that Arizona would quickly come to regret. The evidence is overwhelming—states with a low or no income tax have consistently outperformed high tax states in job creation and economic growth.

It is why for decades Americans have been voting with their feet and moving to states like Arizona with a favorable tax

climate. On net, nearly 1,000 people a day are migrating to low income tax states, while the same number is exiting high tax states. If this initiative passes, we should expect entrepreneurs, high earners and employers to take their jobs and investments elsewhere.

They are also selling their plan on the idea that only the “rich” will pay the tax increase. In reality, small business owners and entrepreneurs will be hammered by the increase since they pay their taxes through the individual tax code.

The impact of the largest tax increase in Arizona history would be catastrophic. It will kill jobs, punish small business owners and send families fleeing to other states. The proponents of this measure might think they are being clever by linking two politically attractive targets—school funding and taxing the “rich”—but we are confident that voters will see through their ploy and reject this divisive initiative if it reaches the ballot.

Scot Mussi, President, Arizona Free Enterprise Club, Gilbert

Invest in Ed Act

The Arizona Manufacturers Council urges you to vote no on Proposition 208.

Manufacturers understand the importance of preparing today’s students for tomorrow’s jobs and have long supported policies that improve school funding and teacher pay. Our modern manufacturing workplaces are becoming more technologically advanced every day. The cutting-edge products we design and produce require a workforce equipped with the ability to keep pace with rapid change and innovation as we compete globally. Arizona’s teachers and schools are essential to preparing our next-generation workforce.

Manufacturing jobs are the kind of desirable, high-paying jobs states compete to attract. Manufacturers in Arizona account for 8.61% of the total output in the state, employing 5.96% of the workforce. Total output from manufacturing was \$29.86 billion in 2018. In addition, there were an average of 170,000 manufacturing employees in Arizona in 2018, with an average annual compensation of \$83,107.09 – nearly double Arizona’s average wage for all other positions.

Many Arizona small businesses and manufacturers are “S Corporations” where the income and losses of the business are reflected on the owners’ individual tax returns. Proposition 208’s dramatic surtax would hit these manufacturers very hard, making other states with lower tax rates more apt to steal these burgeoning job creators away from Arizona. Arizona’s educators can’t afford to lose to other states the funds these businesses provide.

Higher taxes on small businesses would mean slower job growth, a weaker economy, and fewer resources for teachers. A healthier economy is better for manufacturers and better for teachers.

Please join the Arizona Manufacturers Council in voting NO on Proposition 208.

Allison Gilbreath, Executive Director, Arizona Manufacturers Council

Allison Gilbreath, Executive Director, Arizona Manufacturers Council, Phoenix

Sponsored by Arizona Chamber of Commerce and Industry

Taxes are too high now! I want new businesses and companies to move to Arizona to help provide jobs and spread out the tax burden. This initiative will do just the opposite. People are moving out of high-tax states and they won’t be coming to Arizona. Only California, Oregon, Minnesota and Hawaii will have a higher tax rate and they are losing population as we will be.

Jean McGrath, Sun City

Sponsored by Arizona Free Enterprise Club

Once again, the voters are being asked to support a ballot initiative that ostensibly provides money to improve education for Arizona school children. However, nothing in this poorly drafted measure actually provides reforms to improve the level of student performance.

From an economic standpoint, essentially doubling Arizona's income tax rate to 9% by adding a 3.5% surcharge on higher-income individuals and small businesses will stifle Arizona's on-going recovery and drive potential investors to other states with lower rates. Additionally, if passed Prop 208 will permanently lock in this onerous rate, making it virtually impossible to rescind in the future.

In conclusion, this ill-advised proposal is poorly crafted and written, full of loopholes regarding how the money is spent and imposes an undue tax burden on Arizona's successful individuals and small business owners. All in all, this proposed initiative deserves to be soundly rejected by voters. The power to tax is the power to destroy!

Paul Rowe, Scottsdale

Sponsored by Arizona Free Enterprise Club

The main proponents of this reform is the National Education Association.

Seven states have no state income tax at all.

Highly skilled people are leaving states with high-taxes for low-tax states.

Since the NEA has failed in its mission and have been surpassed by many local charter schools, they should not be catered to.

For these reasons I am against Prop 208.

Robert DeSio, Phoenix

Sponsored by Arizona Free Enterprise Club

ARGUMENT AGAINST INVEST IN EDUCATION (Proposition 208)

On behalf of *invisionAZ*, a non-profit organization dedicated to supporting Arizona's tech and innovation community, we strongly urge you to vote no on Proposition 208.

invisionAZ is committed to supporting public policy that allows technology, innovation and capital investment to flourish in Arizona. We support a robust education system that will help technology to grow in Arizona. And we support putting more resources into our state's education system. However, we strongly believe that Proposition 208 is not the right way to accomplish this goal.

We believe that the passage of Proposition 208 will have a disastrous and negative impact on the state and will negatively impact technology companies and entrepreneurs. We believe this proposition will severely limit opportunities for future growth. It will put us at a competitive disadvantage for business attraction and severely hurt our recovery as we continue to rebuild from the impacts of the pandemic.

Arizona's thriving tech economy is no accident. It is the result of sound public policy decisions, the passage of innovation-friendly regulations and an entrepreneurial spirit that has led to sustained job growth.

If Proposition 208 passes, it will have a negative impact on our economy, effectively rolling back years of advancement and economic gain.

We urge you to Vote NO on Proposition 208.

Sincerely,

John Ragan, Chief Executive Officer, invisionAZ, Phoenix

John Ragan, CEO, invisionAZ, Phoenix

This initiative is just as dishonest as the “20% increase for teachers” scam. Do you want to double your tax load? Just move to California--don’t saddle the rest of us with this socialist scheme. This was drafted by radical special interest groups and labor unions. Just look at what California has turned into. The trailer rental companies are having a hard time getting California migrants’ trailers back to CA for the next wave. It’s poorly written, full of loopholes and empty promises. It’s a blank check with our names on the bottom line.

Robert Stannard II, Phoenix
Sponsored by Arizona Free Enterprise Club

Be careful what you wish for! On the surface this proposition may sound reasonable but stripping away the surface we see the devastation it will cause. Prop 208 will double the income tax rate which can never be changed, and its main victim is Small Business. Small businesses are mainly L.L.C.s which means their income is passed through to the owners whose tax rate will go from 4.9% to a whopping 9% by adding a 3.5% surcharge and making Arizona the fifth highest income tax rate in the country. It will kill Small Businesses in our state. This is a very bad idea. Vote NO on Prop 208.

Wesley Harris, Phoenix
Sponsored by Arizona Free Enterprise Club

The teachers just had a 30 percent salary increase the state said they will pay. If this additional money is collected it will just be spent by the school bureaucrats who have a history of high grade in spending money and a low grade in seeing that kids get a good education.
Let’s see results of the 30 percent before we invest in the same group.

Frank Listner, Mesa
Sponsored by Arizona Free Enterprise Club

It is frustrating that this push for a historic income tax increase relies on voters not being informed about what they’re voting for. Prop 208 takes a complex problem and makes it more complex by committing future taxpayers in perpetuity to fund education without a corresponding commitment to results and accountability.

Is it too much to ask that the people pushing this initiative would at least try to address the concerns raised by small business owners and K-12 supporters about Prop 208? Instead, what we get is a complicated nine-page initiative that will do nothing to improve our educational system.

Before locking Arizona into a permanent tax increase that cannot be changed, please read the fine print. The backers of Prop 208 hope that their campaign of emotional appeals and class warfare soundbites will carry the day. I urge everyone to educate themselves about Prop 208 and vote NO.

Steve Hetsler, Gold Canyon
Sponsored by Arizona Free Enterprise Club

By passing this would create major business problems for our state. It will put many small businesses that thrive in the state out of business. By locking in the income tax at this high rate is insane. This would also put a stop for new small business coming into our state. We are known as a state that welcomes new small business to come here. This would put that to a halt. This is backed by secret and radical special groups and labor unions and not by the people. This is not well thought out or written. There is no accountability on the spending of the money. This is not for the good of the people of Arizona

Steven Julian, Avondale

Sponsored by Arizona Free Enterprise Club

I am submitting this argument against Proposition 208 and requesting it be included in the Secretary of State's forthcoming publicity pamphlet. The proposed initiative does not fully disclose the disbursement of the funds nor does it address reforms or accountability from the proposed tax increase. In addition to not requiring that funds be spent in the classroom, it also earmarks funds for non-teacher positions and changes the definition of teachers to include non-teaching staff. While education is important, proposing measures to improve it that adversely affect small business will send the Arizona economy spiraling.

As a small business owner, the proposed tax increase from this initiative could potentially result in employee layoffs since many small businesses such as mine are not in a position to absorb such a costly hit. The gradual recovery from the economic recession will be derailed if this initiative is not stopped or, at the very least, fairly amended. In conclusion, any initiative suggesting that only targeted populations be required to be taxed can be deemed discriminatory and, thus, unconstitutional.

Rachel Leffall, Maricopa

Sponsored by Arizona Free Enterprise Club

I don't mind the idea of more money going to what the initiative says - teachers and students. The problem is it won't go to the ones that need it. The unions and the administration will be the ones who receive it. If the teachers want more money let them get it from their administration or unions. I will not be voting for this initiative.

Catherine Guglielmo, Phoenix

Sponsored by Arizona Free Enterprise Club

I am opposed to the initiative 208 because it will make Arizona income tax the 5th highest in the nation behind California, Hawaii, Oregon and Minnesota. This will cripple small business and drive businesses and families out of the state.

Edna Haws, Mesa

Sponsored by Arizona Free Enterprise Club

Increasing the income tax will have a serious negative impact on individuals and small businesses that cannot afford to pay more in taxes.

We can see that additional taxes are driving people out of California, New York, and other locations. This increase in taxes could even cause a reduction in the amount of taxes collected here in Arizona.

Henry Haws, Mesa

Sponsored by Arizona Free Enterprise Club

I am completely in favor of better funding for our AZ teachers and AZ classrooms. However, Prop 208 does not guarantee that the new tax increases will go to fund teachers and classrooms.

As for these tax increases there is no way to know where the money will go. Because of the wording in the proposition, the money can be diverted to administrators pay increases, school bus drivers or even new furniture in the school offices. There is

no way to track the new tax money or keep the school districts accountable until after the money is wasted.

This new tax increase would make Arizona the 5th most expensive place to locate. For example, higher than New York and higher than Oregon. Also, this tax increase will double the tax rate for Arizonians. This will effectively raise the rate from about 4.6 percent to 9 percent by adding a 3.5% surcharge on high income earners and small businesses. As Arizona leaders are working hard to bring new high paying jobs to Arizona, this new tax will chase away established businesses from staying and new businesses from coming here.

A solution is needed – Prop 208 is not the answer. VOTE NO ON PROP 208.

Patrick Tucker, Mesa

Sponsored by Arizona Free Enterprise Club

I moved here from New York to escape high taxes, I don't want Arizona to have the highest tax rate in the country as it will chase residents to states like Texas and Florida where there is no income tax which gives residents more of their money to spend in the community. It will also deeply affect small businesses in our State who are still struggling with COVID-19. Additionally, there is no guarantee how the money will be spent. I hope Arizonans do not move forward with this initiative!

Gayla Coletto, Scottsdale

Sponsored by Arizona Free Enterprise Club

I've lived in Arizona 15 years and am an active voter in support of education. I come from a state with one of the highest ratings in public school education and which has a relatively low tax rate. Arizona is indeed behind in public education; but we've seen over and over again that whenever we vote for more dollars for education; the money magically disappears and is never available for classrooms.

When you read this ballot initiative take note that there is no specific direction as to who and where the money goes Once again, we the citizens will pay for another pot of money which will be spent heaven knows where and the kids will still be left behind. Our schools, teachers and kids deserve accountability! Demand better and don't fall for this Tax increase. The governor has promised a 20% raise to teachers, I think we should see just how the Governor's current promise plays out before we grant access to our pocketbooks for additional money. Take note that this initiative is for a permanent tax increase.

Dave Kuenzi, Mesa and Sandy Kuenzi, Mesa

Sponsored by Arizona Free Enterprise Club

This tax will put small businesses out of business or leaving the state. Why? Small businesses pay personal income tax rates on profits, as AZ is a "passed through" state, it passes through to the individual side. This means they have less to reinvest in their businesses, hire employees, expand, etc. Whereas larger corporations are paying almost half the rate, resulting in a huge competitive advantage. Furthermore, if this proposition gets passed, it is permanent, only changeable by a 3/4 majority vote of the legislature, which makes any change in the law virtually impossible. Therefore, if proven true and small businesses start to disappear in AZ, it will be too late.

Eileen Danko, Fountain Hills

Sponsored by Arizona Free Enterprise Club

Keep Arizona Growing! – Vote Against Prop 208

Proposition 208 will drive small business owners out of Arizona and keep larger corporations from setting up headquarters/operations in our great state.

As a former corporate executive, I have been part of the decision-making process on where to set up new operations and service centers. A key variable in selecting a location was the current and future tax environment.

States with high taxes or recent tax activism on individuals or businesses

are to be avoided. Why? Tax activism creates future cost uncertainties which are beyond the control of the company. This risk affects the companies' competitiveness with firms in low tax states and makes it difficult to attract hi-tech/skill talent.

Four years ago, I left my corporate role to start up a consulting company in Arizona. As a small, locally owned, two-person LLC I find it incredible that I may have to pay 5% more taxes than large out of state consulting firms (9% versus 4.6%). This will impact my ability to compete and reduce my incentive to hire Arizona staff.

Why would anyone in a professional services role (ie attorneys, doctors, accountants) or new entrepreneurs want to set up a business in Arizona if they get punished for growing and success makes them less competitive to big corporations based outside of our state.

The path to addressing our education issues is not a punitive tax that hurts our citizens and handicaps my (our) children's ability to work and thrive in Arizona.

Bill Luhrs, Scottsdale

Sponsored by Arizona Free Enterprise Club

I was born and raised in Arizona, attended our public schools and am the daughter of a retired public school teacher. As Arizona State Treasurer, I will distribute \$358 million to K-12 public schools this year from land endowment investments. That's up from the \$342 million distributed last year, on top of state general funds. Increasing education funding is one of my highest priorities, but we don't need to raise taxes to accomplish this goal, particularly now.

Arizona must get back to an economic road to recovery from a global pandemic that has affected small business owners who are contemplating closing their doors. Proponents will try to paint those who will pay this new tax as faceless big box businesses. However, those most negatively impacted by this tax increase are "Mom and Pop" store owners, many of whom opened their shops to achieve the American Dream. These small business owners are the backbone of Arizona's economy.

Small businesses have led Arizona's economy as one of the strongest in the nation. If this initiative passes, many small businesses will see an increase in taxes of 3.5%, severely impacting their ability to recover from the pandemic and limiting future growth. I come from a family line of "Mom and Pop" shop owners, so I know how hard they work to succeed, and the negative impact this tax would have on them. Arizona would become a substantially less friendly place to locate a business and create jobs.

Increasing education funding is critical, and I'm proud to be doing my part, but to significantly increase taxes on small businesses in a time when they are just beginning to recover is not part of a long-term, successful strategy to improve education in Arizona.

Kimberly Yee, Treasurer, State of Arizona, Phoenix

Sponsored by Arizonans for Great Schools and a Strong Economy

Take it from an economist and small businessperson: Vote NO on Proposition 208.

I'm an economist who has documented numerous policy reforms over the last decade that have resulted in Arizona having one of the nation's strongest economies. I've seen how Arizona has taken smart, prudent steps to attract new jobs and meet its core responsibilities like K-12 education. Thanks to Arizona's economic growth, average statewide teacher pay increased 20% over the last three years.

I'm also a small businessperson. I've seen how the pandemic has hurt job creation, caused unemployment to spike, and put our economy into a coma.

If Proposition 208 passes, things will go from bad to worse.

Proposition 208 establishes a new tax surcharge on small businesses. It's a tax on productivity and on our recovery.

Proposition 208’s proponents claim that only big earners will get hit with the tax. What they don’t say is that small businesses pay their taxes on the individual portion of the tax code. It’s the little guy who gets hurt when income taxes jump a whopping 77.7%.

With an economy already struggling, a massive tax increase will only depress our recovery. When the economy is healthy, there are more resources for public services, cops and firefighters, and teachers. But when we harm our economy with policies like

Proposition 208, future teacher pay raises become less likely.

If Proposition 208 passes, state law makes changing it nearly impossible, risking permanent damage.

We should work to help the Arizona economy rebound and do more for teachers. But Proposition 208 is the wrong answer. Let’s come back stronger, not weaker. I urge you to vote NO.

Jim Rounds, President, Rounds Consulting Group, Tempe
Sponsored by Arizonans for Great Schools and a Strong Economy

Vote NO on Proposition 208: It will hurt schools and our economy.

Some of my proudest votes during my time as a state senator have been for budgets that increased funding for our K-12 education system, including an average statewide pay increase for teachers of 20%. In fact, since 2015 I’ve supported budgets and policies that have increased K-12 education funding by a cumulative \$6.4 billion.

How has such a significant investment in K-12 been possible? A thriving economy has produced the revenues necessary to meet Arizona’s core responsibilities, including preparing its young people for tomorrow’s jobs.

If Proposition 208 passes, however, all that progress will be lost, and growing our economy—already hamstrung by a global pandemic—will become even more difficult.

That’s because Proposition 208 targets small businesses through nearly doubling an income tax rate. Small businesses, many of which have seen their operations dramatically disrupted due to the pandemic and are struggling just to survive, now will be slapped with a huge tax increase. The timing couldn’t be worse. When employers should be reopening and bringing workers back on to the job, they will instead be paying the tax man.

We’ve made tremendous progress to adequately fund K-12 and raise teacher pay, but we know more needs to be done. We’ll need a healthy economy to do it.

Proposition 208 will result in a huge drag on the overall economy. If we can’t grow the economy, we can’t invest in schools and raise teacher pay.

I urge Arizona voters to reject this risky plan and vote NO on Proposition 208.

Vince Leach, Senator, Arizona Senate, Tucson
Sponsored by Arizonans for Great Schools and a Strong Economy

As legislators, education funding has been our top priority. Since 2015, the Legislature has authorized \$6.4 billion in cumulative new funding for K-12 education, including a 20% pay increase for Arizona’s teachers. We recognize the importance of preparing Arizona students for their future and have taken action to implement policies and funding to improve Arizona’s education system and increase teacher pay.

In March, as the pandemic hit, we took swift action to pass a responsible state budget that continued our strong commitment to K-12 education funding, which, for this year alone included:

- \$175 million for the third installment for the 20% teacher pay increase, bringing the total commitment to \$645 million in permanent funding for a 20% increase for average teacher pay.
- \$67 million in accelerated flexible funding for schools
- \$118 million in school building renewal for repairs and maintenance

But we're also small business owners. We know firsthand the challenges the COVID-19 pandemic has had on businesses and the devastating impact Prop 208 will have, if passed. Prop 208, will impact tens of thousands of Arizona small businesses, through a near doubling of Arizona's income tax rate.

The billions of dollars for K-12 education funding was possible because of Arizona's strong economy. We are committed to policies that aim to rebuild Arizona's strong economy and prioritize education funding. Prop 208 will significantly hurt our ability to grow Arizona's economy and further cripple small business owners already struggling because of the pandemic.

We know more is needed, but this is not the right solution.

We urge you to vote no on Prop 208.

Karen Fann, President, Arizona Senate, Prescott; Sine Kerr, Senator, Arizona Senate, Buckeye; and Thomas J. Shope, Representative, Arizona House of Representatives, Coolidge
Sponsored by Arizonans for Great Schools and a Strong Economy

The Green Valley Sahuarita Chamber of Commerce opposes Proposition 208. This failed reboot from two years ago could not come at a worse time as businesses are struggling from the COVID-19 pandemic and shutdown.

The drafters of the proposal have not taken the following into consideration:

- Most small businesses are structured in a way that their business income is a pass-through and declared as personal income.
- Higher tax rates change behavior. Moving Arizona into the top 10 highest income tax rate states in the country, and taxing successful small businesses, will discourage economic growth and those considering starting a new businesses or moving existing ones here.
- As corporate tax rates are not affected, small businesses that fall into these new tax brackets could pay a tax rate twice that of large corporations.
- The Prop 105 Voter Protection Act, passed in 1998, will prevent Arizona's legislature from making any changes to the new tax brackets. Absent flexibility to deal with economic changes, this dangerous aspect of the proposal is a terrible way to set public policy.

It is the Board's contention that if this measure passes and Arizona becomes a state with high personal income tax rates, our economy will suffer as will revenues to support education spending.

Our Board recognizes and supports the need for quality education and the funding required to deliver it. Additionally, the Green Valley Sahuarita Chamber Foundation provides higher education scholarships for local deserving students as one way in which we are supporting our local education community.

Our membership, 400 members strong, and the entire community prospers with a strong education system and we are committed to working with our local school districts to make that happen. We are committed to doing more for education, but Prop 208 is not the answer.

Randy Graf, President & CEO, Green Valley Sahuarita Chamber of Commerce, Green Valley
Sponsored by Arizonans for Great Schools and a Strong Economy

A quality education is a critical mechanism for socioeconomic advancement among aspiring individuals and an important driver for upper economic mobility in our society. In addition, a well-educated workforce is vital to the state’s long term economic health. Arizona companies both large and small are demanding a highly skilled workforce to meet the demands of today’s increasingly competitive global economy.

For decades, technologic advances have increasingly allowed simpler, repetitive tasks to be done more cheaply and safely by machines. And like the technological change, globalization has reinforced the shift away from lower-skilled jobs that require less education to higher-skilled jobs that require a technical and/or college degree. The jobs that globalization creates in Arizona, serving a global economy, are more likely to be filled by those who have secured a quality education.

With the demand for a highly skilled and highly educated workforce at an all-time high, it is now more critical than ever that Arizona invest in its educational institutions. As the global community begins the process of repairing the massive labor market damage caused by the novel coronavirus, Arizona policymakers must develop a successful plan that bolsters the productivity and resilience of our economy. Arizona must commit to a big pragmatic forward looking investment in our educational institutions and foster a workforce that has the skills to be innovators, entrepreneurs, and job creators.

Unfortunately, Prop 208 is neither a sustainable nor a wise path for Arizona. Imposing an uncompetitive personal income tax on high-wage earners would severely hamper the innovative spirit and the Arizona’s economic dynamism and more importantly would put Arizona at a severe disadvantage in trying to attract job creators.

The Arizona Bankers Association strongly urges you to vote NO on Prop. 208

Paul Hickman, President & CEO, Arizona Bankers Association, Phoenix

BALLOT FORMAT

PROPOSITION 208

PROPOSED BY INITIATIVE PETITION RELATING TO EDUCATION FUNDING

OFFICIAL TITLE

AMENDING TITLE 15, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 10.1; AMENDING SECTION 15-1655, ARIZONA REVISED STATUTES; AMENDING TITLE 43, CHAPTER 10, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 43-1013; RELATING TO EDUCATION FUNDING.

DESCRIPTIVE TITLE

THE LAW WOULD IMPOSE A 3.5% TAX SURCHARGE ON TAXABLE ANNUAL INCOME OVER \$250,000 FOR SINGLE PERSONS OR MARRIED PERSONS FILING SEPARATELY, OR \$500,000 FOR MARRIED PERSONS FILING JOINTLY OR HEADS OF HOUSEHOLDS, TO INCREASE FUNDING FOR PUBLIC EDUCATION.

<p>A “YES” vote shall have the effect of imposing a 3.5% income tax surcharge, in addition to existing income tax rates, on taxable annual income over \$250,000 for single persons or married persons filing separately, or \$500,000 for married persons filing jointly or heads of households, to provide additional funds for public education; creating a new fund to direct the additional revenue to hiring and increasing salaries for teachers and other non-administrative support personnel, career training and higher education pathway programs for high school students, and the Arizona Teachers Academy; and increasing the dollar amount of scholarships available through the Arizona Teachers Academy.</p>	<p>YES <input type="checkbox"/></p>
<p>A “NO” vote shall have the effect of retaining existing law on income tax rates and funding for public education.</p>	<p>NO <input type="checkbox"/></p>

208

BALLOT FORMAT PROPOSITION 208



The 2020 AZVoteSafe Guide

Recommendations for Arizona Voters

VOTE BY MAIL

Arizona has a proud history of secure and reliable voting by mail. Most Arizonans already vote by mail, allowing them to fill out their ballot from the comfort and safety of their home and then mail it back or drop it off at any drop-box or voting location in their county. Due to COVID-19, the Centers for Disease Control and Prevention, Arizona Department of Health Services, and state and county election officials recommend voting by mail, if possible. Voting by mail will minimize direct contact with others and help reduce crowd size at polling places.

Visit azsos.gov/votebymail to learn how to get a ballot-by-mail and ensure you have a secure, reliable, and safe option for voting in this year's elections.

VOTE EARLY

If voting by mail is not an option (e.g., due to lack of access to mail services or the need for language assistance or accommodations), voters are encouraged to vote early in-person, when crowds tend to be smaller and exposure to other people is reduced. Arizona has a generous early voting period that starts 27 days before the election. Contact your [County Recorder's Office](#) for details on early voting locations and days/hours of operation. In-person early voters are encouraged to follow the same safety precautions as Election Day voters detailed below.

VOTE SAFELY ON ELECTION DAY

To facilitate safe in-person voting despite the challenges posed by COVID-19, state and county election officials are taking extra precautions to maximize the safety of voting locations, including by stocking polling places with disinfection and sanitation supplies, providing personal protective equipment to poll workers, implementing physical distancing protocols, and increasing curbside voting and ballot drop-off options.

In addition, voters who vote on Election Day should take the following precautions to keep themselves, other voters, and poll workers safe.

- **Come prepared.** Review and mark a sample ballot so you can vote quickly and minimize the time you need to spend at the voting location.
- **Wear a face covering.** If it can be safely managed, wear a cloth face covering when you go to vote to help protect those around you.
- **Bring your own pen.** Bring your own pen to the voting location to minimize contact with surfaces others may have touched. Some voting locations may have single-use pens available, but bringing your own pen will help keep you safe and minimize waste.
- **Maintain physical distancing.** Stay at least 6 feet away from other voters and poll workers whenever possible (except for caregivers and members of the same household).
- **Wash your hands.** Wash your hands with soap and water (for at least 20 seconds) before and after voting. If hand washing facilities are not readily available, use hand sanitizer with at least 60% alcohol.
- **Don't touch your face.** Avoid touching your eyes, nose, and mouth with unwashed hands.

Questions? Visit [Arizona.Vote](https://arizona.vote) or contact the Secretary of State's Office at 1-877-THE-VOTE.

ARIZONA VOTER REGISTRATION FORM

FORMA DE REGISTRO ELECTORAL EN ARIZONA

FILL OUT COMPLETELY WITH A BLACK/BLUE PEN (STARRED BOXES ARE REQUIRED). TO BE ELIGIBLE TO VOTE A "FULL BALLOT," COMPLETE BOX 9, 10 OR 11 OR PROVIDE OTHER PROOF OF CITIZENSHIP - SEE BACK FOR DETAILS AND ADDITIONAL INSTRUCTIONS.

LLENE COMPLETAMENTE CON PLUMA DE TINTA NEGRA/AZUL (CAJAS CON UN ASTERISCO SON OBLIGATORIOS). PARA VOTAR EN UNA "BOLETA ELECTORAL COMPLETA," LLENE LA CASILLA 9, 10 U 11 O INCLUYA OTRA PRUEBA DE CIUDADANÍA - VEA LOS DETALLES EN EL REVERSO.

1	Permanent Early Voting List (PEVL) / Lista Permanente de Votación Temprana Receive your early ballot by mail! / ¡Reciba su boleta de votación temprana por correo!		REGISTER ONLINE / REGÍSTRESE EN LÍNEA: WWW.SERVICEARIZONA.COM FOR MORE INFORMATION / PARA MÁS INFORMACIÓN: WWW.AZSOS.GOV		
	<input type="checkbox"/> Yes, I want to be added to PEVL and automatically get an early ballot by mail for every election for which I am eligible. (To be on PEVL, your mailing address in Box 7 must be in Arizona.) <i>Si. Quiero que me agreguen a la lista PEVL y recibir automáticamente una boleta de votación temprana por correo para cada elección. (Para estar en la lista, su dirección postal en la casilla 7 debe estar en Arizona.)</i>		BOX FOR OFFICE USE ONLY ÁREA SÓLO PARA EL USO DE LA OFICINA S 00		
	<input type="checkbox"/> No, I do not want to be added to PEVL. I understand CHECKING THIS BOX will remove my name from PEVL if it was previously included. / No. No quiero que me agreguen a la lista PEVL. Yo entiendo que al MARCAR ESTA CASILLA removerán mi nombre de la lista PEVL si estaba incluido antes.				
2 *	Last Name / Apellido	First Name / Nombre	Middle Name / Segundo Nombre	Jr./Sr./III	
3 *	Residential Address (where you live – no P.O. Box/business address) / Domicilio Residencial (donde usted vive – no use un apartado postal ni dirección comercial) If no street address, describe location using mileage, cross streets, parcel #, subdivision name/lot, or landmarks. Draw a map and/or provide latitude/longitude or geocode in Box 23 if located in a rural area without a traditional street address. / Si no cuenta con un domicilio de calle, describa la ubicación usando millaje, cruces de calles, núm. de parcela, nombre de lote/ subdivisión, o detalles específicos de referencia. Dibuje un mapa y/o provea la latitud/longitud o código geográfico en la casilla 23 si está ubicado en un área rural sin domicilio tradicional de calles.				
4 *	Apt./Unit/Space Apto/Unidad/Espacio	5 *	City / Ciudad	6 *	Zip / Código Postal
7	Mailing Address (where you get mail, if not delivered to residential address) / Dirección Postal (<u>donde recibe su correo</u> , si su correo no es entregado a su domicilio residencial)				
8	Last 4 Digits of Social Security # Últimos 4 Dígitos del Núm. de Seguro Social XXX - XX - _ _ _ _	9	AZ Driver License or Nonoperating License # / Núm. de Licencia de Manejo o Tarjeta de Identificación de Arizona	10	Tribal ID # Núm. de Identificación Tribal
11	Alien Registration, Naturalization Certificate, or Citizenship Certificate # / Núm. de Registro de Extranjero, Certificado de Naturalización o de Ciudadanía	12 *	Birth Date (MM/DD/YYYY) Fecha de Nacimiento (MM/DD/AAAA)	13	State or Country of Birth Estado o País de Nacimiento
14	Party Preference / Preferencia de Partido <input type="checkbox"/> Republican / Republicano <input type="checkbox"/> Democratic / Demócrata <input type="checkbox"/> Other / Otro _____ <input type="checkbox"/> None or No Party / Ningún Partido	15	Telephone Number Número de Teléfono Is this a cellphone? <input type="checkbox"/> Yes/Si <input type="checkbox"/> No ¿Es este un número de celular?	16	Occupation / Ocupación
17	If you were registered to vote in another state, list former address (including county and state) Si usted estaba registrado/a para votar en otro estado, anote el domicilio previo (incluyendo el condado y el estado)		18	Former Name(s) (if applicable) Nombre/s Previo/s (si se aplica)	
19	Father's Name or Mother's Maiden Name Nombre de su padre/nombre de soltera de su madre	20	Are you willing to work at a polling place on Election Day? / ¿Está dispuesto/a a trabajar en un lugar de votación el Día de la Elección? <input type="checkbox"/> Yes/Si <input type="checkbox"/> No	21	E-Mail / Correo Electrónico
22 *	Are you a citizen of the United States of America? <input type="checkbox"/> Yes/Si <input type="checkbox"/> No ¿Es usted ciudadano/a de los Estados Unidos de América? Will you be at least 18 years old by Election Day? <input type="checkbox"/> Yes/Si <input type="checkbox"/> No ¿Tendrá al menos 18 años de edad en el Día de la Elección? If you checked "No" to either of these questions, DO NOT submit this form. Si marcó "No" a cualquiera de estas preguntas, NO presente este forma.		23	If no street address, draw a map and/or provide the latitude/longitude or geocode here / Si no tiene domicilio de calle, dibuje un mapa y/o provea la latitud/longitud o código geográfico aquí <div style="text-align: center;"> N W/O _____ E S </div>	
	VOTER DECLARATION – By signing below, I swear or affirm that the above information is true, that I am a RESIDENT of Arizona, I have NOT been convicted of a FELONY (or my civil rights have been restored - see back for details), and I have NOT been adjudicated INCAPACITATED with my voting rights revoked. DECLARACIÓN DEL/LA VOTANTE – Al firmar abajo, yo juro o afirmo que la información anterior es verdadera, que soy RESIDENTE de Arizona, que NO se me ha condenado por un DELITO GRAVE (o que mis derechos civiles han sido restituidos - vea en el reverso los detalles), y que no se me ha dictaminado INCAPACITADO/A con mis derechos electorales revocados.				
	SIGNATURE / FIRMA		DATE / FECHA		
24	If you are unable to complete or sign the form, the form can be completed at your direction. The person who assisted you must sign here. Si usted no puede completar o firmar la forma, ésta se puede llenar según sus instrucciones. La persona que le ayudó a hacerlo debe firmar aquí.				
	SIGNATURE OF PERSON ASSISTING / FIRMA DE LA PERSONA QUE LE AYUDÓ			DATE / FECHA	



VOTER REGISTRATION INFORMATION

Use this form to register to vote in Arizona or update your voter registration. You must update your registration whenever you move, change your name, or change your political party affiliation. Call your County Recorder's office (listed below) with any questions about voter registration.

TO REGISTER TO VOTE IN ARIZONA YOU MUST BE:

- A U.S. citizen (proof of citizenship required to vote a "full ballot")
- A resident of Arizona and the county listed on your registration
- 18 years of age or more by the next regular General Election

YOU CANNOT REGISTER TO VOTE IN ARIZONA IF:

- You have been found mentally incapacitated by a court and your voting rights were not preserved; or
- You have been convicted of a felony and have not had your civil rights restored. Civil rights are automatically restored if you have only one felony conviction, completed your sentence, parole, or probation, and paid any victim restitution.

You can register to vote if you have only misdemeanor convictions or you are in pretrial detention and are otherwise eligible.

GENERAL INFORMATION

- Register online at www.servicearizona.com, or mail or take your completed, signed form to your County Recorder (available at azsos.gov/county-election-info or on page 12 of this pamphlet) or person designated to receive registration forms. Keep this copy as your receipt. The County Recorder will send you a confirmation of registration within 4-6 weeks.
- Fill in your political party preference in Box 14. If you leave this box blank as a first-time registrant, your party will be none or "No Party Designated." If you are already registered and you leave this box blank, you will keep your prior party preference. If you pick "Other," write the full name of your preferred party on the line provided.

REGISTRATION DEADLINE

- You must register at least 29 days before the election (or the next business day if that deadline falls on a holiday) to vote in that election.
- If returned by mail, the registration must be: (1) postmarked by the deadline and received by the County Recorder by 7:00 p.m. on Election Day; or (2) dated on or before the deadline and received by the County Recorder no later than 5 days after the deadline.

PROOF OF CITIZENSHIP REQUIREMENT

To be eligible to vote a "full ballot," you must submit proof of citizenship with your registration form or by 5:00 p.m. on the Thursday before Election Day. A "full ballot" includes all federal, state, county, and local races and ballot questions for which you are eligible to vote. If you do not submit proof of citizenship and we cannot acquire your proof of citizenship from the Arizona Motor Vehicle Division or the statewide voter registration database, you will receive a "federal-only" ballot, which has only federal races and no state, county, or local races or initiatives/referendums. You don't need to resubmit proof of citizenship if you previously registered to vote in Arizona and submitted citizenship proof, and are using this form to update your name, party affiliation, or address after moving within the state.

VALID FORMS OF PROOF OF CITIZENSHIP

If you have an Arizona driver's license or non-operating license issued after October 1, 1996, write the number in Box 9. This will serve as proof of citizenship and no additional documents are needed. However, if your license was issued when you were not a U.S. citizen but you later became a U.S. citizen, complete Box 11 or provide another form of proof of citizenship.

Other acceptable proof of citizenship (only one is needed):

- Legible copy of a birth certificate that verifies citizenship. If the name on the birth certificate is not the same as your current legal name, submit supporting documents (e.g. marriage certificate).
- Legible copy of the pertinent pages of your passport
- Presentation to the County Recorder of U.S. naturalization documents, or Alien Registration Number, Naturalization Certificate Number, or Citizenship Certificate Number (Box 11)
- Indian Census Number, Bureau of Indian Affairs Number, Tribal Treaty Card Number, or Tribal Enrollment Number (Box 10)
- Legible copy of your Tribal Certificate of Indian Blood or Tribal or Bureau of Indian Affairs Affidavit of Birth

Do not send original documents. Make a printed copy of proof of citizenship and mail it with your completed registration form to your County Recorder. Visit www.azsos.gov if you have questions about proof of citizenship.

ADDITIONAL INFORMATION

- Don't forget to sign and date your voter registration form.
- Mail your completed and signed registration form to your County Recorder's mailing address (available at azsos.gov/county-election-info or on page 12 of this pamphlet)
- The location where you submit your registration form or, if you decide not to register to vote, your decision not to register will be kept confidential.
- Citizens with disabilities may contact their County Recorder or Elections Department about early or accessible voting, and other accommodations.
- WARNING: Executing a false registration is a class 6 felony.

Questions? | ¿Preguntas?
1-877-THE VOTE
elections@azsos.gov

INFORMACIÓN DE REGISTRO ELECTORAL

Use esta forma para registrarse para votar en Arizona o actualizar su registro. Usted debe actualizar su registro cada vez que se muda, cambie su nombre, o cambie su afiliación de partido político. Llame al Registrador de su Condado (lista abajo) con cualquier pregunta sobre el registro electoral.

PARA REGISTRARSE PARA VOTAR EN ARIZONA DEBE:

- Ser ciudadano/a de EUA (requiere prueba para usar la "boleta completa")
- Ser residente de Arizona y del condado listado en su registro
- Tener 18 años de edad o más en o antes de la próxima Elección General

USTED NO PUEDE REGISTRARSE PARA VOTAR EN ARIZONA SI:

- Una corte dictaminó que usted está incapacitado/a y no se conservaron sus derechos de voto; o
- A usted se le ha condenado por un delito grave y no se le han restaurado sus derechos civiles. Los derechos civiles se restauran automáticamente si usted sólo tiene una condena por un delito grave, ha completado su sentencia, libertad condicional, o régimen probatorio, y ha pagado cualquier restitución.

Puede registrarse si sólo tiene condenas por delitos menores o está detenido/a antes del juicio y es elegible para votar al cumplir con los otros requisitos.

INFORMACIÓN GENERAL

- Regístrese en línea en www.servicearizona.com, o envíe por correo o lleve su forma de registro llenada y firmada al Registrador de su Condado (está disponible en azsos.gov/county-election-info o en la página 12 de este folleto) o a una persona designada para recibir dichas formas. Conserve esta copia como su recibo. El Registrador le enviará a usted una confirmación dentro de 4-6 semanas.
- Llene su preferencia de partido político en la Casilla 14. Si la deja en blanco al registrarse por primera vez, su partido será ninguno o "Ningún Partido Designado." Si deja esta casilla en blanco y ya se había registrado en el estado, se mantendrá su preferencia de partido político anterior. Si elige "Otro," escriba el nombre completo de su partido de preferencia en la línea provista.

FECHA LÍMITE PARA EL REGISTRO

- Para ser elegible para votar en una elección, se debe inscribir por lo menos 29 días antes de la elección (o al siguiente día hábil si la fecha límite cae en un día festivo reconocido por el estado).
- Si envía por correo, la forma debe ser: (1) estampada en/antes de la fecha límite de registro y el Registrador del Condado debe recibirla en/antes de las 7:00 p.m. el día de la elección; ó (2) fechada en o antes de la fecha límite y el Registrador debe recibirla no más de 5 días después de la fecha límite.

REQUISITO DE PRUEBA DA CIUDADANÍA

Para votar usando la "boleta electoral completa," debe presentar prueba de ciudadanía con su forma de registro en o antes de las 5:00 p.m. del jueves previo al Día de la Elección. Una "boleta electoral completa" incluye todas las contiendas federales, estatales, del condado y locales y propuestas/referendums para las que usted sea elegible para votar. Si no presenta prueba de ciudadanía y no podemos adquirir dicha prueba de la División de Vehículos Motorizados de Arizona o de la base de datos del registro electoral del estado, recibirá una boleta "sólo federal," que incluye sólo contiendas federales y excluye las del estado, condado, o locales propuestas/referendums. Usted no necesita volver a enviar prueba de ciudadanía si se registró antes en Arizona y presentó dicha prueba, y está usando esta forma para actualizar su nombre, afiliación de partido, o domicilio después de mudarse dentro del estado.

FORMAS VÁLIDAS DE PRUEBA DA CIUDADANÍA

Si usted tiene una licencia de manejo de Arizona o tarjeta de identificación emitida después del 1 de octubre de 1996, anote el número en la Casilla 9. Esto servirá como prueba de ciudadanía y no necesitará documentos adicionales. Pero si su licencia fue emitida cuando no era ciudadano y se convirtió después en ciudadano/a de los Estados Unidos, complete la Casilla 11 ó provea otra forma de prueba de ciudadanía. Otras pruebas aceptables de ciudadanía (sólo necesita una) incluyen:

- Copia legible del certificado de nacimiento que verifique la ciudadanía y documentación legal de apoyo (ejemplo: certificado de matrimonio) si el nombre en el certificado de nacimiento no es igual a su nombre legal actual • Copia legible de las páginas pertinentes de su pasaporte • Presentación de documentos de naturalización de Estados Unidos al Registrador del Condado, o anote su Número de Registro de Extranjero, del Certificado de Naturalización, o del Certificado de Ciudadanía (Casilla 11)
- Anote su Número de Censo Indio, de la Oficina de Asuntos Indios, de la Tarjeta del Tratado Tribal, o de la Inscripción Tribal (Casilla 10)
- Copia legible de su Certificado Tribal de Sangre India o Affidavit de Nacimiento Tribal o de la Oficina de Asuntos Indios

No envíe documentos originales. Haga una copia impresa de la prueba de ciudadanía y envíela por correo con su forma de registro completa al Registrador de su Condado. Visite www.azsos.gov si tiene preguntas sobre pruebas aceptables de ciudadanía.

INFORMACIÓN ADICIONAL

- No olvide firmar y fechar su forma de registro electoral.
- Envíe por correo su formulario de registro completo y firmado a la dirección postal del registrador de su condado (está disponible en azsos.gov/county-election-info o en la página 12 de este folleto)
- El lugar donde sometió su forma de registro y, si decide no registrarse para votar, su decisión de no registrarse, se mantendrán en confidencia.
- Ciudadanos con discapacidades pueden contactar al Registrador del Condado o Depto. de Elecciones sobre la votación temprana o accesible, y otras modificaciones.
- AVISO: La ejecución de un registro electoral falso es un delito grave de clase 6.



ARIZONA VOTER REGISTRATION FORM

FORMA DE REGISTRO ELECTORAL EN ARIZONA

FILL OUT COMPLETELY WITH A BLACK/BLUE PEN (STARRED BOXES ARE REQUIRED). TO BE ELIGIBLE TO VOTE A "FULL BALLOT," COMPLETE BOX 9, 10 OR 11 OR PROVIDE OTHER PROOF OF CITIZENSHIP - SEE BACK FOR DETAILS AND ADDITIONAL INSTRUCTIONS.

LLENE COMPLETAMENTE CON PLUMA DE TINTA NEGRA/AZUL (CAJAS CON UN ASTERISCO SON OBLIGATORIOS). PARA VOTAR EN UNA "BOLETA ELECTORAL COMPLETA," LLENE LA CASILLA 9, 10 U 11 O INCLUYA OTRA PRUEBA DE CIUDADANÍA - VEA LOS DETALLES EN EL REVERSO.

1	Permanent Early Voting List (PEVL) / Lista Permanente de Votación Temprana Receive your early ballot by mail! / ¡Reciba su boleta de votación temprana por correo!		REGISTER ONLINE / REGÍSTRESE EN LÍNEA: WWW.SERVICEARIZONA.COM FOR MORE INFORMATION / PARA MÁS INFORMACIÓN: WWW.AZSOS.GOV	
	<input type="checkbox"/> Yes, I want to be added to PEVL and automatically get an early ballot by mail for every election for which I am eligible. (To be on PEVL, your mailing address in Box 7 must be in Arizona.) <i>Si. Quiero que me agreguen a la lista PEVL y recibir automáticamente una boleta de votación temprana por correo para cada elección. (Para estar en la lista, su dirección postal en la casilla 7 debe estar en Arizona.)</i>		BOX FOR OFFICE USE ONLY ÁREA SÓLO PARA EL USO DE LA OFICINA S 00	
	<input type="checkbox"/> No, I do not want to be added to PEVL. I understand CHECKING THIS BOX will remove my name from PEVL if it was previously included. / <i>No. No quiero que me agreguen a la lista PEVL. Yo entiendo que al MARCAR ESTA CASILLA removerán mi nombre de la lista PEVL si estaba incluido antes.</i>			
2 *	Last Name / Apellido	First Name / Nombre	Middle Name / Segundo Nombre	Jr./Sr./III
3 *	Residential Address (where you live – no P.O. Box/business address) / Domicilio Residencial (donde usted vive – no use un apartado postal ni dirección comercial) If no street address, describe location using mileage, cross streets, parcel #, subdivision name/lot, or landmarks. Draw a map and/or provide latitude/longitude or geocode in Box 23 if located in a rural area without a traditional street address. / <i>Si no cuenta con un domicilio de calle, describa la ubicación usando millaje, cruces de calles, núm. de parcela, nombre de lote/ subdivisión, o detalles específicos de referencia. Dibuje un mapa y/o provea la latitud/longitud o código geográfico en la casilla 23 si está ubicado en un área rural sin domicilio tradicional de calles.</i>			
4 *	Apt./Unit/Space Apto/Unidad/Espacio	5 *	City / Ciudad	6 *
				Zip / Código Postal
7	Mailing Address (where you get mail, if not delivered to residential address) / Dirección Postal (<i>donde recibe su correo, si su correo no es entregado a su domicilio residencial</i>)			
8	Last 4 Digits of Social Security # Últimos 4 Dígitos del Núm. de Seguro Social XXX - XX - _ _ _ _	9	AZ Driver License or Nonoperating License # / Núm. de Licencia de Manejo o Tarjeta de Identificación de Arizona	10
				Tribal ID # Núm. de Identificación Tribal
11	Alien Registration, Naturalization Certificate, or Citizenship Certificate # / Núm. de Registro de Extranjero, Certificado de Naturalización o de Ciudadanía	12 *	Birth Date (MM/DD/YYYY) Fecha de Nacimiento (MM/DD/AAAA)	13
				State or Country of Birth Estado o País de Nacimiento
14	Party Preference / Preferencia de Partido <input type="checkbox"/> Republican / Republicano <input type="checkbox"/> Democratic / Demócrata <input type="checkbox"/> Other / Otro _____ <input type="checkbox"/> None or No Party / Ningún Partido	15	Telephone Number Número de Teléfono Is this a cellphone? <input type="checkbox"/> Yes/Si <input type="checkbox"/> No ¿Es este un número de celular?	16
				Occupation / Ocupación
17	If you were registered to vote in another state, list former address (including county and state) <i>Si usted estaba registrado/a para votar en otro estado, anote el domicilio previo (incluyendo el condado y el estado)</i>		18	Former Name(s) (if applicable) Nombre/s Previo/s (si se aplica)
19	Father's Name or Mother's Maiden Name Nombre de su padre/nombre de soltera de su madre	20	Are you willing to work at a polling place on Election Day? / ¿Está dispuesto/a a trabajar en un lugar de votación el Día de la Elección? <input type="checkbox"/> Yes/Si <input type="checkbox"/> No	21
				E-Mail / Correo Electrónico
22 *	Are you a citizen of the United States of America? <input type="checkbox"/> Yes/Si <input type="checkbox"/> No ¿Es usted ciudadano/a de los Estados Unidos de América?		If you checked "No" to either of these questions, DO NOT submit this form. Si marcó "No" a cualquiera de estas preguntas, NO presente este forma.	
	Will you be at least 18 years old by Election Day? <input type="checkbox"/> Yes/Si <input type="checkbox"/> No ¿Tendrá al menos 18 años de edad en el Día de la Elección?			
	VOTER DECLARATION – By signing below, I swear or affirm that the above information is true, that I am a RESIDENT of Arizona, I have NOT been convicted of a FELONY (or my civil rights have been restored - see back for details), and I have NOT been adjudicated INCAPACITATED with my voting rights revoked. DECLARACIÓN DEL/LA VOTANTE – Al firmar abajo, yo juro o afirmo que la información anterior es verdadera, que soy RESIDENTE de Arizona, que NO se me ha condenado por un DELITO GRAVE (o que mis derechos civiles han sido restituidos - vea en el reverso los detalles), y que no se me ha dictaminado INCAPACITADO/A con mis derechos electorales revocados.		If no street address, draw a map and/or provide the latitude/longitude or geocode here / <i>Si no tiene domicilio de calle, dibuje un mapa y/o provea la latitud/longitud o código geográfico aquí</i> W/O _____ E N S	
	SIGNATURE / FIRMA X			
	DATE / FECHA _____			
24	If you are unable to complete or sign the form, the form can be completed at your direction. The person who assisted you must sign here. Si usted no puede completar o firmar la forma, ésta se puede llenar según sus instrucciones. La persona que le ayudó a hacerlo debe firmar aquí.			
	SIGNATURE OF PERSON ASSISTING / FIRMA DE LA PERSONA QUE LE AYUDÓ		DATE / FECHA	



VOTER REGISTRATION INFORMATION

Use this form to register to vote in Arizona or update your voter registration. You must update your registration whenever you move, change your name, or change your political party affiliation. Call your County Recorder's office (listed below) with any questions about voter registration.

TO REGISTER TO VOTE IN ARIZONA YOU MUST BE:

- A U.S. citizen (proof of citizenship required to vote a "full ballot")
- A resident of Arizona and the county listed on your registration
- 18 years of age or more by the next regular General Election

YOU CANNOT REGISTER TO VOTE IN ARIZONA IF:

- You have been found mentally incapacitated by a court and your voting rights were not preserved; or
- You have been convicted of a felony and have not had your civil rights restored. Civil rights are automatically restored if you have only one felony conviction, completed your sentence, parole, or probation, and paid any victim restitution.

You can register to vote if you have only misdemeanor convictions or you are in pretrial detention and are otherwise eligible.

GENERAL INFORMATION

- Register online at www.servicearizona.com, or mail or take your completed, signed form to your County Recorder (available at azsos.gov/county-election-info or on page 12 of this pamphlet) or person designated to receive registration forms. Keep this copy as your receipt. The County Recorder will send you a confirmation of registration within 4-6 weeks.
- Fill in your political party preference in Box 14. If you leave this box blank as a first-time registrant, your party will be none or "No Party Designated." If you are already registered and you leave this box blank, you will keep your prior party preference. If you pick "Other," write the full name of your preferred party on the line provided.

REGISTRATION DEADLINE

- You must register at least 29 days before the election (or the next business day if that deadline falls on a holiday) to vote in that election.
- If returned by mail, the registration must be: (1) postmarked by the deadline and received by the County Recorder by 7:00 p.m. on Election Day; or (2) dated on or before the deadline and received by the County Recorder no later than 5 days after the deadline.

PROOF OF CITIZENSHIP REQUIREMENT

To be eligible to vote a "full ballot," you must submit proof of citizenship with your registration form or by 5:00 p.m. on the Thursday before Election Day. A "full ballot" includes all federal, state, county, and local races and ballot questions for which you are eligible to vote. If you do not submit proof of citizenship and we cannot acquire your proof of citizenship from the Arizona Motor Vehicle Division or the statewide voter registration database, you will receive a "federal-only" ballot, which has only federal races and no state, county, or local races or initiatives/referendums. You don't need to resubmit proof of citizenship if you previously registered to vote in Arizona and submitted citizenship proof, and are using this form to update your name, party affiliation, or address after moving within the state.

VALID FORMS OF PROOF OF CITIZENSHIP

If you have an Arizona driver's license or non-operating license issued after October 1, 1996, write the number in Box 9. This will serve as proof of citizenship and no additional documents are needed. However, if your license was issued when you were not a U.S. citizen but you later became a U.S. citizen, complete Box 11 or provide another form of proof of citizenship.

Other acceptable proof of citizenship (only one is needed):

- Legible copy of a birth certificate that verifies citizenship. If the name on the birth certificate is not the same as your current legal name, submit supporting documents (e.g. marriage certificate).
- Legible copy of the pertinent pages of your passport
- Presentation to the County Recorder of U.S. naturalization documents, or Alien Registration Number, Naturalization Certificate Number, or Citizenship Certificate Number (Box 11)
- Indian Census Number, Bureau of Indian Affairs Number, Tribal Treaty Card Number, or Tribal Enrollment Number (Box 10)
- Legible copy of your Tribal Certificate of Indian Blood or Tribal or Bureau of Indian Affairs Affidavit of Birth

Do not send original documents. Make a printed copy of proof of citizenship and mail it with your completed registration form to your County Recorder. Visit www.azsos.gov if you have questions about proof of citizenship.

ADDITIONAL INFORMATION

- Don't forget to sign and date your voter registration form.
- Mail your completed and signed registration form to your County Recorder's mailing address (available at azsos.gov/county-election-info or on page 12 of this pamphlet)
- The location where you submit your registration form or, if you decide not to register to vote, your decision not to register will be kept confidential.
- Citizens with disabilities may contact their County Recorder or Elections Department about early or accessible voting, and other accommodations.
- WARNING: Executing a false registration is a class 6 felony.

Questions? | ¿Preguntas?
1-877-THE VOTE
elections@azsos.gov

INFORMACIÓN DE REGISTRO ELECTORAL

Use esta forma para registrarse para votar en Arizona o actualizar su registro. Usted debe actualizar su registro cada vez que se muda, cambie su nombre, o cambie su afiliación de partido político. Llame al Registrador de su Condado (lista abajo) con cualquier pregunta sobre el registro electoral.

PARA REGISTRARSE PARA VOTAR EN ARIZONA DEBE:

- Ser ciudadano/a de EUA (requiere prueba para usar la "boleta completa")
- Ser residente de Arizona y del condado listado en su registro
- Tener 18 años de edad o más en o antes de la próxima Elección General

USTED NO PUEDE REGISTRARSE PARA VOTAR EN ARIZONA SI:

- Una corte dictaminó que usted está incapacitado/a y no se conservaron sus derechos de voto; o
- A usted se le ha condenado por un delito grave y no se le han restaurado sus derechos civiles. Los derechos civiles se restauran automáticamente si usted sólo tiene una condena por un delito grave, ha completado su sentencia, libertad condicional, o régimen probatorio, y ha pagado cualquier restitución.

Puede registrarse si sólo tiene condenas por delitos menores o está detenido/a antes del juicio y es elegible para votar al cumplir con los otros requisitos.

INFORMACIÓN GENERAL

- Regístrese en línea en www.servicearizona.com, o envíe por correo o lleve su forma de registro llenada y firmada al Registrador de su Condado (está disponible en azsos.gov/county-election-info o en la página 12 de este folleto) o a una persona designada para recibir dichas formas. Conserve esta copia como su recibo. El Registrador le enviará a usted una confirmación dentro de 4-6 semanas.
- Llene su preferencia de partido político en la Casilla 14. Si la deja en blanco al registrarse por primera vez, su partido será ninguno o "Ningún Partido Designado." Si deja esta casilla en blanco y ya se había registrado en el estado, se mantendrá su preferencia de partido político anterior. Si elige "Otro," escriba el nombre completo de su partido de preferencia en la línea provista.

FECHA LÍMITE PARA EL REGISTRO

- Para ser elegible para votar en una elección, se debe inscribir por lo menos 29 días antes de la elección (o al siguiente día hábil si la fecha límite cae en un día festivo reconocido por el estado).
- Si envía por correo, la forma debe ser: (1) estampada en/antes de la fecha límite de registro y el Registrador del Condado debe recibirla en/antes de las 7:00 p.m. el día de la elección; ó (2) fechada en o antes de la fecha límite y el Registrador debe recibirla no más de 5 días después de la fecha límite.

REQUISITO DE PRUEBA DA CIUDADANÍA

Para votar usando la "boleta electoral completa," debe presentar prueba de ciudadanía con su forma de registro en o antes de las 5:00 p.m. del jueves previo al Día de la Elección. Una "boleta electoral completa" incluye todas las contiendas federales, estatales, del condado y locales y propuestas/referendums para las que usted sea elegible para votar. Si no presenta prueba de ciudadanía y no podemos adquirir dicha prueba de la División de Vehículos Motorizados de Arizona o de la base de datos del registro electoral del estado, recibirá una boleta "sólo federal," que incluye sólo contiendas federales y excluye las del estado, condado, o locales propuestas/referendums. Usted no necesita volver a enviar prueba de ciudadanía si se registró antes en Arizona y presentó dicha prueba, y está usando esta forma para actualizar su nombre, afiliación de partido, o domicilio después de mudarse dentro del estado.

FORMAS VÁLIDAS DE PRUEBA DA CIUDADANÍA

Si usted tiene una licencia de manejo de Arizona o tarjeta de identificación emitida después del 1 de octubre de 1996, anote el número en la Casilla 9. Esto servirá como prueba de ciudadanía y no necesitará documentos adicionales. Pero si su licencia fue emitida cuando no era ciudadano y se convirtió después en ciudadano/a de los Estados Unidos, complete la Casilla 11 ó provea otra forma de prueba de ciudadanía. Otras pruebas aceptables de ciudadanía (sólo necesita una) incluyen:

- Copia legible del certificado de nacimiento que verifique la ciudadanía y documentación legal de apoyo (ejemplo: certificado de matrimonio) si el nombre en el certificado de nacimiento no es igual a su nombre legal actual • Copia legible de las páginas pertinentes de su pasaporte • Presentación de documentos de naturalización de Estados Unidos al Registrador del Condado, o anote su Número de Registro de Extranjero, del Certificado de Naturalización, o del Certificado de Ciudadanía (Casilla 11)
- Anote su Número de Censo Indio, de la Oficina de Asuntos Indios, de la Tarjeta del Tratado Tribal, o de la Inscripción Tribal (Casilla 10)
- Copia legible de su Certificado Tribal de Sangre India o Affidavit de Nacimiento Tribal o de la Oficina de Asuntos Indios

No envíe documentos originales. Haga una copia impresa de la prueba de ciudadanía y envíela por correo con su forma de registro completa al Registrador de su Condado. Visite www.azsos.gov si tiene preguntas sobre pruebas aceptables de ciudadanía.

INFORMACIÓN ADICIONAL

- No olvide firmar y fechar su forma de registro electoral.
- Envíe por correo su formulario de registro completo y firmado a la dirección postal del registrador de su condado (está disponible en azsos.gov/county-election-info o en la página 12 de este folleto)
- El lugar donde sometió su forma de registro y, si decide no registrarse para votar, su decisión de no registrarse, se mantendrán en confidencia.
- Ciudadanos con discapacidades pueden contactar al Registrador del Condado o Depto. de Elecciones sobre la votación temprana o accesible, y otras modificaciones.
- AVISO: La ejecución de un registro electoral falso es un delito grave de clase 6.





KATIE HOBBS
SECRETARY OF STATE

BALLOT-BY-MAIL & PERMANENT EARLY VOTING LIST REQUEST FORM

FORMULARIO DE SOLICITUD PARA LA BOLETA-POR-CORREO Y LA LISTA PERMANENTE DE VOTACIÓN TEMPRANA



Use this form: (1) to request a ballot-by-mail for the General Election; or (2) to be added to the Permanent Early Voting List (PEVL) and automatically receive a ballot-by-mail for every election for which you are eligible to participate. Complete, sign, and return this form by mail, fax, or email to your County Recorder (contact information: azsos.gov/county-election-info). Your request must be received by **5:00 p.m. on October 23, 2020** to qualify for a ballot-by-mail in the General Election.

Use este formulario: (1) para solicitar una boleta-por-correo para la Elección General; o (2) para ser incluido en la Lista Permanente de Votación Temprana y recibir automáticamente una boleta-por-correo para cada elección la cual usted es elegible para participar. Llene, firme, y devuelva por correo, email, o fax este formulario al Registrador de su Condado (datos de contacto: azsos.gov/county-election-info). Su solicitud debe ser recibida antes de las **5:00 p.m. el 23 de octubre de 2020** para calificar para una boleta-por-correo en la Elección General.

* Starred boxes are required. / Cajas con un asterisco son obligatorios.

*1 I am requesting a ballot for: / Estoy solicitando una boleta para:

Every Election. I authorize the County Recorder to include my name on the PEVL and automatically send me a ballot-by-mail for each election I am eligible for. *Todas las Elecciones. Autorizo al Registrador del Condado a incluir mi nombre en la Lista Permanente de Votación Temprana y a enviarme automáticamente una boleta-por-correo para cada elección para la cual yo sea elegible.*

November 3, 2020 General Election Only *Solamente para la Elección General del 3 de noviembre de 2020*

2 Date / Fecha

3 Phone Number / Número de Teléfono

*4 First and Last Name / Nombre y Apellido

5 Voter ID / Identificación de votante

*6 Residence Address / Domicilio Residencial

7 County of Residence / Condado de Domicilio

8 Mailing Address (if different from residence address) / Dirección Postal (si es diferente a su domicilio)

*9 Date of Birth / Fecha de Nacimiento

10 Email Address / Correo Electrónico

*11 Provide your place of birth, driver's license #, or last 4 digits of SSN# *Proporcione su lugar de nacimiento, # de licencia, o los cuatros dígitos pasados de su # de seguridad social*

12 Check this box if you request the County Recorder **change your residence and mailing address** on your registration record to the ones listed above. / *Marque esta casilla si solicita al Registrador del Condado que **cambie su domicilio y dirección postal** en su registro electoral a los que están enumerados arriba.*

Former address / Dirección anterior

Check this box if you request the County Recorder change your name on your registration record to the one listed above. / *Marque esta casilla si usted solicita que el Registrador de su Condado cambie su nombre en su registro electoral por el que aparece arriba.*

Former name / Nombre anterior

*13 By signing below, I swear or affirm that I am a registered voter in my county of residence and that the above information is true and correct. / *Al firmar abajo, yo juro o afirmo que soy un votante registrado en mi condado de residencia y que la información anterior es verdadera y correcta.*

X

To update your registration
Para actualizar su registro

Questions? / ¿Preguntas? 1-877-THE-VOTE or elections@azsos.gov



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 3, 2020**, to assist you in voting your ballot.

PROPOSITION 207		
Proposed by initiative petition relating to the responsible adult use, regulation and taxation of marijuana	YES <input type="checkbox"/>	NO <input type="checkbox"/>
PROPOSITION 208		
Proposed by initiative petition relating to education funding	YES <input type="checkbox"/>	NO <input type="checkbox"/>

Date of General Election: NOVEMBER 3, 2020

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 - 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





KATIE HOBBS
SECRETARY OF STATE

BALLOT-BY-MAIL & PERMANENT EARLY VOTING LIST REQUEST FORM

FORMULARIO DE SOLICITUD PARA LA BOLETA-POR-CORREO Y LA LISTA PERMANENTE DE VOTACIÓN TEMPRANA



Use this form: (1) to request a ballot-by-mail for the General Election; or (2) to be added to the Permanent Early Voting List (PEVL) and automatically receive a ballot-by-mail for every election for which you are eligible to participate. Complete, sign, and return this form by mail, fax, or email to your County Recorder (contact information: azsos.gov/county-election-info). Your request must be received by **5:00 p.m. on October 23, 2020** to qualify for a ballot-by-mail in the General Election.

Use este formulario: (1) para solicitar una boleta-por-correo para la Elección General; o (2) para ser incluido en la Lista Permanente de Votación Temprana y recibir automáticamente una boleta-por-correo para cada elección la cual usted es elegible para participar. Llene, firme, y devuelva por correo, email, o fax este formulario al Registrador de su Condado (datos de contacto: azsos.gov/county-election-info). Su solicitud debe ser recibida antes de las **5:00 p.m. el 23 de octubre de 2020** para calificar para una boleta-por-correo en la Elección General.

* Starred boxes are required. / Cajas con un asterisco son obligatorios.

*1 I am requesting a ballot for: / Estoy solicitando una boleta para:

Every Election. I authorize the County Recorder to include my name on the PEVL and automatically send me a ballot-by-mail for each election I am eligible for. *Todas las Elecciones. Autorizo al Registrador del Condado a incluir mi nombre en la Lista Permanente de Votación Temprana y a enviarme automáticamente una boleta-por-correo para cada elección para la cual yo sea elegible.*

November 3, 2020 General Election Only *Solamente para la Elección General del 3 de noviembre de 2020*

2 Date / Fecha

3 Phone Number / Número de Teléfono

*4 First and Last Name / Nombre y Apellido

5 Voter ID / Identificación de votante

*6 Residence Address / Domicilio Residencial

7 County of Residence / Condado de Domicilio

8 Mailing Address (if different from residence address) / Dirección Postal (si es diferente a su domicilio)

*9 Date of Birth / Fecha de Nacimiento

10 Email Address / Correo Electrónico

*11 Provide your place of birth, driver's license #, or last 4 digits of SSN *Proporcione su lugar de nacimiento, # de licencia, o los cuatros dígitos pasados de su # de seguridad social*

12 Check this box if you request the County Recorder change your residence and mailing address on your registration record to the ones listed above. / Marque esta casilla si solicita al Registrador del Condado que cambie su domicilio y dirección postal en su registro electoral a los que están enumerados arriba.
Former address / Dirección anterior

Check this box if you request the County Recorder change your name on your registration record to the one listed above. / Marque esta casilla si usted solicita que el Registrador de su Condado cambie su nombre en su registro electoral por el que aparece arriba.
Former name / Nombre anterior

*13 By signing below, I swear or affirm that I am a registered voter in my county of residence and that the above information is true and correct. / Al firmar abajo, yo juro o afirmo que soy un votante registrado en mi condado de residencia y que la información anterior es verdadera y correcta.

X

To update your registration
Para actualizar su registro

Questions? / ¿Preguntas? 1-877-THE-VOTE or elections@azsos.gov



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 3, 2020**, to assist you in voting your ballot.

PROPOSITION 207		
Proposed by initiative petition relating to the responsible adult use, regulation and taxation of marijuana	YES <input type="checkbox"/>	NO <input type="checkbox"/>
PROPOSITION 208		
Proposed by initiative petition relating to education funding	YES <input type="checkbox"/>	NO <input type="checkbox"/>

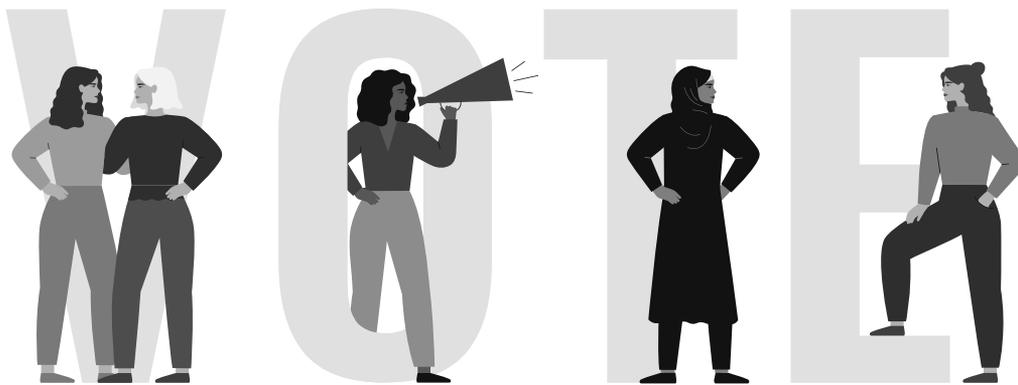
Date of General Election: NOVEMBER 3, 2020

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 - 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



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Arizona Secretary of State Katie Hobbs
 Election Services Division
 1700 West Washington Street, 7th Floor
 Phoenix, Arizona 85007-2808

**GENERAL ELECTION
 PUBLICITY PAMPHLET
 NOVEMBER 3, 2020**

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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.



To registered voters at:

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.

STATE OF ARIZONA
**INSIDE THE
 PUBLICITY PAMPHLET:**

- General Voting Information
- Judicial Performance Review Information
- Ballot Propositions
- Ballot Proposition “For/Against” Arguments

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.



**2020
 ELECTION
 SEASON
 IS HERE.**

Register to vote on or before October 5 at Arizona.Vote.