

**(Against) SCR1034 - Proposition 128 - voter protection act; court determinations**

The League of Women Voters of Arizona strongly opposes this amendment to the Arizona Constitution. The League is dedicated to protecting the constitutional right of citizens to enact laws by preventing legislative action from diminishing or interfering with the will of the people.

In 1998 Arizona voters approved the Voter Protection Act, which amended the Arizona Constitution to protect citizens' rights to enact laws by the initiative process. The Voter Protection Act prohibits the Legislature from amending, appropriating funds from, or superseding initiatives passed by the voters unless such actions “further the purpose” of the measure. Any such changes will require a vote by 3/4 of the state legislature.

The proposed Constitutional amendment will allow the Arizona State Legislature to amend, appropriate funds from, or supersede initiatives if any portion of a citizen’s initiative has been found to contain illegal or unconstitutional language, without the limitation to “further the purpose” of the measure and by a simple majority vote. In other words, rather than amending only illegal or unconstitutional language, the Legislature will have unchecked power to change or supersede citizen initiatives with no limitation and to do so by a simple majority vote rather than the higher threshold of a 3/4 vote. Approving this amendment will allow the Legislature free rein to appropriate or divert funds created by initiative or referendum, with unfettered ability to use the funds for whatever purpose they wish, ignoring the voters' will.

A YES vote for this amendment will allow the Legislature TO SIMPLY DISREGARD THE WILL OF VOTERS by establishing an additional way for the Legislature to supersede a voter-protected act.

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

**Pinny Sheoran, President, League of Women Voters of Arizona, Phoenix**

*Sponsored by League of Women Voters of Arizona*

No matter our color, background, or origin, we all want the freedom to make decisions about the policies that impact our lives. Ballot initiatives are the people's power to exercise that freedom.

For 110 years, Arizonans from all walks of life have used ballot initiatives to propose and enact laws that help our communities. Our legislators have a moral and constitutional responsibility to follow the will of the people as enacted through the ballot initiative process.

But some politicians and wealthy corporations don’t like the decisions we’ve made, so they are trying to rewrite the rules to get their way – no matter what the majority wants. Proposition 128 is yet another attempt by these politicians to block, limit or reverse the will of the people.

Proposition 128 would give politicians the authority to undo or entirely rewrite a ballot initiative that was already approved by voters, if the Arizona Supreme Court interprets any small part of the initiative as unconstitutional. In 1998, voters approved the Voter Protection Act, which prohibits the Arizona State Legislature from amending or repealing voter-approved ballot initiatives and referendums. But under Proposition 128, a few legislators would be able to overturn what the majority decides.

Arizonans won’t be tricked into giving politicians more power. It’s up to us to defend the will of the

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people against politicians who want to rewrite the rules to get their way. We must come together to protect our right to make decisions through the ballot by voting NO on Proposition 128.

**Montserrat Arredondo, Executive Director, One Arizona, Phoenix**

*Sponsored by One Arizona*

My name is Carlos Figueroa. I'm the owner of a small business in southern Arizona, Maiz Tucson.

Owning a small business helps me appreciate the importance of shared solutions to public policy challenges. The long-term growth and success of small businesses like mine depend in part on having a growing and vibrant local economy, an educated and healthy workforce, reliable infrastructure like roads and public transit, and clean air and water.

Since Arizona became a state in 1912, voters have used ballot initiatives to address key challenges like these via direct democracy. But some politicians at the state capitol don't like that voters can set policy through the ballot initiative process.

Instead of respecting the will of the people, it seems that many elected leaders want to change the rules to block voters from using our power to make decisions. That means more policy made through backroom deals and lobbyist influence, and less power for everyday voters to decide on the issues that matter most to us.

Proposition 128 is a perfect example. Under Proposition 128, politicians would be able to undo or entirely rewrite a ballot initiative that had been previously approved by voters, if the Supreme Court interprets any small part of the law as unconstitutional.

Proposition 128 is a confusing, overly complicated and entirely unnecessary measure. The consequences are hard to fully predict, but we know that it will undermine the power of voters and the will of the people.

I will be voting NO on Proposition 128 and I urge you to do the same.

**Carlos Figueroa, Head Tortillero, Maiz Tucson, Tucson**

MWEG supports the Arizona Constitution, specifically the right of the people to referendum and to submit ballot measures through lawful process. Like the U.S. Constitution, the ballot initiative process ensures the Arizona Constitution is a living document, written so that the voice of the people can address emerging issues. This initiative would negate that process by giving more power to the Supreme Court than to the people. This is in direct contrast to the intent of the ballot initiative process. We oppose SCR1034.

**Christie Black, Arizona Chapter Coordinator, Mormon Women for Ethical Government, Mesa and Andrea Messinger Dalton, Arizona Chapter Coordinator, Mormon Women for Ethical Government, Oro Valley**

*Sponsored by Mormon Women for Ethical Government*

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As an organization focused on addressing the problems facing Arizona's rural communities, we know rural Arizonans often feel forgotten and left behind. Decisions made in Phoenix affect us and our lives, and yet it can be hard for us to make our voices heard and force those in power to pay attention. We hear this every day where we live in Casa Grande and San Tan Valley and in our work across Pinal, Yuma, and Coconino Counties.

That's why we are committed to using and protecting the ballot initiative process. For more than 100 years, Arizonans have used ballot initiatives to voice the will of the public. From expanding paid sick leave and other benefits for workers to investing in public education, ballot initiatives have allowed people to be the conduits for change.

Under Arizona's constitution, our legislators are required to follow what voters decide when we make our voices heard through the ballot initiative process. This matches their moral responsibility as elected leaders to follow the will of the people.

But some politicians and wealthy corporations don't like the decisions that voters have made, and now they are trying to rewrite the rules to block our power.

In 1998, voters approved the Voter Protection Act, which prohibits the Arizona State Legislature from amending or repealing voter-approved ballot initiatives and referendums. Proposition 128 would go against the Voter Protection Act, giving politicians the authority to undo or entirely rewrite what was approved by the voters if the Arizona Supreme Court interprets any small part of the law as unconstitutional. Basically, Proposition 128 allows a few legislators to overturn what the majority decides.

A handful of politicians shouldn't be able to block, limit or reverse the will of the people.

Join us in voting NO on Proposition 128.

**Natali Fierros Bock, Co-Executive Director, Rural Arizona Engagement, San Tan Valley and Pablo Correa, Co-Executive Director, Rural Arizona Engagement, Casa Grande**

*Sponsored by One Arizona*

The same legislature who say they want to protect states' rights are formally asking the U.S. Supreme Court and the Arizona Supreme Court to tread on you by having them weigh in on state-level citizen initiatives. The biggest problem with Prop 128 is that it gives more weight to the judicial branch of government by reducing the power of the legislative branch which makes new laws and lies in the hands of the citizenry. Prop 128 is the picking of the shoe size for treading on you and violates the foundations of American & Arizonan civics. By voting for Prop 128, you will be reducing the weight of your vote while giving the 90 people in the legislature more power than the 3 million+ Arizona voters like you who participate in the general election.

It's a no brainer.

Vote NO on 128.

**Mohit Asnani, Tucson**

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Common Defense is the country's largest veteran-led grassroots organization committed to engaging, organizing, training and mobilizing veterans to elect accountable leaders.

As veterans, as Arizonans, and as members of Common Defense, we urge you to vote NO on Proposition 128.

Under the Arizona constitution, our legislators are required to follow the will of the people as expressed through ballot initiatives.

Unfortunately, some politicians don't like that they are required to follow the will of the people. Through efforts like Proposition 128, they're trying to change the rules to block voters from using our power.

The Voter Protection Act, which was approved by voters in 1998, prohibits state legislators at the Arizona Capitol from amending or repealing initiatives and referendums that have been approved by the voters. Proposition 128 would end the Voter Protection Act as we know it by allowing state legislators to entirely rewrite or undo a ballot initiative if the Arizona Supreme Court interprets any part of it as unconstitutional.

Respecting the will of the people is a key value that Arizonans share, one that forms a bedrock principle of our democracy.

Join us in protecting our power as Arizonans by voting NO on Proposition 128.

**Joanna Sweatt, Organizing Director, Common Defense, Chandler; Chad Flannery, Member, Common Defense, Chandler; Christopher Emmons, Member, Common Defense, Mesa; Jason Moon, Member, Common Defense, Phoenix; Frank Thompson, Member, Common Defense, Tucson; Sylvia Andersh, Member, Common Defense, Tucson; and Bridget Bellavigna, Member, Common Defense, Phoenix**

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Arizonans: vote NO on Proposition 128.

Proposition 128 is a direct attack on our ability to make change through the ballot initiative process. Under Proposition 128, it will be much more difficult for voters to pass policy through ballot initiatives.

Right now, politicians in the state legislature are required under the Arizona constitution to respect and follow the laws made by voters through the ballot initiative process. But if Proposition 128 passes, that will no longer hold true. Instead, politicians will be able to alter or undo an entire ballot initiative, even after it's passed by a majority of voters, if the State Supreme Court interprets any part of the law as unconstitutional – no matter how small that part might be.

As a faith leader, I place tremendous importance on our ability as voters to come together and make change. The values that underlie our democracy – including the principle of one person, one vote and the idea that voters should determine our own fate – are connected to the inherent dignity and worth of each individual person. We have an obligation and a duty to protect our democracy, and it starts by standing up to these politicians and preserving our power.

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Vote NO on Proposition 128.

**Katie Sexton-Wood, Reverend, Glendale**

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SCR1034/Proposition 128 is yet another unsubtle effort to subvert the will of Arizona voters.

Currently, under Arizona’s constitution, motivated Arizonans can conduct petition drives to place potential laws and constitutional amendments before the voters to be approved or rejected on election day. In this way, Arizona voters can directly enact laws of state-wide importance. We, the voters, can act when the legislature will not. Proposition 128 is intended to undermine that power of the people.

If approved, the proposition will give the legislature the power to undercut and counteract the will of the voters. It provides that, should there be any illegal or unconstitutional language in a voter-approved initiative or referendum, then the legislature may vote to amend the measure including in ways that would make the measure entirely ineffective to achieve the purposes for which the voters approved it. The proposition also allows the legislature to divert voter-approved funding to some other purpose—again subverting the will of the voters. And, finally, it allows the legislature to enact subsequent legislation to undo what voters were able to accomplish through hard work, determination, and perseverance. This is the opposite of democracy.

Protect the power of Arizona voters by voting “no” on Proposition 128.

**Robin Jenkins, Secretary, Legislative District 16, Arizona City**

The Voter Protection Act provides protection for all measures voters pass at the ballot, ensuring the will of our electorate is not overridden or subverted by politicians. This Voter Protection Act prevents the Arizona Legislature from sabotaging policies approved by voters.

Proposition 128 will undermine the Voter Protection Act and allow a simple majority of the Arizona Legislature to change or overrule any ballot measure passed by the voters based on a disagreement in language even if other portions of the law approved by voters is upheld by the courts. The will of the voters should be both respected and protected, and Proposition 128 does neither.

In the last few years, we have seen what a politicized court will do to limit the voice of Arizonans at the ballot, breaking with court precedent to protect the wealthy at the expense of funding voters approved on behalf of our public schools. Proposition 128 will only further silence the voice of Arizonans at the ballot. On behalf of our teachers and education support professionals, the Arizona Education Association requests that you vote NO on Proposition 128.

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

Ballot measures are a key way that voters can express their wishes. Arizonans of all walks of life and all political views have used ballot measures to make change on behalf of the people. The ballot measure process provides a critical opportunity for voters to advance direct democracy at the ballot box.

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That's why it's so frustrating to see politicians at the state capitol trying to undermine the ballot initiative process. Instead of respecting the will of the people, they're trying to change the rules of the game in a way that will ultimately block voters from expressing our power.

Under Proposition 128, politicians would be able to undo or entirely rewrite a ballot initiative that had been previously approved by voters. This could be triggered if the Supreme Court interprets any small part of the law as unconstitutional.

Too often politicians try to rewrite the rules instead of playing by the rules themselves. They don't want us to use our power to make decisions.

Activate 48 is a coalition led by LUCHA, Mi Familia Vota, Our Voice Our Vote Arizona, and Chispa Arizona. We are four of Arizona's leading movement organizations working to engage young people, Latinos, and communities of color in the political process.

We are bringing together Arizonans across backgrounds, regions, and issue movements to shape the state's future around the needs of communities, not corporations. As a people-powered movement, we are protecting the ability of everyday Arizonans to participate in our democracy and defending our shared freedom to vote.

We are working to protect our freedom to vote and the democratic process. That clearly means voting NO on Proposition 128. We oppose this effort to undercut Arizona votes, and we urge you to do the same.

**Alejandra Gomez, Co-Executive Director, Living United for Change in Arizona (LUCHA), Phoenix; Vianey Olivarría, State Co-Director, Chispa Arizona, Phoenix; Sena Mohammed, Chief of Staff, Our Voice Our Vote Arizona, Phoenix; and Carolina Rodríguez-Greer, Arizona State Director, Mi Familia Vota, Phoenix**