

# NOVEMBER BALLOT ISSUES – 2010

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The general election coming up on Tuesday, November 2<sup>nd</sup> will be an important election for public office holders. The election will feature races for one of our US Senators, all 8 of our US Congressmen, the 'big' four statewide offices of Governor, Secretary of State, Attorney General, and Superintendent of Public Instruction (*and don't forget State Mine Inspector!*). Of course, election of our entire 90 member state legislature, two members of the Corporation Commission, and local elections such as school district board members and several city mayor and council races.

In addition, the election ballot will feature 10 initiatives and ballot propositions for voters to consider. These are changes to our state laws or the state constitution that have been referred to the ballot by the state legislature, or by members of the public gaining enough signatures on petitions to have the issue referred to the ballot. Here is a brief rundown on these issues (*listed in numerical order, not in order of importance*):

For more information, including arguments “for” and “against” each of these propositions, go to the Arizona Secretary of State website at [www.azsos.gov/election/2010/general/BallotMeasurePage.htm](http://www.azsos.gov/election/2010/general/BallotMeasurePage.htm).

**Proposition 106** – This proposition was titled ***HCR2014 Healthcare services; direct purchase***, and was referred by the Legislature in 2009. It appears this measure was intended to try to address issues from the National Healthcare bill passed by Congress last year. If passed, this proposition would amend the state constitution to:

1. Prohibit any law from compelling a person or employer to participate in any health care system.
2. Allow a person or employer to pay directly for health care services without being penalized or fined.
3. Allow a health care provider to accept direct payment for healthcare services without being fined or penalized.
4. Provide that the purchase or sale of health insurance in private health care systems shall not be prohibited by rule or law.

**Proposition 107** - This proposition was titled ***HCR 2019 Discrimination; preferential treatment; prohibition***, and was referred by the Legislature in 2009. This measure would amend the Arizona Constitution to prohibit affirmative action programs that give preferential treatment to or discriminate against any individual or group on the basis of race, sex, color, ethnicity, or national origin. Applies to public employment, public education and public contracting.

This proposition applies to the state, counties, cities and towns, special districts and other political subdivisions of Arizona including school districts, public universities, and community college districts. Would not invalidate any existing court orders.

**Proposition 109** – This proposition was titled ***HCR2008 Hunting and Fishing; Constitutional Rights***, and was referred by the Legislature in 2010. If passed, this proposition would amend the state constitution to state that the citizens of the state have a constitutional right to lawfully hunt, fish and harvest wildlife, and that no laws may unreasonably restrict hunting or fishing.

**Proposition 110** - This proposition was titled **SCR 1047 State lands; Military Installation preservation**, and was referred by the Legislature in 2009. This measure would amend the Arizona Constitution to allow the state to either sell or lease state trust land, or to place restrictions on the use of state trust lands, in order to avoid incompatible use of the state trust land with military installations and facilities. It also would allow the state to exchange state trust land for other public land, if the exchange is in the best interest of the state trust. The purpose of the exchange must be either to assist in preserving or protecting military facilities from encroaching urban development. One of only two ballot measures for which there were no formal opposition statements submitted.

**Proposition 111** - This proposition was titled **SCR 1013 Lieutenant Governor; Secretary of State**, and was referred by the Legislature in 2009. This measure would change the title of Secretary of State, to Lieutenant Governor. It requires that in a primary election, candidates for Governor and Lieutenant Governor run separately, but after the primary election, the Governor and Lieutenant Governor candidates from each party run as a team. Would become effective for the 2014 election.

**Proposition 112** - This proposition was titled **HCR 2018 Initiatives; filing deadline**, and was referred by the Legislature in 2009. This measure would change the filing deadline from the current four months in advance to six months in advance, for ballot measures. This additional time will allow for better checking of petition signatures, and greater advance time for printing of the ballot measures, and preparing unbiased analysis required to be prepared by the Legislative Council. No formal opposition statements were submitted against this proposition.

**Proposition 113** – This proposition was titled **SCR 1001 Secret ballot; employee representation**, and was referred by the Legislature in 2010. This measure would amend the Arizona Constitution to guarantee the right to vote by secret ballot for voting by employees on whether or not to be represented by a labor union.

**Proposition 203** – This proposition was entitled **Arizona Medical Marijuana Act**, and was referred to the ballot after its supporters were able to gain sufficient signatures. The measure, if successful, would allow a “qualifying patient” who has a “debilitating medical condition” to obtain an “allowable amount of marijuana” from a “non-profit medical dispensary” and to possess and use the marijuana to treat or alleviate the debilitating medical condition. The Arizona Department of Health Services would be required to set up a regulatory framework to implement the proposition, including a system for registering patients, designated caregivers, and non-profit dispensaries.

**Proposition 301** - This proposition was titled **HCR2002 Land Conservation Fund; reversion**, and was referred by the Legislature in 2010, in order to help balance the state general fund budget. If passed, this proposition would eliminate the annual \$20 million contribution to the Land Conservation Fund, which was established by the voters in 1998 under the “Growing Smarter” proposition. It would also sweep any current funds remaining. Estimated to provide approximately \$124 million to help balance the current fiscal year budget.

**Proposition 302** – This proposition was titled **HCR2001 Early childhood development; health; repeal**, and was referred by the Legislature in 2010, in order to help balance the state general fund budget. If passed, this proposition would redirect monies from the current \$0.80 per pack tax on cigarettes, from the early childhood development and health program, to the state general fund. It would also sweep any current funds remaining, and eliminate the program on June 1, 2011. Estimated to make approximately \$345 million available to help balance the budget in the next fiscal year.

**Note:** If Proposition 301 and/or 302 do not pass, the current year deficit will have to be closed by additional cuts to state spending. As always, there is a risk to the engineering and construction industry that some of this reduced spending may end up coming from the HURF Fund or other ADOT and/or local government spending for infrastructure design and construction.