

**PROPOSITION 102**  
**OFFICIAL TITLE**

**SENATE CONCURRENT RESOLUTION 1006**

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA; AMENDING ARTICLE IV, PART 1, SECTION 1, CONSTITUTION OF ARIZONA; AMENDING ARTICLE XXI, SECTION 1, CONSTITUTION OF ARIZONA; AMENDING ARTICLE XXII, CONSTITUTION OF ARIZONA, BY ADDING SECTION 23; RELATING TO WILDLIFE MANAGEMENT.

**TEXT OF PROPOSED AMENDMENT**

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

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

**1. Legislative authority: initiative and referendum**

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

(2) Initiative power. The first of these reserved powers is the initiative. Under this power ten per centum CENT of the qualified electors shall have the right to propose any measure, and fifteen per centum CENT shall have the right to propose any amendment to the constitution.

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

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

(5) Effective date of initiative and referendum measures. Any measure or amendment to the constitution proposed under the initiative, and any measure to which the referendum is applied, shall be referred to a vote of the qualified electors; and, EXCEPT AS PRO-

VIDED BY ARTICLE XXII, SECTION 23, shall become law when approved by a majority of the votes cast thereon and upon proclamation of the governor, and not otherwise.

(6) (A) Veto of initiative or referendum. The veto power of the governor shall not extend to an initiative measure approved by a majority of the votes cast thereon or to a referendum measure decided by a majority of the votes cast thereon.

(6) (B) Legislature's power to repeal initiative or referendum. The legislature shall not have the power to repeal an initiative measure approved by a majority of the votes cast thereon or to repeal a referendum measure decided by a majority of the votes cast thereon.

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

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

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

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

(9) Form and contents of initiative and of referendum petitions; verification. Every initiative or referendum petition shall be addressed to the secretary of state in the case of petitions for or on state measures, and to the clerk of the board of supervisors, city clerk, or corresponding officer in the case of petitions for or on county, city, or town measures; and shall contain the declaration of each petitioner, for himself, that he is a qualified elector of the state (and in the case of petitions for or on city, town, or county measures, of the city, town, or county affected), his post office address, the street and number, if any, of his residence, and the date on which he signed such petition. Each sheet containing petitioners' signatures shall be attached to a full and correct copy of the title and text of the measure so proposed

to be initiated or referred to the people, and every sheet of every such petition containing signatures shall be verified by the affidavit of the person who circulated said sheet or petition, setting forth that each of the names on said sheet was signed in the presence of the affiant and that in the belief of the affiant each signer was a qualified elector of the state, or in the case of a city, town, or county measure, of the city, town, or county affected by the measure so proposed to be initiated or referred to the people.

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

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

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

(13) Canvass of votes; proclamation. It shall be the duty of the secretary of state, in the presence of the governor and the chief justice of the supreme court, to canvass the votes for and against each such measure or proposed amendment to the constitution within thirty days after the election, and upon the completion of the canvass the governor shall forthwith issue a proclamation, giving the whole number of votes cast for and against each measure or proposed amendment, and, EXCEPT AS PROVIDED BY ARTICLE XXII, SECTION 23, declaring such measures or amendments as are approved by a majority of those voting thereon to be law.

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

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

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

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

1. Introduction in legislature; initiative petition; election  
Section 1. A. Any amendment or amendments to this constitution may be proposed in either house of the legislature LEGISLATURE, or by initiative petition signed by a number of qualified electors equal to fifteen per ~~centum~~ CENT of the total number of votes for all candidates for governor at the last preceding general election.

B. Any proposed amendment or amendments which shall be introduced in either house of the legislature, and which shall be approved by a majority of the members elected to each of the two houses, shall be entered on the journal of each house, together with the ayes and nays thereon.

C. When any proposed amendment or amendments shall be thus passed by a majority of each house of the legislature and entered on the respective journals thereof, or when any elector or electors shall file with the secretary of state any proposed amendment or amendments together with a petition therefor signed by a number of electors equal to fifteen per ~~centum~~ CENT of the total number of votes for all candidates for governor in the last preceding general election (except when the legislature shall call a special election for the purpose of having said proposed amendment or amendments voted upon, in which case the secretary of state shall submit such proposed amendment or amendments to the qualified electors at said special election,) and, EXCEPT AS PROVIDED BY ARTICLE XXII, SECTION 23, if a majority of the qualified electors voting thereon shall approve and ratify such proposed amendment or amendments in said regular or special election, such amendment or amendments shall become a part of this constitution.

D. Until a method of publicity is otherwise provided by law, the secretary of state shall have such proposed amendment or amendments published for a period of at least ninety days previous to the date of said election in at least one newspaper in every county of the state in which a newspaper shall be published, in such manner as may be prescribed by law.

E. If more than one proposed amendment shall be submitted at any election, such proposed amendments shall be submitted in such manner that the electors may vote for or against such proposed amendments separately.

3. Article XXII, Constitution of Arizona, is proposed to be amended as follows, by adding section 23, if approved by the voters and on proclamation of the Governor:

23. Wildlife management; requirements for initiative  
SECTION 23. THIS STATE SHALL MANAGE WILDLIFE IN PUBLIC TRUST FOR THE PEOPLE, AS PROVIDED BY LAW, TO ASSURE THE CONTINUED EXISTENCE OF WILDLIFE POPULATIONS IN THE STATE. AN INITIATIVE THAT PERMITS, LIMITS OR PROHIBITS THE TAKING OF WILDLIFE, OR THE METHODS OR SEASONS THEREOF, SHALL NOT BECOME LAW UNLESS APPROVED BY AT LEAST TWO-THIRDS OF THE VOTES CAST ON THE PROPOSITION.

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

**ANALYSIS BY LEGISLATIVE COUNCIL**

Proposition 102 directs the State to manage wildlife in the public trust to assure the continued existence of wildlife populations. Public trust is a legal concept relating to the ownership, protection and use of natural resources. Under the public trust, the State must manage wildlife for the public benefit, which includes both present and future generations.

Proposition 102 would also amend the Arizona Constitution to require that any initiative measure relating to the taking of wildlife does not go into effect unless it is approved by at least two-thirds of the voters who vote on the measure. Currently, the Arizona Constitution requires a simple majority vote for initiative measures. The two-thirds requirement would also apply to measures authorizing or restricting (1) the methods of taking wildlife (2) the seasons when wildlife may be taken. The two-thirds requirement would not apply to legislative enactments or to measures that the Legislature refers to the voters.

**ARGUMENTS "FOR" PROPOSITION 102**

Proposition 102 is fair to rural Arizona.

We will be blunt. The purpose of this proposition is stop a handful of well funded animal and environmental activists from controlling the outcome of elections on initiatives and referendums that deal with the management of wildlife. The management of wildlife includes hunting, fishing and predator control.

The management of wildlife in rural Arizona is critical for the protection of life and property. Wild life management is a strong component of our rural economic base through hunting and fishing activities. Our rural economic base is also dependent upon ranching, farming and other uses of natural resources that need wildlife management to protect these resources.

Animal rights groups, anti hunting and fishing groups and anti grazing groups continue to push for ballot initiatives across the country that ban or limit hunting and fishing and methods of predator control. These initiatives find fertile ground in large metropolitan areas where the majority of voters have little innate understanding of the impact these restrictions would have on the safety of rural residence or the rural economy. These voters are fed a steady diet of Disney giving human characteristics to animals, television's extreme examples, from throughout the world, of species threatened with extinction and front page stories about a species that must be reintroduced after man hunted it out of existence.

Seventy percent of the state's five million people live in the Phoenix and Tucson metropolitan areas. Only 30 percent live outside the metropolitan areas but are disproportionately effected by a vote to restrict the management of wildlife.

Proposition 102 levels the ballot box playing field between the urban majority and the rural minority on rural wildlife management issues. Vote YES on Proposition 102. Proposition 102 treats rural Arizona fairly.

Ken Evans, President, Arizona Farm Bureau, Payson

Andy Kurtz, Chief Administrative Officer, Arizona Farm Bureau, Phoenix

Paid for by Arizona Farm Bureau Federation

**Protect Arizona's Wildlife - Vote Yes on Prop. 102**

In 1992, radical animal-rights extremists tried to outlaw ALL hunting and fishing in Arizona. Their initiative was cleverly written and sought to deceive people about what it would do. Proponents of the idea, many of them not even from Arizona, raised and spent hundreds of thousands of dollars on a slick campaign that sought to hide the real issues and use emotional appeals to win support for this radical proposal.

Arizona has a long and rich natural heritage. Many of our state's founders lived off the land ensuring a rich tradition of hunting and fishing. Late Senator Barry Goldwater's mother taught him to shoot at a young age while on numerous camping trips to Arizona's most beautiful places.

We have made great strides in recent years in protecting and even increasing the number of wildlife. For example, there are more elk, bighorn sheep and other species than there were forty years ago. One of the most valuable components of our heritage is abundant wildlife population. Prop. 102 will protect our wildlife – both game and non-game species – by inoculating them from the whims of vocal and radical fringe groups.

Once again we must come together; this time to create a constructive system that protects our rights to fish and hunt while effectively managing our wildlife resources.

Arizona voters should protect our wildlife and our natural heritage. Vote Yes on Prop. 102.

Congressman John Shadegg, Phoenix

Paid for by John Shadegg for Congress, Ann K. Wolf, Treasurer

**Preserve Professional Management of our Wildlife - Vote Yes on Prop 102**

The Arizona Game & Fish Department was created in 1929 to manage Arizona's wildlife resources. The Department and its professional wildlife biologists and managers have consistently demonstrated their ability to responsibly manage Arizona's wildlife. That ability has generated regional, national and international recognition of Arizona's diverse wildlife programs. Elk, deer, antelope and desert bighorn sheep have, in some cases, gone from near extinction to flourishing, the bald eagle has been removed from the endangered species list and the condor has been reintroduced just to name a few of the many accomplishments.

Agency professionals have and continue to play an exemplary leadership role in multi-state conservation efforts. Reintroduction of the Apache and Gila trout serve as excellent examples. Not only were the interests of sportsmen served with the reintroduction of sport fish species, the entire conservation community also benefited from the reintroduction of species native to Arizona.

This professional approach, coupled with the concept of the Commission's oversight role, has provided the state of Arizona with a good blend for wildlife resource management. The public benefits from the application of sound biological principles and also an opportunity for citizen input on policy issues. The Commission's action to eliminate contest hunting for predators is a good example of the blending of sound management of the resource coupled with citizen input.

The proven success of the Department speaks for itself. It would be a disservice to the citizens of Arizona to allow special interests to manage our resources at the ballot box. A Yes vote for Prop 102 will ensure that Arizona's wildlife continues to be managed using biologically sound and proven methodologies. Vote Yes for Wildlife. Vote Yes on Prop 102.

Joe Carter, Arizona Game and Fish Commissioner, Safford

**Protect Arizona's Wildlife Heritage, Vote Yes on 102**

My Great Grandmother came to Arizona just after the turn of the century. I grew up exploring Arizona with my family and listening to stories about the wonderful wildlife, vast open landscapes with few people and lots of opportunity for those looking for a better life.

As Arizona developed, our early leaders saw a need to protect our wildlife resources by removing them from the political pressures of government. A separate state wildlife department was established, with funding coming from users, not dependant on general fund tax revenues. Wildlife management experts were hired to run the department and a board of commissioners (appointed by the governor) was established for oversight and to set policy. This system, with the necessary checks and balances of good government, is what we currently have

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

today and what has protected our wildlife resources for over 60 years.

Proposition 102 strengthens our forefathers' commitment to Wildlife! **Wildlife becomes a part of our Constitution**, giving representation for creatures that cannot vote.

Wildlife continues to thrive in Arizona. The passage of proposition 102 gives added protection to our successful system of wildlife management. By requiring a 2/3's vote on wildlife initiatives, proposition 102 removes unreasonable pressure by a few extremists who want to dictate policy to Arizona's professional wildlife department. If wildlife is to survive in our fast growing and changing state, if endangered species are to be protected, if wildlife habitat is to be protected, we must be able to manage wildlife professionally using sound scientific principals not management at the ballot box.

A YES VOTE insures our Wildlife Department, secure from outside political pressure, will be able to protect all of Arizona's wildlife with professional scientifically based management, as our wise forefathers intended. Wildlife deserves your vote.

Pete Cimellaro, Chairman, Arizonans for Wildlife Conservation, Phoenix

Proposition 102 allows Arizonans to take back our right to self determination - it sends a signal that Arizona will no longer be controlled by out of state entities. It tells paid signature gatherers, who may or may not care about our state's wildlife, to pack their bags - we, the voters, will determine what's important, not deep-pocketed financiers. It puts an end to devastating emotional ad campaigns with potentially disastrous biological consequences.

Proposition 102, in short, makes it unprofitable for special interest groups to meddle in the future of our state's wildlife resources.

A Yes vote on Proposition 102 not only sends special interest groups packing, it preserves our right to self determination, and ensures the continued sound scientific management of our state's wildlife resources.

Rena Westenburg, Becoming an Outdoors Woman, Tucson

#### **Support Scientific Management of Arizona's Wildlife - Vote Yes on Prop 102**

As a wildlife biologist and a former Game and Fish Commissioner, I urge you to **Vote Yes on Prop 102**. A yes vote will help ensure that Arizona's wildlife continues to be managed by professionals.

Arizona's wildlife involves a delicately balanced ecosystem that requires professional wildlife management. The ever-growing human population increases the challenge of avoiding harmful conflicts between people and wildlife. Avoiding those conflicts often involves intensive wildlife management activities. The establishment and maintenance of sustainable populations of sporting, rare, or endangered wildlife species can also be highly challenging. The wildlife management professionals can respond quickly and decisively to these and other challenges using their years of study and experience to guide their decisions. To limit that professional authority invites a biological disaster and should require a "higher standard" in the initiative process.

It is not unusual for groups of individuals with a common philosophy on animals or animal rights to propose initiatives limiting the authority of professional wildlife managers in order to establish their philosophy in law. Then through well-funded media campaigns, they market that philosophy to the public using sensationalism and preying on human emotions. Many times, these initiatives pass by a narrow majority and lead to a biological crisis. This is precisely what has happened in other states. For example, California has essentially banned mountain lion hunting. Due to this ban, the prized Sierra Nevada bighorn sheep are well on their way to becoming endangered. We cannot afford to allow special interest groups to dictate management of our wildlife ecosystems.

I urge you to help keep politics and emotionalism out of wildlife management and let the professional wildlife biologist and managers do their job. **Please vote yes on Prop 102.**

Senator Herb Guenther, Wildlife Biologist and former Arizona, Game & Fish Commissioner, Tacna

Despite what opponents say, Proposition 102 does not cancel your right as a voter to direct the future of Arizona's wildlife. What 102 does is make it harder and more costly for special interest groups to pass ill-conceived initiatives.

If voters approve 102, Washington D.C.-based animal rights organizations will think twice before invading Arizona with slick campaigns that stretch the truth, appeal to emotions and try to fool voters into endorsing their controversial agendas. Make no mistake about it, Arizona has been targeted by extremists. If 102 fails, we will see more of them.

Although 102 specifically mentions seasons and methods, it does not benefit only hunters and anglers as its opponents falsely claim. In addition to requiring a two-thirds majority to pass wildlife-related initiatives, it amends the Arizona Constitution to require that all wildlife - and not just species that are hunted and fished - be managed so that wildlife will always be here for everyone to enjoy. It is a mandate to the Legislature, which retains its authority to pass laws that affect wildlife. It also is a mandate to the Game and Fish Commission, which retains responsibility to enact sound rules and policies based upon recommendations from concerned citizens and the Game and Fish Department's professional staff.

We lose nothing when 102 is adopted, but we will have made it more difficult for out-of-state professional activists with fat war chests to use the ballot box to attack science-based management of wildlife. We will gain a constitutional mandate to preserve all wildlife for all Arizonans. As a native Arizonan and lifelong hunter and fisherman who has closely followed issues affecting Arizona's wildlife for most of my 64 years, I urge you to vote yes on Proposition 102.

William R. "Bill" Quimby, Retired outdoors columnist, editor and publisher, Tucson

#### **Help Insure Wildlife for Future Generations, Vote Yes on 102**

Tremendous change has come to Arizona. Our growth has exceeded expectations and it isn't slowing down. These changes are putting stress on our wildlife resources and our ability to manage those resources.

Proposition 102 insures wildlife programs will continue to be administered by our state's professional wildlife agency, and that the voice of the people will be heard at the ballot box on those important wildlife issues they feel strongly about. Care enough about wildlife to put it in the constitution.

At stake, in this election is the protection of the Arizona Game and Fish Department's funding base. The users, which have paid for wild-

---

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

life management in the past, pay for it now and willingly continue to pay for the future, are the sportsmen and sportswomen of Arizona. License fees and excise taxes levied on sporting goods and equipment account for the tens of millions of dollars necessary annually to fund the Department and its programs. Without this funding we would not have a comprehensive wildlife management program or wildlife department.

Arizona sportsmen take great pride in the success of these programs and in contributing the funds necessary to assist the Arizona Game and Fish Department in the management of all wildlife, not just those we hunt and fish. We have a keen interest in threatened and endangered species, habitat protection and enhancement and long term planning necessary to insure wildlife for future generations. Our successes include the recovery of the Apache Trout, the Bald Eagle and the Desert Bighorn Sheep. We need more of these success stories.

A YES VOTE insures all of Arizona's wildlife will be managed by professional scientifically based management plans and by a Department that is recognized by its peers as one of the best.

Joe Melton, President, Wildlife Conservation Council, Phoenix

### PROTECT ARIZONA'S WILDLIFE

Many people do not stop to think about the economic impact the presence of properly managed wildlife has on both the residents and the businesses in Arizona. The outdoor activity industry including fishing, hunting, hiking, bird watching, and the list goes on and on, is a billion dollar a year enterprise that provides both jobs and incomes for hundreds of thousands of individuals. It doesn't matter whether you are buying a new rifle, a new fishing rod, film for your camera, food for the trip, gas to get you there, or that "four wheeler" you have always wanted, the great outdoors is a number one, family attraction. Wildlife is an important part of this whole picture. In many cases they are the reason for both the activity and the money spent. Prop 102 can and will save our wildlife, whether it is an endangered species or something as common as the fish in our lakes. We have seen the way certain special interest groups have tried to manage wildlife via the ballot box and know that this just does not work. A healthy, thriving wildlife population depends on sound biological principles and scientific management to both endure and prosper. Prop 102 will guarantee that this will be the case. We all have a responsibility to do what is best to preserve the wildlife in our state. Prop 102 is the answer!

Floyd Green, Co-Chairman, Arizonans for Wildlife Conservation, Phoenix

### Give Wildlife a Chance, Vote Yes on 102

It's time our fish and wildlife are afforded protection under the Arizona Constitution. During the recent past we have seen out-of-state special interest groups come to Arizona and try to manage our fish and wildlife resources. For all of us that live in Arizona we know the majestic land and beautiful natural resources we have are not found anywhere else in the world. Our Arizona must continue its heritage and grant our children and grandchildren the right to experience it during their lifetimes.

The professional management of our fish and wildlife using sound scientific and biological principals *is the only realistic way we can pass these resources down to future generations*. If we do not stand up for our fish and wildlife now, these radical out-of-state groups will continue to limit our ability to professionally manage our wildlife and cause irreparable harm. With the passage of the wildlife referendum, the state must manage wildlife in public trust for the people. That's not just a few people, that's for everyone in Arizona. No single group is favored over any other. Endangered species will be protected and future generations will be able to experience the outdoors Arizona that we currently enjoy.

I take my kids camping and appreciate it when we see deer, elk, antelope and other animals in the wild. Future generations have the right to enjoy this same experience. Without professional management, our fish and wildlife resources will continue to be depleted as man's growth infringes on their habitat.

Our fish and wildlife can't vote for the protection that is afforded them in prop 102; they need your help. Vote for wildlife; vote yes on prop 102.

Michael T. Hull, Kidslearning, Phoenix

### BENEFITS OF PROPOSITION 102

Water, food and shelter are elements that would describe "habitat" to a wildlife biologist. To anyone who has lived in Arizona for several years it describes elements that are diminishing in quality and quantity as our population continues to burgeon. As this trend continues it becomes increasingly essential that Wildlife in the State of Arizona are managed by skilled professionals if we are to maintain viable populations. Virtually every native fish in the state is threatened, endangered or in sensitive condition. Were it not for trained, professional wildlife managers under the aegis of the Arizona Game & Fish Department we would not currently enjoy the existence of the Condor, the black-footed ferret, the Apache and Gila trout the Big Horn Sheep and other native species that currently reside here.

To permit the curtailment of scientifically sound, biologically supportable wildlife management protocols through whimsical, emotional initiatives is unacceptable. Should an initiative be introduced that scientifically inures to the benefit of Arizona's wildlife, the public will have the opportunity to enact it. Arizona sportsmen, who have historically provided more than their proportionate share of the funding for the management of all of the state's wildlife have consciously embraced ceding management to the State Agency appropriately designated to do so. Not coincidentally, anglers and hunters have a positive annual economic impact on Arizona's economy of 1.4 billion dollars.

An apt analogy, perhaps, would be to allow the public to prescribe treatment to a critically ill patient. If I were that patient, I would want the most highly skilled physician trained in that specific specialty. Viable habitat for wildlife is "critically ill" and dedining. It is time to let the "specialists" do their job with minimal hindrance. Proposition 102 will take us in that direction. Vote YES.

Dave Cohen, State Conservation Director For Trout Unlimited Bass Anglers Sportsman's Society, Mesa

### ARIZONA DESERT BIGHORN SHEEP SOCIETY SUPPORTS PROFESSIONAL WILDLIFE MANAGEMENT AND CONSERVATION VOTE YES ON PROP 102

The Arizona Desert Bighorn Sheep Society is very proud of our wildlife conservation efforts and the successes we have enjoyed in enhancing and reestablishing desert bighorn sheep throughout Arizona. As evidenced by nearly a seven fold increase in sheep populations over the past 30 years, we have been fortunate to see what true wildlife conservation and management activities can achieve. Unfortunately, there is a disturbing trend developing in this country that has, for the past several years, infected Arizona and compromised our proven wildlife management efforts with unnecessary and unwarranted controls. These controls have not been based on sound science, but rather on the

emotion of uninformed or misguided voters at the ballot box. It is time that Arizonans reestablish the professionalism in wildlife management. By requiring a 2/3 vote for all initiatives affecting wildlife, this measure will help to ensure that Arizona wildlife will be managed in the future by professional wildlife managers and not by well financed outside interests that are very adept at manipulating the present ballot initiative process.

We firmly believe that we have not reached the pinnacle of bighorn sheep conservation in this State and need a Yes vote on Proposition 102 to ensure that our organization can continue with our efforts to enhance this majestic species as well as other wildlife.

James W.P. Roe, President, Arizona Desert Bighorn Sheep Society, Desert Hills

#### **ARIZONA MULE DEER ASSOCIATION ENDORSES PROP 102**

It is a well-known fact that wildlife in today's world faces a multitude of problems that were not present even 10 years ago. Unfortunately man through his own "good intentions" has created many of these problems. We live in a time where it is not just enough to say "Mother Nature will take care of things". As more and more natural habitat is lost, the need for proper game management becomes even more critical. Further, it is not enough to just "feel" sorry for our wildlife; we need to insure that the very best form of scientific management is employed. Our Game & Fish Department's mission statement states that they will "manage wildlife in public trust for the state of Arizona". Without Prop. 102 they cannot do this effectively because they can literally find their "hands tied" by public emotion and the ballot box. We face the very real possibility of all forms of wildlife becoming endangered species unless we take action now! Proposition 102 will insure that future generations will be able to enjoy wildlife in a natural environment and not just in a public zoo. We have an obligation to protect and preserve our wildlife by voting "YES" on Prop. 102.

Larry Kindred, Arizona Mule Deer Association, Phoenix

#### **Arizona Antelope Foundation Endorses Proposition 102**

"The state shall manage wildlife in public trust for the people, as provided by law, to assure the continued existence of wildlife populations within the state." There is not smoke and mirrors in Prop. 102 like you see in many propositions. The intent of Prop. 102 is to allow for the professional management of fish and wildlife using sound scientific and biological principals. With the passage of the wildlife referendum, the state must manage wildlife in public trust for the people, not just for a few people, but for everyone in Arizona! No single group is favored over any other. Endangered species will be protected and future generations will be able to experience the Arizona outdoors that we currently enjoy. Without passage of the wildlife referendum, our fish and wildlife will continue to be depleted and we will lose one of Arizona's greatest treasures. The Arizona Game and Fish Department has taken tremendous strides in improving our game management and herds since their inception in 1921. Our elk herds have improved tremendously; the Bald Eagle has just been taken off of the endangered list and overall our wildlife is in good condition. However, if we do not put an end to out-of-state extremist groups coming into Arizona and undermining the success of the Game and Fish Department we will be sorry. I know my children will be. Please vote yes on Prop. 102.

Don Johnson, Past President Arizona Antelope Foundation, Phoenix

#### **LEGISLATORS FOR WILDLIFE**

Opponents of PROP 102 would have you believe that the supporters of Arizona's Wildlife Conservation Amendment intend to strip away the voting rights of the people. NOTHING COULD BE FURTHER FROM THE TRUTH. The only intention of Prop 102 is to protect Arizona's wildlife from the radical out-of-state extremists, and insure that sound, scientific principles continue to be used by wildlife professionals to manage our wildlife resources for future generations.

The Arizona Legislature did not send this amendment to the ballot in an attempt to remove voting rights, but rather to LET THE PEOPLE DECIDE, once and for all, how wildlife should best be managed. The legislature believes that the voters in Arizona are educated and sophisticated enough to see through the political rhetoric and deception that the opposition displays to make a profound statement concerning the importance of our wildlife resource.

Now is the time for Arizona to decide how important wildlife really is.

Senator Tom Smith, Phoenix

Representative Jerry Overton, Litchfield Park

Paid for by Arizonans for Wildlife Conservation

#### **A MESSAGE FROM PHOENIX MAYOR SKIP RIMSZA**

The City of Phoenix has been named the Best Run City in the World and, more recently, the best managed city in the United States. And one of the big reasons why can be found in our philosophy: We rely on professional solutions over political fixes.

In Phoenix, politicians don't run individual departments, professionals do. And the services we deliver to our 1.2 million customers are the product of professional standards, not political whims.

That makes for good government, and that's why Phoenix wins so many awards.

Proposition 102 will bring that same philosophy to the way Arizona manages its Fish and Wildlife. Our Fish and Wildlife are being threatened not only by our growth, but also by out-of-state special interest groups that want to do away with professional management of our wildlife.

Don't let them.

As my dad always says, "God was having a very good day when he created Arizona". Our geography is as diverse as our culture. There's so much to see and do here. Whether it's camping, boating, hiking, fishing, biking or just a leisurely drive, we all appreciate the magic of a forest system teeming with wildlife. It's the way it was meant to be. I loved that as a kid. I treasure it as an adult. And I want Arizonans a hundred years from now to have the same experiences we have all been blessed with.

Politics won't get it done. But Proposition 102 will.

Please let the people who best understand wildlife management protect our wildlife today and forever. Please join me in voting YES on Proposition 102.

Mayor Skip Rimsza, Phoenix

---

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

## ARGUMENTS "AGAINST" PROPOSITION 102

**Don't Give Up Your Voting Rights!**

Arizona was the very last state to outlaw dog fights. Most states did so in the 1800's, but the Arizona Legislature didn't act until 1978.

Most states also outlawed cock fights in the 1800's, but the Arizona Legislature steadfastly refused to. Thanks to a citizens initiative in 1998, Arizona is no longer host to that barbaric practice.

When it comes to animal abuse, the Arizona Legislature just doesn't get it!

Despite 65 nations outlawing steel-jaw traps, the Arizona Legislature wouldn't agree to even minor restrictions on the use of those cruel devices. A citizens initiative in 1994 allowed voters to put a stop to trapping and poisoning on our public lands. This wouldn't have been possible if 102 were law.

These same politicians are now asking you to amend the State Constitution to give up your right to decide these matters at the polls. They want to cut in half the value of those who vote for change. Stand tall for democracy and against this un-American power grab. Hold onto your voting rights! No on Prop. 102.

Jamie Massey, Chairperson, Citizens Against Cockfighting, Tucson

Proposition 102 is an assault on wildlife – and the democratic process.

If approved, Prop. 102 will make it practically impossible for you to protect wildlife in Arizona. It will also take away your voting rights. Don't let its tricky name and clever wording fool you. It's bad for wildlife, and it's a threat to democracy. Consider this:

- Prop. 102 will change the State of Arizona's constitution so that any new citizens' ballot initiative affecting wildlife would require a "super majority" –2/3 of the votes –to pass. All other ballot initiatives would still pass by the democratically accepted majority rule of 50 percent plus 1. And, all wildlife laws passed by the Legislature would have to pass by only 50 percent plus 1.
- Prop. 102 will take away your rights as voters. Ask yourself: why should any citizens' initiative require a "super majority" to pass? What about democracy? By definition, democracy is "government by the people, especially rule of the majority." By definition, majority rule is "constituted by 50 percent plus 1."
- Prop. 102 singles out wildlife issues. Why? Because its proponents don't want you to have a say at the polls on how wildlife is managed in Arizona. Where wildlife is concerned, they want all the power and all the control.
- Prop. 102 sets a dangerous precedent. Approving it will open the floodgates for other special interest groups who want to limit your rights. Today it's wildlife issues . . . what will it be tomorrow?

If you truly care about Arizona's wildlife, vote NO on Prop. 102. Even if wildlife issues aren't important to you, your rights as a voter in a democratic system are truly in danger. This may be your last chance to protect wildlife-and your rights!

Kenneth White, Chairman, "No on 102", Scottsdale

Paid for by "No on 102"

Here is what Arizona journalists had to say about the measure we now call "Prop. 102" as it worked its way through the legislature:

- "Do you value your vote? Do you believe that your vote ought to carry the same weight as everybody else's in every election? Do you subscribe to the view that in democracies, majority rule ought to be the principle that governs? If you answered yes to these questions, then you have every right to be outraged at a measure working its way through the Legislature that'll cheapen your vote and create a two-tiered system of initiatives." (Arizona Republic, editorial, March 7).
- "We wonder if legislators are willing to resign if they don't have the support of two-thirds of the voters." (Tucson Citizen, editorial, March 18).
- "Did you ever think you'd see the day when hunters would try to take away the rights of everyone else?" (Janna Bommersbach KTVK Channel 3, commentary, April 3).
- "While this measure does not hinge on the influence money can buy, it is much worse. It cuts out those who still believe they have a say in the democratic process. And it allows a few to make decisions for the many. This is a completely devious way of conducting public policy. And here is a little irony. This initiative will only require a simple majority to pass. A two-thirds vote, apparently, was too much to ask of voters." AND . . .
- "There's really no way to put a positive spin on this blatant arrogation of voters' powers." (The Arizona Daily Star in Tucson, editorial, April 3).

Meanwhile, here's what one of its Legislative supporters said on its behalf: "We have to really watch too much democracy, because it is mob rule." (Rep. Barbara B. Blewster, R-Dewey).

You decide.

Kenneth White, Chairman, "No on 102", Scottsdale

Paid for by "No on 102"

As Arizona chapters of the National Audubon Society, whose mission is to preserve ecosystems so that birds and other wildlife can flourish and enrich the diversity of our lives on Earth, Maricopa and Tucson Audubon Societies urge citizens to **vote "no"** on Proposition 102.

Some special interest groups have put forth this measure to stop a simple majority of Arizonans from having a voice in wildlife management in our state because of past contentious issues such as banning leghold traps on public lands and outlawing cockfighting.

Arizona's incredible wildlife belongs to the people of the state. We are thankful for actions taken by the Arizona Legislature and the Game & Fish Commission in wisely managing and protecting our wildlife heritage. However, there will be times when citizens should be able to call for a statewide vote on crucial wildlife issues, with a simple majority prevailing (as is the case for all other citizens' initiatives). The Legislature and Commission are allowed to vote on wildlife issues by a simple majority. It is only fair that citizens should be allowed the same right. This proposition will make the ability of citizens to have a meaningful voice in wildlife matters difficult or near impossible to accomplish.

We urge you to vote no on 102 to protect Arizona's wildlife!

Scott Burge, President, Maricopa Audubon Society, Tempe

Roger Wolf, President, Tucson Audubon Society, Tucson

Herb Fibel, Treasurer, Maricopa Audubon Society, Tempe

Kevin Dahl, Executive Director, Tucson Audubon Society, Tucson

Paid for by Maricopa Audubon Society and Tucson Audubon Society

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

We, the following wildlife rehabilitators, oppose Proposition 102 because it takes away the public's right to have a voice in wildlife management issues. As organizations that protect wildlife by caring for injured and orphaned wildlife, we believe that Arizona citizens need a strong voice if our wildlife is to be protected.

The general public has a long history of respect and love of Arizona's wildlife. Not a day goes by that we do not receive calls from members of the compassionate public to come and get injured or orphaned animals so that we may save their lives. It would be a mistake to place wildlife management into the hands of a small minority who may not share the public's view on the intrinsic value of our wildlife: Public participation is good and ultimately may be the last line of defense in the preservation of our native wildlife.

If passed, Proposition 102 would mandate that initiatives affecting wildlife would only pass if a two-thirds majority voted yes. This means that a one-third minority could control wildlife policy in Arizona. We believe that this is a dangerous precedent and could threaten the future of all Arizona's wildlife.

Vote **NO** on Proposition 102.

Linda Searles, Director, Southwest Wildlife Rehabilitation & Educational Foundation, Inc., Scottsdale	Geri Dury, Vice Director, Southwest Wildlife Rehabilitation & Educational Foundation, Inc., Scottsdale	Ruth Scott, Independent Rehabilitator, Paradise Valley
Megan M. Mosby, Executive Director, Liberty Wildlife Rehabilitation Foundation, Scottsdale	Darlene Fitchet, Director, Liberty Wildlife Rehabilitation Foundation, Scottsdale	Lorna J. Swiggers, Independent Rehabilitator, Phoenix
Geni Gellhaus, Director, Cry in the Wilderness, Tonopah	Jim Farrell, Vice President, Cry in the Wilderness, Tonopah	Francois de Martini, President, Bradshaw Mountain Wildlife Assoc, Mayer
Sam Fox, Vice President, Wild At Heart, Cave Creek	Bob Fox, Treasurer, Wild At Heart, Cave Creek	Arlene Amato, Director, Bradshaw Mountain Wildlife Assoc., Mayer
Carolyn Folks, President, For The Birds, Phoenix	Shirley Stegman, Secretary/Treasurer, For The Birds, Phoenix	Regina Whitman, Founder, Desert Cry, Queen Creek

Paid for by Southwest Wildlife Rehabilitation & Educational Foundation, Inc.

Proponents of Proposition 102 are well intentioned in their efforts to protect hunting in Arizona. However, the rule of “unintended consequences” could result in sportsmen being harmed as a result of their own efforts! Proposition 102 could require sportsmen to obtain a 2/3rds majority on a future initiative to protect hunting rights from actions of the State.

During an elected term, the governor appoints at least 4 Game and Fish commissioners. If only 3 had anti-hunting views, the Commission could take action to ban or radically modify the right to hunt. Overturning such proposals would require legislative action or an initiative by hunters burdened with the near impossible task of gathering a 2/3rds majority vote.

Or, the legislature itself, which already has many “anti-elk” members could legislate an extreme elk hunt to kill off most elk. They could conceivably legislate that Game and Fish provide free big game permits to ranchers at sportsmens expense. In either case, sportsmen would have to seek a referendum within 90 days to bring it before the voters, or begin a citizens initiative requiring a 2/3rds vote to defeat such legislation.

Proposition 102 is prejudicial and unfair. It burdens a specific constituency to obtain a 2/3rds majority on a narrow issue, whereas the legislature and all other issues require a simple majority to pass. The Arizona Constitution has served us well. It should not be changed for political whims of any group.

I am a lifelong hunter and fisherman and served as Game and Fish Commissioner from 1986-1991. I urge a “NO” vote on Proposition 102 in the best interests of sporthunters and wildlife.

Thomas G. Woods, Phoenix

The Arizona Humane Society urges you to vote NO on Proposition 102.

This measure will take away your rights to pass laws that preserve and protect Arizona's wildlife; and, it puts everyone's voting rights in jeopardy.

Proposition 102 is cleverly disguised as a “wildlife-conservation” measure. DONT BE FOOLED! Instead, it would change the state constitution so any new ballot initiative designed to protect or preserve wildlife would require a “super majority” – 2/3 of the votes cast – to pass. Yet, every other ballot initiative on every other issue would still pass with a simple majority (50-percent plus 1).

It's no coincidence that Proposition 102 singles out wildlife issues. Its proponents don't want you to have a say at the polls on how we preserve our wildlife, or protect wildlife from unnecessary suffering and harm. Its backers include those who want to abolish your rights to speak out against inhumane, barbaric and irresponsible treatment of wildlife. They are the same people who didn't want you to outlaw their use of torturous leg-hold traps and poisons on public lands in 1994.

But that's not all.

By silencing the public's voice on wildlife issues, Proposition 102 also takes away your voting rights! Requiring a “super majority” on ANY ballot initiative is a slap in the face to democracy, and is wholly un-American. Clearly, Proposition 102 also puts our voting rights at stake.

For 43 years, you have trusted us to be a voice for animals and the people who love them. Never before have we seen such a dangerous threat to wildlife, or the public's right to ensure that our native species are managed responsibly and treated humanely.

The Arizona Humane Society and its 60,000 member families urge you to vote NO on Proposition 102.

Kenneth White, Executive Director, The Arizona Humane Society, Scottsdale	Mark K. Briggs, Esq., Vice President for Government Issues, Arizona Humane Society Board of Directors, Phoenix
--	---

Paid for by The Arizona Humane Society

The Animal Legal Defense Fund urges Arizona voters to vote No on Proposition 102. A No vote will protect both Arizona's wildlife and your constitutional voting rights.

Proposition 102 proposes an amendment to the Arizona Constitution. If it passes, all future initiatives affecting wildlife would have to pass by a two-thirds majority of the votes cast. The Arizona Constitution currently requires that all initiatives must pass by a simple majority. Proposition 102 would single out wildlife initiatives and hold them to a much higher, unfair standard. All initiatives should be held to the same standard for passage, a simple majority, as set out by Arizona's founding fathers at the time of statehood.

When Arizona's founders set out to create the State of Arizona at the Constitutional Convention, one of their biggest concerns was the right to pass laws by citizens' initiative. In fact, they told the federal government that they would rather give up statehood than lose this important right. It is shocking that the Arizona Legislature and special interest groups are trying to compromise this right that was so sacred to our founders.

Protect wildlife and your constitutional voting rights, **VOTE NO ON PROPOSITION 102.**

Stephanie Nichols-Young, Chair, Board of Directors, Animal Legal Defense Fund, Phoenix      Robert L. Trimble, Vice President, Animal Legal Defense Fund, Dallas

Paid for by Law Office of Stephanie Nichols-Young

#### **THE FUND FOR ANIMALS URGES "NO" ON PROPOSITION 102. PROTECT WILDLIFE AND PRESERVE VOTING RIGHTS.**

Proposition 102 is the latest salvo in a nationwide campaign by special interest hunting and trapping groups to take away your voting rights. The Fund for Animals urges you to vote "No" on Proposition 102 for the following reasons:

- **Proposition 102 would prevent voters from enacting reasonable wildlife laws.** In 1994, Arizona voters approved a sensible ballot measure to restrict the use of cruel traps that injure and kill wildlife and family pets on public lands, with 59 percent of the vote. If Proposition 102 passes, any wildlife ballot measure would require nearly 67 percent of the vote, making it nearly impossible to pass such a measure.
- **Proposition 102 is a slap in the face to Arizona voters.** Voters can make wise decisions on ballot measures related to wildlife. Proposition 102 was placed on the ballot by legislators, trophy hunters, and commercial trappers who think that the voters are not intelligent enough to make these decisions.
- **Proposition 102 is unfair.** Why should a wildlife issue require nearly 67 percent of the vote to pass, while any other ballot measure would require a simple 50 percent majority? Proposition 102 sets an unfair burden on voters who care about wildlife issues.
- **Proposition 102 is a radical attack on your voting rights.** Arizonans have enjoyed the right to make law through the ballot initiative process since statehood. If we chip away at those voting rights for wildlife issues, we can expect a flurry of efforts from other special interest groups to take away voting rights for other subject matters.

Marian Probst, President, The Fund for Animals, New York      Michael Markarian, Executive Vice President, The Fund for Animals, Silver Spring, MD

Paid for by The Fund for Animals, Inc.

#### **HUMANE SOCIETY OF THE UNITED STATES URGES "NO" ON PROPOSITION 102 PROTECT MAJORITY RULE IN ARIZONA!**

**Proposition 102 is a sneak attack on your voting rights.** Don't be fooled by the rhetoric of Proposition 102 backers. Here's the truth: a radical segment of the hunting industry wants to change the rules on direct decision-making. They don't want you to have the opportunity to protect wildlife from inhumane and unfair methods of hunting.

**Proposition 102 masquerades as a wildlife protection measure.** The fact is, Proposition 102 would make it practically impossible for voters to approve a wildlife protection initiative. Arizona voters restricted the use of inhumane and indiscriminate steel-jawed leghold traps on public lands by approving an initiative in 1994 with a 59% majority. If two-thirds passage requirement had been in place then, the measure would have failed and our state would still allow these deadly traps. Wildlife advocates have never abused the initiative process; only two wildlife initiatives have ever appeared on the ballot in state history.

**Proposition 102 allows a small minority of voters to block the will of the people.** It changes a tradition in this country, and in Arizona, of majority rule.

**Proposition 102 changes the initiative process.** Initiatives are an important safety valve in Arizona when elected officials and political appointees fail to act in the public interest. The initiative process promotes accountability among policy makers because it reserves final authority in you, the people of Arizona.

**Proposition 102 takes away your rights.** Once voters are shut out of the initiative process, hunting special interests will lobby the politicians for trophy and bounty hunting and regressive wildlife killing programs, and may even try to bring back the steel-jawed leghold traps that the voters outlawed through the initiative process.

Wayne Pacelle, Vice President, Silver Spring, MD      Nancy Perry, Vice President, Bethesda, MD

Paid for by the Humane Society of the United States

#### **Sierra Club Says: "No" to Proposition 102**

Protect your constitutional rights and protect Arizona's Wildlife, please vote no on Proposition 102.

Proposition 102 requires a 2/3 vote on any citizen initiative which permits, limits, or prohibits the take (hunting, fishing, trapping, etc.) of wildlife. It does not protect hunting or fishing, but instead restricts citizens' ability to pass laws through the initiative process. Currently, only a simple majority (50% plus one) is required to pass laws that protect wildlife or allow for particular types of hunting and fishing (or do anything else for that matter).

**Under Proposition 102, ballot measures referred by the legislature would still require only a majority vote. Why should the voters be held to a higher standard than the Arizona legislature?**

Even constitutional amendments require only a majority vote of the public. Why have a higher standard for this issue than for changing the constitution?

Make no mistake about it, Proposition 102 is not about protecting hunting and fishing – many hunters and anglers are opposed to this measure – and it is not about proper wildlife management, it is about restricting the rights of Arizona voters. In fact it could very well come back to hurt hunters as much as it hurts other conservation interests and animal protection interests.

Sierra Club does not have an anti-hunting position. We do, however, oppose measures that negatively impact Arizona's wildlife and its management and we oppose measures that limit our constitutional rights. **Please vote no on Proposition 102.**

Ted Gartner, Treasurer, Sierra Club-Grand Canyon Chapter, Chandler    Sharon Galbreath, Conservation Chair, Sierra Club- Grand Canyon Chapter, Flagstaff

Paid for by Grand Canyon Chapter, Sierra Club

The initiative process has been used effectively to pass issues that help neighborhoods in their preservation efforts. This process is seriously threatened by Prop 102.

Prop 102 was spawned by special interest wishing to gain "bullet proof" protection to continue contest hunts on such animals as coyotes. This would be done by requiring a 2/3 rds vote on any initiative which permits, limits, or prohibits the take of wildlife.

Prop 102 is not warranted, as there has been no discernible move to outlaw hunting in Arizona. Moreover, it is dangerous to our democratic process. By requiring a 2/3 rds supermajority, this initiative unduly restricts our citizen's ability to pass laws through the initiative process. This is not right. Currently, only a simple majority of 50% plus one is required to pass laws, including those pertaining to wildlife. Why should the people have to achieve a much higher standard than the legislature? Even constitutional amendments require only a majority vote of the public. It makes no sense that wildlife issues should have a higher bar (standard) to hurdle than even for changing the constitution. Prop 102 sets a terrible precedent. It would allow decisions to be made for us by only 35% of the votes cast. Don't let it pass and take us down the slippery slope to minority rule and the possible endangerment of neighborhood preservation. Vote NO on Proposition 102.

Submitted by: Neighborhood Coalition of Greater Phoenix.

B. Paul Barnes, President, Neighborhood Coalition of Greater Phoenix, Phoenix    Patricia Anne Prince, Vice President, Neighborhood Coalition of Greater Phoenix, Phoenix

Paid for by Help Abolish Leghold Traps

In 1994, Arizona voters passed a proposition placed on the ballot by a grassroots citizens initiative effort to ban leghold animal traps, poisons and snares on Arizona's public lands. This was done only after we were unable to achieve any meaningful reform through our legislature. The proposition passed by almost 59%. Clearly, the majority of Arizona voters did not want indiscriminate, dangerous, hidden, deadly devices on our public lands. Because of the public's passage of that proposition, people can hike, camp, horseback ride, walk their dogs and allow their children to play freely on our public lands without the threat of these dangerous devices.

If proposition 102 were the law in 1994, that proposition would not have passed and our public lands would still be littered with hidden, dangerous trapping devices. Equally disturbing is that the will of the large majority of voters would have been denied.

The drafters of this proposition know that a two thirds majority (supermajority) vote is virtually impossible to achieve and that this proposition would doom any attempts by the public to determine how its own wildlife is managed. The result of the passing of Proposition 102 will place all management decisions into the hands of a small minority of powerful, special interest groups whose goal is to ensure a constant supply of game animals and furbearers for recreational, consumptive purposes at the expense of all other wildlife.

Proposition 102 is a blatant slap in the face to all citizens of Arizona. Send our legislature a message loud and clear. The citizens of Arizona will not tolerate their back handed attempts to take away our constitutional rights.

Vote a resounding, supermajority NO on Proposition 102.

Janet Evans, President, Help Abolish Leghold Traps, Carefree    Linda Wells, Secretary/Treasurer, Help Abolish Leghold Traps, Tucson

Paid for by Law Office of Stephanie Nichols-Young

As a wildlife biologist, I oppose Proposition 102 because of the threat a supermajority requirement poses to wildlife in Arizona. Wildlife management is both an art and a science. It requires knowledge of species biology, ecology, behavior, and must be responsive to public interests and desires.

An initiative process which permits the majority to make laws affecting wildlife is critical to responsible wildlife management. It functions as a check to wildlife management decisions made by the legislature or the Arizona Game and Fish Commission and permits the public to make laws protecting wildlife when the legislature or Commission are unwilling to do so. Wildlife initiatives benefit wildlife by prohibiting methods of killing which are cruel, biologically unnecessary, and not supported by the majority of the public.

In 1994, Arizona voters approved an initiative banning the use of leghold traps, snares, and poisons on public lands. This law has saved thousands of animals from cruel and unnecessary deaths. If a supermajority requirement were in place in 1994, the anti-trapping initiative, despite garnering 58 percent of the vote, would not have passed.

Indeed, if Proposition 102 is passed, the wildlife management interests of the minority will supersede the interests of the majority of Arizona voters. Not only will this eliminate the public's ability to make laws affecting wildlife, but it will permit archaic and cruel wildlife management practices unacceptable to the majority of Arizonans to continue to harm Arizona's wildlife.

Proposition 102 is not beneficial to Arizona's wildlife. If you care about Arizona's wildlife, vote No on Proposition 102.

D.J. Schubert, Glendale

Paid for by Law Office of Stephanie Nichols-Young

Since 1912, the year of Arizona statehood, Proposition 102 will present the first opportunity for Arizona voters to vote against themselves. The State Constitutional Delegation, just prior to statehood, had the intelligent foresight to place in the Constitution the voter initiative process so that all Arizona voters could have a strong voice in our State government. The delegates, unlike our present day Legislators, are to be honored for their integrity in involving we the people in the democratic process of operating our State government.

The Statutes governing the Arizona Game & Fish Department state in effect that wildlife is to be protected and managed for all of Arizona. They do not state that wildlife is for the pleasure of groups who want it for themselves.

Who wants to take away our precious voting rights? Who wants to take away our democratic voter initiative process? Five non-elected, Governor-appointed, non-accountable Game & Fish Commissioners who resent the public interfering with their power structure want voting rights taken from the voters. They, along with some hunting groups whose democratic priorities are confused, lobbied thru a paid lobbyist, to have only 52% of the Legislators to place Prop 102 on the ballot. The voters were not asked their voices in this matter. The Commissioners and Legislators look down at the voters as being unintelligent.

We voters who are intelligent will rise above the petty-power Commissioners and the arrogant Legislators and will vote NO ON 102 to protect our voting rights and to protect Arizona’s wildlife for all Arizona.

Jim Shea, Phoenix

**Initiative and Referendum Institute Opposes Proposition 102**

The legislature’s submission to the demands of an extremist faction of the hunting lobby proves just why the initiative and referendum process is so important - voters need a tool to by-pass legislators corrupted by special interests.

Regardless of one’s view on the issue of hunting and trapping, Proposition 102 should be opposed because:

**It’s not about hunting and trapping; it neither regulates nor deregulates the practice.**

**It would make certain special interests effectively immune from the power of the voters.** These special interests would then be able to control the legislature at will. Rest assured it won’t stop here. If Proposition 102 is adopted it won’t be long before other special interests lobby legislators to restrict the initiative process to protect their interests?

**It is unconstitutional.** A similar law passed in Utah is being challenged by the Initiative & Referendum Institute as being unconstitutional. It blatantly discriminates against those that wish to support animal protection laws. Why should they have a higher burden to get the laws they want adopted versus those that want to put in place campaign finance reform, term limits or abolish the state income tax – it is fundamentally wrong.

**Proposition 102 is an unfortunate assault against the people by groups trying to protect their own self-interest.** In short, a powerful minority is subverting the majority’s right to utilize the one check and balance they have against the legislature – the initiative process.

M. Dane Waters, President, Initiative & Referendum Institute,  
Washington, D.C.

John Boehm, General Counsel, Initiative & Referendum Institute,  
Lincoln, N.E.

Paid for by Initiative & Referendum Institute

As some of the 43 Arizona legislators – Republican and Democrat – who did NOT vote to put Prop 102 on the ballot, we strongly urge you to vote NO on Prop 102.

Prop 102 is supposed to fool you into thinking it’s good for wildlife. It’s not. In fact, Prop 102 would make it almost impossible for you to protect wildlife from bureaucrats and political appointees ever again!

But worse than that Prop 102 would take away your voting rights.

When Arizona became a state, our founders believed that keeping voting power in the hands of the people – by letting them vote directly on laws – was terribly important.

They believed that keeping that right was so important, they almost rejected statehood rather than lose the power of the people to make laws directly. Now supporters of Prop 102 are trying to take away that right! Don’t let them. Vote NO on Prop 102.

Kathleen Dunbar, State Representative,  
Tucson

Marion Pickens, State Representative,  
Tucson

Carolyn S. Allen, State Representative,  
Scottsdale

Carmine Cardamone, State Representative,  
Tucson

Elaine Richardson, State Representative,  
Tucson

Bill Brotherton, State Representative,  
Phoenix

Harry E. Mitchell, State Senator,  
Tempe

Paid for by NO ON 102

Having fished all my life, hunted less frequently and served on the Arizona Game and Fish Commission (1990-1995), I regret that I must urge Arizona’s voters to reject Prop 102. It was born of the best of intentions, but its consequences to Arizona’s democratic processes and possibly to her wildlife are such that they must be prevented from occurring.

Requiring a 2/3 majority vote for any type of initiative is an erosion of Arizona’s hard-won initiative voting rights. As much as I strongly sympathize with the need for professional, scientifically-based wildlife management, I do not believe that it or any other issue should be allowed to weaken our voting rights.

This referendum, if passed, could work quite in the opposite way from which it was intended. It could permit the Legislature to enact, by simple majority, some undesirable wildlife management measures while the voters, through a crippled initiative process, would have to muster a 2/3 majority to overturn them.

Finally, the rather broad language of Prop. 102 could possibly jeopardize the passage of a future Heritage Fund initiative.

Proposition 102 is not good for Arizona’s voters nor for her wildlife. Please vote NO on Prop 102.

Elizabeth T. Woodin, Tucson

The initiative process has been used effectively to pass issues that help neighborhoods in their preservation efforts. This process is seriously threatened by Prop 102.

Prop 102 was spawned by special interests wishing to gain “bullet proof” protection to continue contest hunts on such animals as coyotes. This would be done by requiring a 2/3rds vote on any initiative which permits, limits, or prohibits the take of wildlife.

Prop 102 is not warranted, as there has been no discernible move to outlaw hunting in Arizona. Moreover, it is dangerous to our democratic process. By requiring a 2/3 rds supermajority, this initiative unduly restricts our citizen’s ability to pass laws through the initiative process. This is not right. Currently, only a simple majority of 50% plus one is required to pass laws, including those pertaining to wildlife. Why should the people have to achieve a much higher standard than the legislature? Even constitutional amendments require only a majority vote of the public. It makes no sense that wildlife issues should have a higher bar (standard) to hurdle than even for changing the constitution.

Prop 102 sets a terrible precedent. It would allow decisions to be made for us by only 35% of the votes cast. Don’t let it pass and take us down the slippery slope to minority rule and the possible endangerment of neighborhood preservation. Vote **NO** on Proposition 102.

Submitted by: Neighborhood Coalition of Greater Phoenix

B. Paul Barnes, President, Patricia Anne Prince, Vice President,  
 Neighborhood Coalition of Greater Phoenix, Phoenix Neighborhood Coalition of Greater Phoenix, Phoenix

Paid for by B. Paul Barnes

**ANIMALS ARE PEOPLE TOO**

Animals are just like people. They need love and affection; however, in today’s consumer based society, the divine, god-given rights of the animal populations are overlooked. Americans continue to be the largest consumers of animal products: everything from leather shoes and belts to the millions of burgers that we eat daily. Who are we to put the flesh of an animal in our mouths and call it food? When will we realize that MEAT IS MURDER!

A good argument in favor of hunting and fishing does not exist. From the bass desperately trying to escape the pain of the hook as he is reeled in, to the pollock tumbling endlessly in a trawler’s net, to the tuna struggling for hours with a hook in her throat attached to miles of line with thousand of hooks, billions of fish suffer at our hands every year. It is time to put an end to it all!

It is unconscionable not to consider the life of an animal, regardless of how large or small, to be any less important than that of a human being. Stop the barbarians, vote NO on Prop 102.

Sam Gordon, Scottsdale

**NO!** on Proposition 102. This proposition is a bald-faced attempt by a small, radical group of varmint shooters, trappers and their legislative allies to take control of the political process that affects their interests. Most sportsmen groups do not even support this measure!

They want to force any regulation of wildlife management to pass a public vote by a two-thirds majority. No other industry in Arizona has this unprecedented luxury. Imagine if Arizonans had to resort to referendums and initiatives to enact work-place safety or health-care regulations, and then pass them by a two-thirds majority! Special interests could defeat all regulation. In a time when managing our remaining public lands and maintaining dwindling ecosystems is a priority, this proposition is a dangerous, selfish stunt that seeks to protect the economic interests of a small minority of Arizonans.

William Crosby, Green Party Candidate Legislative District 9, House, Tucson	Jack Strasburg, Green Party Candidate Legislative District 10, House, Tucson
Chris Ford, Green Party Candidate Legislative District 11, Senate, Tucson	Katie Bolger, Green Party Candidate Legislative District 14, House, Tucson
David Croteau, Green Party Candidate Pima County Sheriff, Tucson	Susan Campbell, Green Party Candidate Pima County Superintendent of Schools, Tucson
	Bill Zaffer, Green Party Candidate Pima County Recorder, Tucson

Paid for by Green Party

**BALLOT FORMAT**

**PROPOSITION 102**

**PROPOSED AMENDMENT TO THE CONSTITUTION  
BY THE LEGISLATURE**

**OFFICIAL TITLE**

SENATE CONCURRENT RESOLUTION 1006  
PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA; AMENDING ARTICLE IV, PART 1, SECTION 1, CONSTITUTION OF ARIZONA; AMENDING ARTICLE XXI, SECTION 1, CONSTITUTION OF ARIZONA; AMENDING ARTICLE XXII, CONSTITUTION OF ARIZONA, BY ADDING SECTION 23; RELATING TO WILDLIFE MANAGEMENT.

**DESCRIPTIVE TITLE**

AMENDING ARIZONA CONSTITUTION TO CREATE CONSTITUTIONAL REQUIREMENT THAT THE STATE MANAGE WILDLIFE IN PUBLIC TRUST AND REQUIRE THAT INITIATIVES THAT PERMIT, LIMIT OR PROHIBIT TAKING OF WILDLIFE, INCLUDING METHODS OR SEASONS FOR TAKING WILDLIFE, SHALL NOT BECOME LAW UNLESS APPROVED BY 2/3rds OF THE VOTES CAST ON THE PROPOSITION.

**PROPOSITION 102**

<p>A “yes” vote shall have the effect of creating a constitutional requirement that the state manage wildlife in the public trust and that initiatives that permit, limit or prohibit taking of wildlife, including methods or seasons of taking wildlife, shall not become law unless approved by 2/3rds of the votes cast on the proposition.</p>	<p><b>YES</b> <input type="checkbox"/></p>
<p>A “no” vote shall have the effect of retaining the current provisions of the Arizona Constitution that require a simple majority of the votes cast to pass any initiative measure.</p>	<p><b>NO</b> <input type="checkbox"/></p>