

**APPLICATION FOR INITIATIVE OR REFERENDUM PETITION SERIAL NUMBER**

Secretary of State  
1700 W. Washington, 7th Floor  
Phoenix, AZ 85007

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The undersigned intends to circulate and file an INITIATIVE or a **REFERENDUM** (circle the appropriate word) petition and hereby makes application for the issuance of an official serial number to be printed in the lower right-hand corner of each side of each signature sheet of such petition. Pursuant to Arizona Revised Statutes § 19-111, attached hereto is the full text, in no less than eight point type, of the MEASURE or **CONSTITUTIONAL AMENDMENT** (circle appropriate word) intended to be INITIATED or **REFERRED** (circle appropriate word) at the next general election.

**SUMMARY:** A description of no more than one hundred words of the principal provisions of the proposed law, constitutional amendment or measure that will appear in no less than eight point type on the face of each petition signature sheet to be circulated .

The Private Property Rights Protection Act is Arizona's response to the U.S. Supreme Court's decision allowing government to seize land for private commercial development. This Act protects private property by defining public use to mean only the public will own and use the land and declares that the public benefits of economic development, including increased tax revenues and employment, shall not constitute a public use. The Act ensures that Arizona citizens receive just compensation if they lose their property or lose the value of their property when government takes or enacts a law that diminishes the value of private property.

Lori Klein  
Signature of Applicant

Lori Klein  
Printed Name of Applicant

3637 W. Medinah Ct.  
Address

Anthem AZ 85086  
City State Zip

623 218 6090  
Telephone Number

Arizona Home Owners Protection Effort (AZ Hope)  
Name of Organization (if any)

3431 W. Thunderbird #302  
Address

Phoenix AZ 85053  
City State Zip

(602) 315-1737  
Telephone Number

Carol Springer, Chairman  
Name of Officer and Title

1735 Oregon Avenue  
Address

Prescott AZ 86305  
City State Zip

(928) 485-1363  
Telephone Number

John R. Norton, Treasurer  
Name of Officer and Title

3200 E. Camelback Road, Ste 389  
Address

Phoenix AZ 85018  
City State Zip

(602) 954-8812  
Telephone Number

Date of Application	<u>3-13-2006</u> <u>March 13, 2006</u>
Signatures Required	<u>122, 612</u>
Deadline for Filing	<u>July 6, 2006</u>
Serial Number Issued	<u>I-21-2006</u>
CF#	<u>200602759</u>
<b>FOR OFFICE USE ONLY</b>	

AN INITIATIVE MEASURE

AMENDING TITLE 12, CHAPTER 8, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 2.1;  
RELATING TO THE PRIVATE PROPERTY RIGHTS PROTECTION ACT.

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

2  
3 Section 1. Short title

4 This act may be cited as the "Private Property Rights Protection Act".

5  
6 Sec. 2. Findings and declarations

7  
8 A. The people of Arizona find and declare:

9 1. Article 2, section 17 of our State Constitution declares in no uncertain terms that private property shall  
10 not be taken for private use.

11 2. Our Constitution further provides that no person shall be deprived of property without due process of  
12 law.

13 3. Finally, our Constitution does not permit property to be taken or damaged without just compensation  
14 having first been made.

15 4. Notwithstanding these clear constitutional rights, the state and municipal governments of Arizona  
16 consistently encroach on the rights of private citizens to own and use their property, requiring the people of this  
17 State to seek redress in our state and federal courts which have not always adequately protected private property  
18 rights as demanded by the State and Federal Constitutions. For example:

19 (a) A recent United States Supreme Court ruling, *Kelo v. City of New London*, allowed a city to exercise  
20 its power of eminent domain to take a citizen's home for the purpose of transferring control of the land to a private  
21 commercial developer.

22 (b) The City of Mesa used eminent domain to acquire and bulldoze homes for a redevelopment project that  
23 included a hotel and water park. After the developer's financing fell through the project was abandoned and the  
24 property left vacant.

25 (c) The City of Mesa filed condemnation actions against Randy Bailey, to take his family-owned brake  
26 shop, and Patrick Dennis, to take his auto-body shop, so that local business owners could relocate and expand a  
27 hardware store and an appliance store.

28 (d) The City of Tempe instituted an eminent domain action to condemn the home of Kenneth and Mary  
29 Ann Pillow in order to transfer their property to a private developer who planned to build upscale townhomes.

30 (e) The City of Chandler filed a condemnation action against a fast food restaurant in order to replace the  
31 fast-food restaurant with upscale dining and retail uses.

32 (f) In the wake of the *Kelo* ruling, the City of Tempe recently sought to condemn property in an industrial  
33 park in order to make way for an enormous retail shopping mall.

34 (g) The City of Tempe told the owners of an Apache Boulevard bowling alley that the City intended to  
35 condemn their property and specifically instructed them not to make further improvements to the land. Heeding  
36 Tempe's advice, the owners made no further improvements and ultimately lost bowling league contracts and went  
37 out of business. The Arizona Court of Appeals refused the owners' request for just compensation.

38 (h) Courts have also allowed state and local governments to impose significant prohibitions and restrictions  
39 on the use of private property without compensating the owner for the economic loss of value to that property.

40 5. For home owners in designated slum or blighted areas, the compensation received when a primary  
41 residence is seized is not truly just as required by our state constitution.

42 6. Furthermore, even when property is taken for a valid public use, the judicial processes available to  
43 property owners to obtain just compensation are burdensome, costly and unfair.

44 B. Having made the above findings, the people of Arizona declare that all property rights are fundamental  
45 rights and that all people have inalienable rights including the right to acquire, possess, control and protect property.  
46 Therefore the citizens of the State of Arizona hereby adopt the Private Property Rights Protection Act to ensure that  
47 Arizona citizens do not lose their home or property or lose the value of their home or property without just  
48 compensation. Whenever state and local governments take or diminish the value of private property, it is the intent  
49 of this act that the owner will receive just compensation, either by negotiation or by an efficient and fair judicial  
50 process.  
51

1           Sec. 3. Title 12, chapter 8, Arizona Revised Statutes, is amended by adding article 2.1, to read:  
2

3                           Article 2.1. PRIVATE PROPERTY RIGHTS PROTECTION ACT  
4

5           12-1131. PROPERTY MAY BE TAKEN ONLY FOR PUBLIC USE CONSISTENT WITH THIS  
6 ARTICLE

7           EMINENT DOMAIN MAY BE EXERCISED ONLY IF THE USE OF EMINENT DOMAIN IS  
8 AUTHORIZED BY THIS STATE, WHETHER BY STATUTE OR OTHERWISE, AND FOR A PUBLIC USE AS  
9 DEFINED BY THIS ARTICLE.

10           12-1132. BURDEN OF PROOF

11           A. IN ALL EMINENT DOMAIN ACTIONS THE JUDICIARY SHALL COMPLY WITH THE STATE  
12 CONSTITUTION'S MANDATE THAT WHENEVER AN ATTEMPT IS MADE TO TAKE PRIVATE  
13 PROPERTY FOR A USE ALLEGED TO BE PUBLIC, THE QUESTION WHETHER THE CONTEMPLATED  
14 USE BE REALLY PUBLIC SHALL BE A JUDICIAL QUESTION, AND DETERMINED AS SUCH WITHOUT  
15 REGARD TO ANY LEGISLATIVE ASSERTION THAT THE USE IS PUBLIC.

16           B. IN ANY EMINENT DOMAIN ACTION FOR THE PURPOSE OF SLUM CLEARANCE AND  
17 REDEVELOPMENT, THIS STATE OR A POLITICAL SUBDIVISION OF THIS STATE SHALL ESTABLISH  
18 BY CLEAR AND CONVINCING EVIDENCE THAT EACH PARCEL IS NECESSARY TO ELIMINATE A  
19 DIRECT THREAT TO PUBLIC HEALTH OR SAFETY CAUSED BY THE PROPERTY IN ITS CURRENT  
20 CONDITION, INCLUDING THE REMOVAL OF STRUCTURES THAT ARE BEYOND REPAIR OR UNFIT  
21 FOR HUMAN HABITATION OR USE, OR TO ACQUIRE ABANDONED PROPERTY AND THAT NO  
22 REASONABLE ALTERNATIVE TO CONDEMNATION EXISTS.

23           12-1133. JUST COMPENSATION; SLUM CLEARANCE AND REDEVELOPMENT

24           IN ANY EMINENT DOMAIN ACTION FOR THE PURPOSE OF SLUM CLEARANCE AND  
25 REDEVELOPMENT, IF PRIVATE PROPERTY CONSISTING OF AN INDIVIDUAL'S PRINCIPAL  
26 RESIDENCE IS TAKEN, THE OCCUPANTS SHALL BE PROVIDED A COMPARABLE REPLACEMENT  
27 DWELLING THAT IS DECENT, SAFE, AND SANITARY AS DEFINED IN THE STATE AND FEDERAL  
28 RELOCATION LAWS, SECTION 11-961 ET SEQ. AND 42 USC 4601 ET SEQ., AND THE REGULATIONS  
29 PROMULGATED THEREUNDER. AT THE OWNER'S ELECTION, IF MONETARY COMPENSATION IS  
30 DESIRED IN LIEU OF A REPLACEMENT DWELLING, THE AMOUNT OF JUST COMPENSATION THAT  
31 IS MADE AND DETERMINED FOR THAT TAKING SHALL NOT BE LESS THAN THE SUM OF MONEY  
32 THAT WOULD BE NECESSARY TO PURCHASE A COMPARABLE REPLACEMENT DWELLING THAT IS  
33 DECENT, SAFE, AND SANITARY AS DEFINED IN THE STATE AND FEDERAL RELOCATION LAWS  
34 AND REGULATIONS.

35           12-1134. DIMINUTION IN VALUE; JUST COMPENSATION

36           A. IF THE EXISTING RIGHTS TO USE, DIVIDE, SELL OR POSSESS PRIVATE REAL PROPERTY  
37 ARE REDUCED BY THE ENACTMENT OR APPLICABILITY OF ANY LAND USE LAW ENACTED AFTER  
38 THE DATE THE PROPERTY IS TRANSFERRED TO THE OWNER AND SUCH ACTION REDUCES THE  
39 FAIR MARKET VALUE OF THE PROPERTY THE OWNER IS ENTITLED TO JUST COMPENSATION  
40 FROM THIS STATE OR THE POLITICAL SUBDIVISION OF THIS STATE THAT ENACTED THE LAND  
41 USE LAW.

42           B. THIS SECTION DOES NOT APPLY TO LAND USE LAWS THAT:

43           1. LIMIT OR PROHIBIT A USE OR DIVISION OF REAL PROPERTY FOR THE PROTECTION OF  
44 THE PUBLIC'S HEALTH AND SAFETY, INCLUDING RULES AND REGULATIONS RELATING TO FIRE  
45 AND BUILDING CODES, HEALTH AND SANITATION, TRANSPORTATION OR TRAFFIC CONTROL,  
46 SOLID OR HAZARDOUS WASTE, AND POLLUTION CONTROL;

47           2. LIMIT OR PROHIBIT THE USE OR DIVISION OF REAL PROPERTY COMMONLY AND  
48 HISTORICALLY RECOGNIZED AS A PUBLIC NUISANCE UNDER COMMON LAW;

49           3. ARE REQUIRED BY FEDERAL LAW;

50           4. LIMIT OR PROHIBIT THE USE OR DIVISION OF A PROPERTY FOR THE PURPOSE OF  
51 HOUSING SEX OFFENDERS, SELLING ILLEGAL DRUGS, LIQUOR CONTROL, OR PORNOGRAPHY,  
52 OBSCENITY, NUDE OR TOPLESS DANCING, AND OTHER ADULT ORIENTED BUSINESSES IF THE  
53 LAND USE LAWS ARE CONSISTENT WITH THE CONSTITUTIONS OF THIS STATE AND THE UNITED  
54 STATES;

55           5. ESTABLISH LOCATIONS FOR UTILITY FACILITIES;

56           6. DO NOT DIRECTLY REGULATE AN OWNER'S LAND; OR

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1 7. WERE ENACTED BEFORE THE EFFECTIVE DATE OF THIS SECTION.

2 C. THIS STATE OR THE POLITICAL SUBDIVISION OF THIS STATE THAT ENACTED THE LAND  
3 USE LAW HAS THE BURDEN OF DEMONSTRATING THAT THE LAND USE LAW IS EXEMPT  
4 PURSUANT TO SUBSECTION B.

5 D. THE OWNER SHALL NOT BE REQUIRED TO FIRST SUBMIT A LAND USE APPLICATION TO  
6 REMOVE, MODIFY, VARY OR OTHERWISE ALTER THE APPLICATION OF THE LAND USE LAW TO  
7 THE OWNER'S PROPERTY AS A PREREQUISITE TO DEMANDING OR RECEIVING JUST  
8 COMPENSATION PURSUANT TO THIS SECTION.

9 E. IF A LAND USE LAW CONTINUES TO APPLY TO PRIVATE REAL PROPERTY MORE THAN  
10 NINETY DAYS AFTER THE OWNER OF THE PROPERTY MAKES A WRITTEN DEMAND IN A SPECIFIC  
11 AMOUNT FOR JUST COMPENSATION TO THIS STATE OR THE POLITICAL SUBDIVISION OF THIS  
12 STATE THAT ENACTED THE LAND USE LAW, THE OWNER HAS A CAUSE OF ACTION FOR JUST  
13 COMPENSATION IN A COURT IN THE COUNTY IN WHICH THE PROPERTY IS LOCATED, UNLESS  
14 THIS STATE OR POLITICAL SUBDIVISION OF THIS STATE AND THE OWNER REACH AN  
15 AGREEMENT ON THE AMOUNT OF JUST COMPENSATION TO BE PAID, OR UNLESS THIS STATE OR  
16 POLITICAL SUBDIVISION OF THIS STATE AMENDS, REPEALS, OR ISSUES TO THE LANDOWNER A  
17 BINDING WAIVER OF ENFORCEMENT OF THE LAND USE LAW ON THE OWNER'S SPECIFIC PARCEL.

18 F. ANY DEMAND FOR LANDOWNER RELIEF OR ANY WAIVER THAT IS GRANTED IN LIEU OF  
19 COMPENSATION RUNS WITH THE LAND.

20 G. AN ACTION FOR JUST COMPENSATION BASED ON DIMINUTION IN VALUE MUST BE  
21 MADE OR FOREVER BARRED WITHIN THREE YEARS OF THE EFFECTIVE DATE OF THE LAND USE  
22 LAW, OR OF THE FIRST DATE THE REDUCTION OF THE EXISTING RIGHTS TO USE, DIVIDE, SELL OR  
23 POSSESS PROPERTY APPLIES TO THE OWNER'S PARCEL, WHICHEVER IS LATER.

24 H. THE REMEDY CREATED BY THIS SECTION IS IN ADDITION TO ANY OTHER REMEDY  
25 THAT IS PROVIDED BY THE LAWS AND CONSTITUTION OF THIS STATE OR THE UNITED STATES  
26 AND IS NOT INTENDED TO MODIFY OR REPLACE ANY OTHER REMEDY.

27 I. NOTHING IN THIS SECTION PROHIBITS THIS STATE OR ANY POLITICAL SUBDIVISION OF  
28 THIS STATE FROM REACHING AN AGREEMENT WITH A PRIVATE PROPERTY OWNER TO WAIVE A  
29 CLAIM FOR DIMINUTION IN VALUE REGARDING ANY PROPOSED ACTION BY THIS STATE OR A  
30 POLITICAL SUBDIVISION OF THIS STATE OR ACTION REQUESTED BY THE PROPERTY OWNER.

31 12-1135. ATTORNEY FEES AND COSTS

32 A. A PROPERTY OWNER IS NOT LIABLE TO THIS STATE OR ANY POLITICAL SUBDIVISION  
33 OF THIS STATE FOR ATTORNEY FEES OR COSTS IN ANY EMINENT DOMAIN ACTION OR IN ANY  
34 ACTION FOR DIMINUTION IN VALUE.

35 B. A PROPERTY OWNER SHALL BE AWARDED REASONABLE ATTORNEY FEES, COSTS AND  
36 EXPENSES IN EVERY EMINENT DOMAIN ACTION IN WHICH THE TAKING IS FOUND TO BE NOT FOR  
37 A PUBLIC USE.

38 C. IN ANY EMINENT DOMAIN ACTION FOR THE PURPOSE OF SLUM CLEARANCE AND  
39 REDEVELOPMENT, A PROPERTY OWNER SHALL BE AWARDED REASONABLE ATTORNEY FEES IN  
40 EVERY CASE IN WHICH THE FINAL AMOUNT OFFERED BY THE MUNICIPALITY WAS LESS THAN  
41 THE AMOUNT ASCERTAINED BY A JURY OR THE COURT IF A JURY IS WAIVED BY THE PROPERTY  
42 OWNER.

43 D. A PREVAILING PLAINTIFF IN AN ACTION FOR JUST COMPENSATION THAT IS BASED ON  
44 DIMINUTION IN VALUE PURSUANT TO SECTION 12-1134 MAY BE AWARDED COSTS, EXPENSES  
45 AND REASONABLE ATTORNEY FEES.

46 12-1136. DEFINITIONS

47 IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

48 1. "FAIR MARKET VALUE" MEANS THE MOST LIKELY PRICE ESTIMATED IN TERMS OF  
49 MONEY WHICH THE LAND WOULD BRING IF EXPOSED FOR SALE IN THE OPEN MARKET, WITH  
50 REASONABLE TIME ALLOWED IN WHICH TO FIND A PURCHASER, BUYING WITH KNOWLEDGE OF  
51 ALL THE USES AND PURPOSES TO WHICH IT IS ADAPTED AND FOR WHICH IT IS CAPABLE.

52 2. "JUST COMPENSATION" FOR PURPOSES OF AN ACTION FOR DIMINUTION IN VALUE  
53 MEANS THE SUM OF MONEY THAT IS EQUAL TO THE REDUCTION IN FAIR MARKET VALUE OF THE  
54 PROPERTY RESULTING FROM THE ENACTMENT OF THE LAND USE LAW AS OF THE DATE OF  
55 ENACTMENT OF THE LAND USE LAW.

1 3. "LAND USE LAW" MEANS ANY STATUTE, RULE, ORDINANCE, RESOLUTION OR LAW  
2 ENACTED BY THIS STATE OR A POLITICAL SUBDIVISION OF THIS STATE THAT REGULATES THE  
3 USE OR DIVISION OF LAND OR ANY INTEREST IN LAND OR THAT REGULATES ACCEPTED  
4 FARMING OR FORESTRY PRACTICES.

5 4. "OWNER" MEANS THE HOLDER OF FEE TITLE TO THE SUBJECT REAL PROPERTY.

6 5. "PUBLIC USE":

7 (a) MEANS ANY OF THE FOLLOWING:

8 (i) THE POSSESSION, OCCUPATION, AND ENJOYMENT OF THE LAND BY THE GENERAL  
9 PUBLIC, OR BY PUBLIC AGENCIES;

10 (ii) THE USE OF LAND FOR THE CREATION OR FUNCTIONING OF UTILITIES;

11 (iii) THE ACQUISITION OF PROPERTY TO ELIMINATE A DIRECT THREAT TO PUBLIC  
12 HEALTH OR SAFETY CAUSED BY THE PROPERTY IN ITS CURRENT CONDITION, INCLUDING THE  
13 REMOVAL OF A STRUCTURE THAT IS BEYOND REPAIR OR UNFIT FOR HUMAN HABITATION OR  
14 USE; OR

15 (iv) THE ACQUISITION OF ABANDONED PROPERTY.

16 (b) DOES NOT INCLUDE THE PUBLIC BENEFITS OF ECONOMIC DEVELOPMENT, INCLUDING  
17 AN INCREASE IN TAX BASE, TAX REVENUES, EMPLOYMENT OR GENERAL ECONOMIC HEALTH.

18 6. "TAKEN" AND "TAKING" MEAN THE TRANSFER OF OWNERSHIP OR USE FROM A  
19 PRIVATE PROPERTY OWNER TO THIS STATE OR A POLITICAL SUBDIVISION OF THIS STATE OR TO  
20 ANY PERSON OTHER THAN THIS STATE OR A POLITICAL SUBDIVISION OF THIS STATE.

21 12-1137. APPLICABILITY

22 IF A CONFLICT BETWEEN THIS ARTICLE AND ANY OTHER LAW ARISES, THIS ARTICLE  
23 CONTROLS.

24 12-1138. SEVERABILITY

25 IF ANY PROVISION OF THIS ACT OR ITS APPLICATION TO ANY PERSON OR CIRCUMSTANCE  
26 IS HELD INVALID THAT INVALIDITY DOES NOT AFFECT OTHER PROVISIONS OR APPLICATIONS OF  
27 THE ACT THAT CAN BE GIVEN EFFECT WITHOUT THE INVALID PROVISION OR APPLICATION, AND  
28 TO THIS END THE PROVISIONS OF THIS ACT ARE SEVERABLE.  
29  
30  
31



**JAN BREWER**  
SECRETARY OF STATE  
STATE OF ARIZONA

RECEIPT

The Arizona Secretary of State has completed her duties in accordance with Arizona Revised Statutes § 19.121.01(A). **Arizona's Homeowners Protection Effort**, has filed a total of 17,132 petition signature sheets containing 201,357 signatures to initiative petition serial number I-21-2006, which are eligible for verification. This receipt does not constitute an acknowledgement or determination by the Secretary of State that any of those signature sheets are in compliance with legal requirements for placing a measure on the November 7, 2006 General Election ballot. That determination can only be made after the Secretary of State and the County Recorders have performed their duties with respect to initiative petitions as required by law.

Dated this 27<sup>th</sup> Day of July, 2006.

  
JANICE K. BREWER  
Secretary of State

**Sheets Removed from I-21-2006  
By the Secretary of State's Office during processing of petitions**

Reasons for Removal	Sheets	Signatures
Notary incomplete or missing or notary expired	214	2,394
Affidavit of Circulator incomplete or missing	49	526
Paid or Volunteer circulator not marked	68	777
Signatures obtained after notarization	71	647
Attached text incomplete or missing	30	343
All signatures on sheet would have been removed for missing information	92	657
TOTAL	524	5,344



**JAN BREWER**  
**SECRETARY OF STATE**  
**STATE OF ARIZONA**

August 21, 2006

The Honorable Janet Napolitano  
Office of the Governor  
1700 West Washington Street,  
Phoenix, Arizona 85007

Dear Governor Napolitano:

You are hereby notified, pursuant to Arizona Revised Statutes § 19-121.04(B), that the initiative measure I-21-2006, Arizona Home Owners Protection Effort, has met the signature requirements for placement on the November 7, 2006 General Election Ballot as Proposition 207.

Enclosed is the final tabulation of the random sampling and a copy of the official receipt.

Sincerely,

  
JANICE K. BREWER  
Secretary of State

Enclosures



**JAN BREWER**  
SECRETARY OF STATE  
STATE OF ARIZONA

TO: Lori Klein  
Arizona Home Owners Protection Effort  
3431 W. Thunderbird, #302  
Phoenix, AZ 85053

Having completed the requirements of A.R.S. § 19-121.04, I, Janice K. Brewer, Secretary of State, hereby certify that:

524 signature pages bearing 5,344 signatures for initiative petition serial number I-21-2006 have been refused for filing in this office because the person circulating was a county recorder or justice of the peace at the time of circulating the petition or due to defects in the circulator's affidavit. A total of 6,775 signatures included on the remaining petition sheets were found to be ineligible. Of the total random sample of 10,068 signatures, a total of 2,495 signatures were invalidated by the county recorders resulting in a failure rate of 24.78 per cent. The actual number of remaining signatures for such initiative petition number I-21-2006 are equal to or in excess of the minimum required by the constitution to place a measure on the general election ballot. The number of valid signatures filed with this petition, based on the random sample, appears to be at least one hundred five per cent of the minimum required or through examination of each signature has been certified to be greater than the minimum required by the constitution.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Arizona. Done at the Capitol in Phoenix, this 21st day of August, 2006.

*Janice K. Brewer*  
JANICE K. BREWER  
Secretary of State

**INITIATIVE AND REFERENDUM PETITIONS**

Minimum Signature Requirement	<u>122,612</u>	95% <u>116,482</u>	105% <u>128,743</u>
Number of Signatures Submitted to Secretary of State			<u>213,476</u>
Number of Petition Sheets Removed by the Secretary of State According to A.R.S. §§ 19-121.01(A)(1) & 19-102(C)			<u>524</u>
Number of Signatures on those sheets			<u>5,344</u>
Number of Signatures Removed by the Secretary of State According to A.R.S. §19-121.01(A)(2)(3)			<u>6,775</u>
Total Signatures Removed by the Secretary of State			<u>12,119</u>
Number of Petition Sheets that Contain Signatures Eligible for Verification			<u>17,132</u>
Number of Signatures Eligible for Verification:		<u>201,357</u>	
5% of that Number		<u>10,068</u>	

**Determination of Valid Signatures  
CALCULATION - A.R.S. § 19-121.04(A)  
Random Sample Validity Rate**

Total Invalid Random Signatures	divided by	Total Random Signatures	
<u>2,495</u>	divided by	<u>10,068</u>	= <u>24.78%</u>
Number of signatures eligible for Verification			<u>213,476</u>
Subtract Signatures found ineligible by County Recorder, but not included in random			-- <u>0</u>
<b>Subtotal</b>			<u>213,476</u>
Multiply Random sample Invalidity Rate by Subtotal to Determine like number			
Subtotal	<u>213,476</u> times	<u>0.2478</u>	= <u>52,900</u>
Subtract the resulting number from <b>Subtotal</b>			-- <u>52,900</u>
TOTAL VALID SIGNATURES			<u>160,576</u>
TOTAL PERCENTAGE OF VALID SIGNATURES Total valid signatures divided by Minimum Signature Requirement			<u>130.9627%</u>