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SECRETARY OF STATE
2010 AUG -5 PM 4:26

OFFICE OF THE ATTORNEY GENERAL
STATE OF ARIZONA

TERRY GODDARD
ATTORNEY GENERAL

August 5, 2010

HAND DELIVERY

The Honorable Ken Bennett
Arizona Secretary of State
Capitol Executive Tower, 7th Floor
1700 West Washington Street
Phoenix, Arizona 85007-2888

Re: Approval of 2010 Ballot Language

Dear Secretary Bennett:

I have reviewed the draft language for the 2010 ballot that was enclosed with your letter to me dated July 15, 2010. I also have reviewed the revised ballot language most recently enclosed with your letter to me dated August 4, 2010. The ballot language forwarded on August 4 incorporates the changes discussed and agreed upon between us and our respective staff since the date of your first letter. I note that the removal from the ballot of one of the measures, Proposition 108, has since been affirmed by the Arizona Supreme Court; therefore, no ballot language for Proposition 108 has been submitted to me for approval with your August 4 letter.

Pursuant to A.R.S. § 19-125(D), I hereby approve the language for the 2010 ballot enclosed with your letter of August 4, 2010, a copy of which is enclosed.

Sincerely,

A handwritten signature in black ink, appearing to read "Terry Goddard", written over a horizontal line.

Terry Goddard
Arizona Attorney General

PROTECTING ARIZONA

Proposition 106 – proposed amendment to the constitution by the legislature relating to health care services [HCR 2014]

PROHIBITS LAWS OR RULES THAT REQUIRE PARTICIPATION IN ANY HEALTH CARE SYSTEM; ALLOWS A PERSON, EMPLOYER OR HEALTH CARE PROVIDER TO FORGO HEALTH INSURANCE AND PAY OR RECEIVE PAYMENT FOR HEALTH CARE DIRECTLY WITHOUT A PENALTY; SPECIFICALLY ALLOWS THE PURCHASE AND SALE OF HEALTH INSURANCE IN PRIVATE HEALTH CARE SYSTEMS.

A “yes” vote shall have the effect of prohibiting the enactment of laws or rules that require any person, employer or health care provider to participate in any health care system. It will also allow a person or employer to forgo health insurance and pay for health care services directly without a penalty and will allow health care providers to accept direct payment without a penalty. It will specifically allow health insurance in private health care systems.

A “no” vote shall have the effect of retaining the current law regarding a person or entity’s health care choices.

Proposition 107 – proposed amendment to the constitution by the legislature relating to preferential treatment or discrimination prohibition [HCR 2019]

PROHIBITS THE STATE FROM GRANTING PREFERENTIAL TREATMENT TO OR DISCRIMINATING AGAINST ANY PERSON OR GROUP ON THE BASIS OF RACE, SEX, COLOR, ETHNICITY OR NATIONAL ORIGIN; EXEMPTS REASONABLY NECESSARY QUALIFICATIONS BASED ON SEX, EXISTING COURT ORDERS AND ACTIONS THAT WOULD RESULT IN THE LOSS OF FEDERAL FUNDS.

A “yes” vote shall have the effect of prohibiting the State from giving preferential treatment to or discriminating against any person or group on the basis of race, sex, color, ethnicity or national origin. The prohibition applies to preferences or discrimination in public employment, education or contracting. It exempts reasonably necessary qualifications based on sex, existing court orders and

actions that would result in the loss of federal funds. The State includes state government, local governments, public colleges and universities, community colleges and school districts.

A “no” vote shall have the effect of retaining the current law regarding preferential treatment to or discrimination against any person or group on the basis of race, sex, color, ethnicity or national origin in public employment, education or contracting.

Proposition 108 – removed from ballot by Arizona Supreme Court order August 3, 2010 affirming judgment of superior court.

Proposition 109 – proposed amendment to the constitution by the legislature relating to hunting and fishing [HCR 2008]

ESTABLISHES THE RIGHT OF ARIZONA CITIZENS TO HUNT, FISH AND HARVEST WILDLIFE LAWFULLY; GRANTS EXCLUSIVE AUTHORITY TO THE LEGISLATURE TO REGULATE HUNTING, FISHING AND HARVESTING WILDLIFE; PROHIBITS LAWS THAT UNREASONABLY RESTRICT HUNTING, FISHING AND HARVESTING WILDLIFE; ESTABLISHES LAWFUL HUNTING AND FISHING AS A PREFERRED MEANS OF MANAGING AND CONTROLLING WILDLIFE.

A “yes” vote shall have the effect of:

1. making hunting, fishing and harvesting wildlife a constitutional right,
2. giving the State Legislature exclusive authority to enact laws regulating these activities,
3. prohibiting laws that unreasonably restrict hunting, fishing and harvesting wildlife or the use of traditional means and methods, and
4. establishing hunting and fishing as a preferred means of managing and controlling wildlife.

A “no” vote shall have the effect of retaining the current laws regarding hunting, fishing and harvesting wildlife.

Proposition 110 – proposed amendment to the constitution by the legislature relating to state trust lands [SCR 1047]

ALLOWS THE SALE OR LEASE OF STATE TRUST LAND WITHOUT AUCTION OR ADVERTISEMENT IN ORDER TO PROTECT MILITARY INSTALLATIONS AND OPERATIONS. PROVIDES FOR VOTER-APPROVED EXCHANGES OF STATE TRUST LAND AFTER PUBLIC NOTICE AND HEARING IF THE EXCHANGE IS RELATED TO EITHER PROTECTING MILITARY FACILITIES OR FOR LAND MANAGEMENT PURPOSES.

A “yes” vote shall have the effect of authorizing the sale or lease of state trust land without auction or advertisement in order to protect military installations and operations. It will also allow voter-approved exchanges of state trust land after public notice and hearing if the exchange is related to either protecting military facilities or for land management purposes.

A “no” vote shall have the effect of retaining current law regarding the sale, lease and exchange of state trust land.

Proposition 111 – proposed amendment to the constitution by the legislature relating to the executive department [SCR 1013]

CHANGES THE NAME OF THE OFFICE OF SECRETARY OF STATE TO THE OFFICE OF LIEUTENANT GOVERNOR; PROVIDES THAT THE NOMINEES OF EACH PARTY FOR GOVERNOR AND LIEUTENANT GOVERNOR, SELECTED SEPARATELY BY VOTERS AT THE PRIMARY ELECTION, SHALL RUN ON ONE TICKET AND BE VOTED ON TOGETHER IN THE GENERAL ELECTION.

A “yes” vote shall have the effect of changing the name of the office of Secretary of State to the office of Lieutenant Governor. It will also require that each political party’s nominees for Governor and Lieutenant Governor run on one ticket and be voted on together in the general election.

A “no” vote shall have the effect of retaining the current office of Secretary of State as a position elected separately from the office of Governor.

Proposition 112 – proposed amendment to the constitution by the legislature relating to initiative petitions [HCR 2018]

CHANGES THE INITIATIVE FILING DEADLINE FROM FOUR MONTHS TO SIX MONTHS PRIOR TO THE GENERAL ELECTION AT WHICH THE PROPOSED MEASURE IS TO BE VOTED UPON.

A “yes” vote shall have the effect of changing the initiative filing deadline from four months to six months prior to each general election.

A “no” vote shall have the effect of preserving the current initiative filing deadline.

Proposition 203 – proposed by initiative petition relating to the medical use of marijuana

ALLOWS THE USE OF MARIJUANA FOR PEOPLE WITH DEBILITATING MEDICAL CONDITIONS WHO OBTAIN A WRITTEN CERTIFICATION FROM A PHYSICIAN AND ESTABLISHES A REGULATORY SYSTEM GOVERNED BY THE ARIZONA DEPARTMENT OF HEALTH SERVICES FOR ESTABLISHING AND LICENSING MEDICAL MARIJUANA DISPENSARIES.

A “yes” vote shall have the effect of authorizing the use of marijuana for people with debilitating medical conditions who obtain a written certification from a physician and establishing a regulatory system governed by the Arizona Department of Health Services for establishing and licensing medical marijuana dispensaries.

A “no” vote shall have the effect of retaining current law regarding the use of marijuana.

Proposition 301 – referred to the people by the legislature relating to the land conservation fund [HCR 2002]

TRANSFERS THE REMAINING BALANCE OF MONEY IN THE LAND CONSERVATION FUND, ESTABLISHED BY VOTERS IN 1998 AS THE "GROWING SMARTER ACT," TO THE STATE GENERAL FUND.

A "yes" vote shall have the effect of transferring the balance of money in the land conservation fund, which was established by voters in 1998 as part of the "Growing Smarter Act," to the state general fund.

A "no" vote shall have the effect of keeping the balance of money in the land conservation fund.

Proposition 302 – referred to the people by the legislature relating to early childhood development and health programs [HCR 2001]

TERMINATES THE EARLY CHILDHOOD DEVELOPMENT AND HEALTH BOARD AND PROGRAMS ESTABLISHED BY VOTERS IN 2006 AS THE "ARIZONA EARLY CHILDHOOD DEVELOPMENT AND HEALTH INITIATIVE;" REQUIRES MONEY IN THE EARLY CHILDHOOD DEVELOPMENT AND EDUCATION FUND BE DEPOSITED IN THE STATE GENERAL FUND AND USED FOR HEALTH AND HUMAN SERVICES FOR CHILDREN.

A "yes" vote shall have the effect of terminating the Arizona Early Childhood Development and Health Board and programs, which were established by voters in 2006 as part of the "Arizona Early Childhood Development and Health Initiative." It would require the transfer of money remaining in the early childhood development and education fund on December 1, 2010 to be deposited in the state general fund. Thereafter, it would require tobacco tax money collected pursuant to the initiative to be deposited in the state general fund and used for health and human services for children.

A "no" vote shall have the effect of retaining the Arizona Early Childhood Development and Health Board and programs and keeping any money in the early childhood development and education fund.



RECEIVED

SECRETARY OF STATE

2010 AUG 18 PM 3:08

OFFICE OF THE ATTORNEY GENERAL
STATE OF ARIZONA

TERRY GODDARD
ATTORNEY GENERAL

August 17, 2010

HAND DELIVERED

The Honorable Ken Bennett
Arizona Secretary of State
Capitol Executive Tower, 7th Floor
1700 West Washington Street
Phoenix, Arizona 85007-2888

Re: Approval of 2010 Ballot Language, Proposition 113

Dear Secretary Bennett:

I have reviewed the draft language for the 2010 ballot which was enclosed with your letter to me dated August 11, 2010. I also have reviewed the revised draft ballot language most recently enclosed with your letter to me dated August 13, 2010, which was received by my office on August 16, 2010. The ballot language forwarded with your August 13 letter incorporates the changes discussed and agreed to between us and our respective staff since receipt of your August 11 letter.

Pursuant to A.R.S. § 19-125(D), I hereby approve the language for Proposition 113 on the 2010 ballot in the form received with your letter dated August 13, 2010, a copy of which is enclosed herewith.

Sincerely,

A handwritten signature in black ink, appearing to read "Terry Goddard".

Terry Goddard
Arizona Attorney General

Enclosure

PROTECTING ARIZONA

Proposition 113 – proposed amendment to the constitution by the legislature relating to the right to vote a secret ballot regarding employee representation [SCR 1001]

GUARANTEES THE RIGHT UNDER STATE LAW OF INDIVIDUALS TO VOTE BY SECRET BALLOT WHERE LOCAL, STATE, OR FEDERAL LAW PERMITS OR REQUIRES ELECTIONS, DESIGNATIONS OR AUTHORIZATIONS FOR EMPLOYEE REPRESENTATION.

A “yes” vote shall have the effect of guaranteeing the right under state law of individuals to vote by secret ballot in elections, designations or authorizations for employee representation (including unions and employee organizations).

A “no” vote shall have the effect of maintaining current law regarding secrecy in voting.

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