



# PROPOSITION 107



## OFFICIAL TITLE

HOUSE CONCURRENT RESOLUTION 2019  
A CONCURRENT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA; AMENDING ARTICLE II, BY ADDING SECTION 36, CONSTITUTION OF ARIZONA; RELATING TO PREFERENTIAL TREATMENT OR DISCRIMINATION PROHIBITION.

## TEXT OF PROPOSED AMENDMENT

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

1. Article II, Constitution of Arizona, is proposed to be amended by adding section 36 as follows if approved by the voters and on proclamation of the Governor:

36. Preferential treatment or discrimination prohibited: exceptions: definition

SECTION 36. A. THIS STATE SHALL NOT GRANT PREFERENTIAL TREATMENT TO OR DISCRIMINATE AGAINST ANY INDIVIDUAL OR GROUP ON THE BASIS OF RACE, SEX, COLOR, ETHNICITY OR NATIONAL ORIGIN IN THE OPERATION OF PUBLIC EMPLOYMENT, PUBLIC EDUCATION OR PUBLIC CONTRACTING.

B. THIS SECTION DOES NOT:

1. PROHIBIT BONA FIDE QUALIFICATIONS BASED ON SEX THAT ARE REASONABLY NECESSARY TO THE NORMAL OPERATION OF PUBLIC EMPLOYMENT, PUBLIC EDUCATION OR PUBLIC CONTRACTING.

2. PROHIBIT ACTION THAT MUST BE TAKEN TO ESTABLISH OR MAINTAIN ELIGIBILITY FOR ANY FEDERAL PROGRAM, IF INELIGIBILITY WOULD RESULT IN A LOSS OF FEDERAL MONIES TO THIS STATE.

3. INVALIDATE ANY COURT ORDER OR CONSENT DECREE THAT IS IN FORCE AS OF THE EFFECTIVE DATE OF THIS SECTION.

C. THE REMEDIES AVAILABLE FOR A VIOLATION OF THIS SECTION ARE THE SAME, REGARDLESS OF THE INJURED PARTY'S RACE, SEX, COLOR, ETHNICITY OR NATIONAL ORIGIN, AS ARE OTHERWISE AVAILABLE FOR A VIOLATION OF THE EXISTING ANTIDISCRIMINATION LAWS OF THIS STATE.

D. THIS SECTION APPLIES ONLY TO ACTIONS THAT ARE TAKEN AFTER THE EFFECTIVE DATE OF THIS SECTION.

E. THIS SECTION IS SELF-EXECUTING.

F. FOR THE PURPOSES OF THIS SECTION, "STATE" INCLUDES THIS STATE, A CITY, TOWN OR COUNTY, A PUBLIC UNIVERSITY, INCLUDING THE UNIVERSITY OF ARIZONA, ARIZONA STATE UNIVERSITY AND NORTHERN ARIZONA UNIVERSITY, A COMMUNITY COLLEGE DISTRICT, A SCHOOL DISTRICT, A SPECIAL DISTRICT OR ANY OTHER POLITICAL SUBDIVISION IN THIS STATE.

2. 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 107 would amend the Arizona Constitution to ban affirmative action programs that give preferential treatment to or discriminate against any individual or group on the basis of race, sex, color, ethnicity or national origin in the operation of public employment, public education or public contracting. This proposition does not prohibit bona fide qualifications based on sex that are reasonably necessary to the normal operation of public employment, public education or public contracting. This proposition would not prohibit action necessary to prevent a loss of federal funding to the state and would not invalidate any existing court orders. The remedies for violations of this proposition would be the same as for violations of current antidiscrimination laws. This proposition applies to the state, counties, cities, towns, special districts and other political subdivisions of the state, including school districts, public universities and community college districts.

This proposition would apply only to actions that are taken after the effective date of this proposition.

PROPOSITION 107

**ARGUMENTS "FOR" PROPOSITION 107**

ARGUMENTS "FOR" PROPOSITION 107

My family came from El Salvador to the USA, legally, when I was four years old, because it was the land of the free and a place where you could be whatever you dreamed. My parents instilled those same values in their children and raised us as Martin Luther King, Jr. preached: To judge our fellow human beings on the content of their character, not the color of their skin. We started with nothing, but we were Americans, so we worked hard and achieved much. Today, I'm honored to serve in the Arizona House of Representatives, and I'm proud to be a sponsor of Proposition 107. Other states have already done it, now Arizona can realize Dr. King's dream, recognizing that we live in a world where the color of your skin will not keep you from the school of your choice or the job of your choice, be it at the Waffle House or The White House. Affirmative Action began as a series of policies to expressly prohibit discrimination, but it was warped over time to institutionalize discrimination and, worse still, to convince entire generations that they were not good enough or smart enough to compete. Our proposition is both simple and profound. Our government may not discriminate any longer, against anyone, on the basis of race, sex, ethnicity, color or national origin. And why should it? Can you imagine if someone wanted to LEGALIZE racial or sexual discrimination? Yet that is exactly what opponents of this measure will be arguing for. I'm proud that Prop 107 will ensure everyone in Arizona is treated fairly in public education, jobs, and contracts and that no one will be labeled as inferior or unable to compete. Vote yes on Prop 107, and let us finally begin to move beyond race.

**Steve Montenegro, State Representative, Litchfield Park**

I voted to refer Proposition 107 to the ballot when this came before me in the Arizona State Senate in 2009. I was very proud to cast that vote on behalf of the citizens of Arizona. Now we all have the opportunity to vote to take the final step to make it unconstitutional for government in Arizona to prefer one citizen over another because of their color, race or sex.

Prop 107 reflects the American Dream to work hard and achieve. It reaffirms a commitment to the values in the 1964 Civil Rights Act that the most qualified individuals will succeed regardless of their race or skin color. Arizona citizens should demand that same fairness and equality from their government in state hiring, public education and public contracting.

Business is about productivity, innovation and competition for capital and consumers. For a company to be competitive and to survive, employees must be qualified and capable. Companies should not be forced to sacrifice productivity to meet hiring quotas and neither should the state in consideration of all its taxpayers.

Achievement and responsibility are at the apex of successful business; the same philosophy should be reflected in how our government serves the people of Arizona. And government owes every citizen one other thing – equality! Vote yes on Prop 107.

**Steve Pierce, State Senator, Phoenix**

I urge you to vote yes on Proposition 107. Racial and gender discrimination is never right, whether it is to the benefit or detriment of those involved. There is always a cost to those who are passed over in favor of those receiving the preferences.

Affirmative action efforts were put in place to ensure that everyone has an equal opportunity to compete - not to give additional advantages as is being done today. Affirmative action programs that don't grant preferential treatment will still be permissible under Proposition 107 to see that no one is discriminated against. But extra special advantages would be prohibited.

Preferential treatment based on race is defended as programs to help those who come from disadvantaged socioeconomic backgrounds. However, this is an empty talking point from supporters of race preferences. Studies reveal that 86% of those who benefit from race preferences come from middle and upper class backgrounds.

The opposition says that Proposition 107 will take away opportunities for women and minorities. This hasn't happened over the past 10 years in other states where Civil Rights Initiatives have passed. In those states many of the programs that opponents claimed would end still exist! Opponents would rather scare people than address the real issue – should fairness and equality be the law in Arizona?

The opposition claims that women and minorities will be underrepresented if Proposition 107 passes. Currently, the preference goals for minority and women representation are so distorted they are unrealistic. For example, the University of Arizona website says that its goal for tenure track faculty in the Fine Arts – a quota - is 56% women. Women only make up half the population!

Efforts to remedy past discrimination have gone way too far and are resulting in reverse discrimination. Vote **YES** to put a stop to this.

**Rachel Alexander, Phoenix**

We either have equal protection for our rights, or we do not. You cannot create the standard and then craft out exceptions when it comes to the rights of people.

**Kevin G. Rogers, President, Arizona Farm Bureau Federation, Gilbert**

*Paid for by Arizona Farm Bureau Federation*

**James W. Klinker, Chief Administrative Officer, Arizona Farm Bureau Federation, Gilbert**

In the summer of 1963, having just graduated from high school, I participated in the civil rights march on Washington, at which Martin Luther King gave his famous speech, stating that people should be judged the quality of their character rather than by the color of their skin. I believe it is one of the most fundamental of American values that we are individuals, not exemplars of what race we happen to have been born into. What is important about us is what we know, what we can do, what is our character, and our race or gender is completely irrelevant. I believe further that the overall majority of people in both political parties believe this. Democrat President John Kennedy said a half century ago, "race places no proper role in American life or law." This initiative assures that will be true in Arizona.

**Tom Horne, Phoenix**

Prop 107, the Arizona Civil Rights Initiative, guarantees fairness and equality for all citizens of Arizona. Prop 107 reaffirms the colorblind principles of the 1964 Civil Rights Act – judge people by the content of their character not the color of their skin.

Unfortunately, our government uses a system of race and gender preferences. Some are given preferential treatment at the expense of others – some call this "affirmative action" and some call it "reverse discrimination." Whatever it is called it is wrong. How can our state move toward a colorblind society when our very own government is intent on classifying people based on race?

The time has come to promote true equality for all people. Voting YES on Prop 107 ends "affirmative action programs" that grant preferential treatment based on race and sex in three specific areas: public employment, public contracting and public education.

Opponents to Prop 107 will say and do anything – including using scare tactics – to keep race and gender preferences in place. But, Prop 107's language is straightforward and simple. It guarantees that people who are admitted into public universities or who are hired for government jobs are there because of merit not special treatment. Prop 107 gives everyone, and we mean EVERYONE, an equal opportunity to compete based on merit, not skin color or sex, and then tells the government to get out of the way.

The bottom line is when you or a family member applies for college admission, for a job or promotion, or for a contract the determination should be made based on qualifications, not skin color or gender.

The choice is clear. **Vote Yes on Proposition 107 to ensure fairness and equality for all Arizonans.**

**Rachel Alexander, Chairman, Arizona Civil Rights Initiative, Phoenix**

*Paid for by Arizona Civil Rights Initiative*

Vote Yes on Prop. 107. "One should be judged by the content of their character, not by the color of their skin."

Discrimination is wrong. When someone is hired they should know that they got the position because they earned it, not because they helped create the right racial percentage. That is fundamentally unfair and immoral.

That's why, along with Representative Steve Montenegro, I sponsored the referral to the ballot of Prop 107 in the 2009 legislative session.

Affirmative action programs are inherently unfair and a threat to individual rights. Programs that allow government to discriminate on the basis of race, sex, or ethnicity, even for ostensibly good reasons, invariably result in government sanctioned discrimination.

All Arizonans deserve to have an equal chance to compete for public jobs, contracts and college admissions.

The overall result of affirmative action discrimination is to intensify hostility among individuals by creating political battles among members of different groups for higher quotas. We should be trying to encourage government employment, contracting, and educational opportunities to go to those most qualified without regard to race, sex, or ethnicity.

This provision would protect and ensure equality of all individuals under the law by prohibiting this kind of discrimination.

All Arizonans deserve to live in a state where they each have an equal chance to compete for public jobs, contracts and college admissions. All government should do is guarantee all people are treated fairly. After that it is up to the individual to make the grades or earn the qualifications. America is about equal opportunity not equal outcomes.

I'm proud to know Prop 107 is about fairness for all Arizona citizens. We live in the greatest state, let's make it even better - vote "yes" on Prop 107.

**Russell Pearce, State Senator, Mesa**

Over ten years ago I filed a lawsuit against the University of Michigan for racial discrimination in their admissions policy. I know firsthand how horrible it is to be discriminated against by being subjected to different admissions standards based on race. Unfortunately since that time I've learned that universities and government agencies all over the country, including in Arizona, employ policies that grant preferential treatment based on race to some while discriminating against others.

Job quotas, "minority" contract set-asides and extra points in college admissions are wrong and it's time to get rid of them. Achieving "diversity" may be a good intention, but often amounts to the functional equivalent of a quota. Diversity and other equally good intentions should never be an excuse to discriminate.

Prop 107 is simple - it will ban "affirmative action" programs that give preference based on race or sex in three specific areas: public contracting, public employment, and public education. After all, there's nothing affirmative about programs that divide people based on race and then treat people differently based on skin color.

A **YES** vote on the Arizona Civil Rights Initiative will restore fairness in how people are treated by government. Prop 107 will guarantee that everyone is given an equal opportunity to compete based on merit, not skin color or sex.

The Arizona Civil Rights Initiative mirrors the landmark 1964 Civil Rights Act and advances civil rights by prohibiting discrimination and preferential treatment based on race, sex, and skin color. Prop 107 reinforces the fact that everyone is entitled to civil rights. Prop 107 simply states that every individual should have an equal chance to compete for good paying jobs, government contracts, and college admissions - based on merit, not skin color or sex.

**Vote YES on Prop 107.**

**Jennifer Gratz, Sacramento, California**

America was founded on the principle of equality: "We hold these truths to be self-evident that all men are created equal..."

While this statement mentions only "men," and it effectively excluded certain men, as a people we have struggled mightily over the years to extend the blessings of freedom and equality to **all** men and women in our nation.

The journey to full citizenship has often been a difficult one for many among us. Yet, our progress has been inexorable as we have sought to make our creed of equality a reality for all Americans.

As we look at our nation in 2010, there are many reasons to be proud of the American people. Men and women of all backgrounds are marrying across lines of race and having children and are succeeding in business, arts, entertainment, sports, politics and virtually every facet of American life - and the color of a person's skin seems not to matter to the overwhelming majority of Americans.

To compensate for our history of discrimination, many public agencies in Arizona have implemented programs that confer preferences in contracting and employment on the basis of race and ethnic background. We all know that such programs are wrong, but we have tolerated these practices knowing that the time would come when they would have to be brought to an end.

One of the most distinguished citizens of Arizona, Former Supreme Court Justice Sandra Day O'Connor, in her 2003 opinion allowing the use of race to achieve "diversity" in higher education, expressed the hope that race preferences would no longer be necessary by the year 2028.

The people of Arizona can end race preferences now and put Arizona on the path to true equality for all by ending preferences for some. Vote "yes" for Prop 107.

**Ward Connerly, President, American Civil Rights Coalition, Sacramento, California**

#### **Argument for Prop 107**

I have noticed that race has become increasingly important to the government. Think about every form you fill out and that there's a section requesting your race. It is time to move beyond race. It's condescending to send the message that women and minorities can't succeed without the government administering some type of affirmative action.

I was elected Arizona State Treasurer in 1998. At the time, Jane Hull was Governor, Janet Napolitano was Attorney General, Betsy Bayless was Secretary of State and Lisa Graham Keegan was Superintendent of Public Instruction. To suggest that women need some special assistance in Arizona is outrageous and untrue. I haven't been given anything by the "grace of government." I have worked hard my entire life and achieved as a woman, and I'm not alone. I didn't need the benefits of affirmative action, and I resent any perception that anything was given to me that I didn't earn.

In November, Arizona will have the chance to eliminate these preferences. Prop 107 is simple; it will ban granting preferences to anyone on the basis of race, sex, color, ethnicity or national origin in three areas -- public contracting, public employment and public education. Arizona should be a fair state where everyone competes equally based on their qualifications.

People who oppose Prop 107 say the Governor's Commission to Prevent Violence Against Women will be eliminated. Untrue! It is not related to public employment, contracting or education. Opponents say teen parenting programs will be eliminated. False! Parenting programs available to both mothers and fathers are unaffected. And by the way, why wouldn't taxpayer dollars fund programs for single fathers as well as single mothers? Are children not just as affected? All citizens must be entitled to services regardless of race or sex.

**Carol Springer, Yavapai County Supervisor, Prescott**

Proposition 107 mirrors the 1964 Civil Rights Act by making clear that government in Arizona shall not grant preferential treatment to or discriminate against any individual or group in the basis of race, sex, color, ethnicity or national origin in the area of public contracting, public employment or public education.

Affirmative action programs are especially insulting to women. Not long ago, women held all five major elected offices in Arizona - at the same time! In fact, the last three governors have been women. Women make up approximately 60% of the nation's college population. The truth is women are competing and succeeding in Arizona and across the nation, and we don't need the perception that it was only because of bureaucratic largess that women get public jobs, contracts or get into our state schools. Let's end this absurdity together and vote "yes" on Prop 107.

**Sylvia Allen, State Senator, Snowflake**

**VOTE YES ON PROP 107**

I and most Americans find discrimination against anyone based on such things as race, gender, national origin to be abhorrent. Certainly the government of all the people should not engage in such prejudicial practices.

Prop 107 will end discrimination by government at all levels in Arizona based on race, sex, color, ethnicity or national origin in public employment, public contracting or public education.

Some people think that in order to maintain diversity, the government should have the power to discriminate against some people. But discrimination and preferential treatment is wrong regardless of the beneficiary or intention. Government should not favor one group over another in jobs or awarding contracts. That suggests some people can't win a fair competition. Who thinks that's right? Certainly not the citizens I know.

When government treats individuals differently based on such factors as race or gender, we have a huge problem. If we learn any history lesson, it should be that no government should have that power.

Prop 107 will guarantee that all people are treated equally, fairly and without regard to factors such as race and gender, over which they have no control. Government in Arizona, like Justice, should be blind to those things.

Vote yes on Prop 107. It's the right thing to do.

**Sal DiCiccio, Phoenix City Councilman, Phoenix**

In 1964, the landmark U.S. Civil Rights Act became law. This landmark legislation outlawed discrimination based on race, color, religion, sex and national origin, making all citizens equal under the law in all aspects of American commerce. Long before that, the U.S. Constitution made it clear government could not discriminate. Government preferring one citizen over another under a warped notion of diversity sends the message that some discrimination is okay if the government says it is. This is wrong and dangerous. That's why, as a member of the State House I voted in 2009 to refer Prop 107 to the ballot.

Proposition 107 would eliminate racial and sex preferences in public education, public contracting and public hiring. It is straightforward. The opposition wants Arizonans to believe it hinders progress for women and minorities. That's outright false. Proposition 107 mirrors the Civil Rights Act and aims to end all forms of racial and sex discrimination by constitutionally banning preferential treatment by government to groups or individuals based on their race, sex, color, ethnicity or national origin regarding public employment, education and contracting.

Discrimination in any form is wrong. When it is practiced by government because of individual interests, the American ideal of equal applied to all will never be realized. It's time for Americans to come together rather than continuing things that keep us apart. Please join me in voting yes on Proposition 107.

**Jim Weiers, State Representative, Phoenix**

**EXPAND EQUAL OPPORTUNITY—VOTE YES ON PROPOSITION 107**

Some people believe that adding points to test scores of applicants to public universities, or awarding public contracts based on race or ethnicity, is "affirmative action." But it is really discrimination, and it is wrong.

Not only that, it doesn't help the people it is intended to help: the most disadvantaged members of society. My colleague Mark Flatten at the Goldwater Institute recently exposed a Sky Harbor Airport program that was supposed to aid disadvantaged businesses, but instead provided lucrative contracts to politically connected businesses because their owners are members of specified minority groups. This is not affirmative action, it is fraud.

True affirmative action means helping people who have had to overcome disadvantages, regardless of their race or ethnicity. States such as Florida, Texas, and California have banned racial preferences, yet have increased opportunities by rewarding individuals who work hard and overcome obstacles. That is true affirmative action, and it begins in earnest only when government no longer has the power to substitute it with racial preferences.

We have the chance in Arizona to set the standard for equal opportunity. But we must first get our state and local governments out of the sordid business of classifying people on the basis of race and ethnicity and awarding opportunities on that basis. We can do that by voting yes on Proposition 107.

**Clint Bolick, Attorney, Phoenix**

"The state shall not discriminate against or grant preferential treatment to any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting." How could Proposition 107 be clearer? EVERYONE should be treated equally. That's why the four of us that had the chance to refer this to the ballot in 2009, did so heartily - had the other been in office then, he would have too!

Proposition 107 mirrors the colorblind language of the 1964 Civil Rights Act by commanding equal treatment under the law. There are government entities in Arizona that categorize people by race and based upon such classification administer preferences to them. For example, the cities of Phoenix and Tucson have policies that allow minority contractors to bid higher amounts and still be considered the low bid. How is this justified?... So-called "enhancing diversity."

Huh? It is already blatantly unconstitutional for government to not choose a woman or minority because they are such. So all these government preferences are saying is women, minorities, people of color aren't good enough to create a natural, genuine diversity on the merits. This is not only patronizing and insulting, it is pure bunk.

Proposition 107 only applies to public education, public hiring and public contracting. The aim is to ensure that all Arizonans are treated equally by the government. No person should be entitled to “special” programs solely based on their race or sex.

Arizonans are fair-minded. The suggestion by the opposition to Proposition 107 that women and minorities cannot be educated or get a job without government interference is condescending, sexist and racist.

Vote Yes on Proposition 107 to insist government treat all citizens equally and fairly.

**Frank Antenori, State Senator, Tucson**

**Al Melvin, State Senator, Tucson**

**David Gowan, State Representative,  
Sierra Vista**

**David Stevens, State Representative,  
Sierra Vista**

**Ted Vogt, State Representative, Tucson**

Once again Arizona stands poised to set the right example for America. I implore that you embrace and **Vote for the Civil Rights Initiative** to ensure equal opportunity for all. As firefighters we had to take our case all the way to the Supreme Court to ensure that our leaders were selected based on their knowledge, skills, and abilities. The belief that citizens should be reduced to racial statistics is flawed and only divides people who don't wish to be divided along racial lines.

While diversity is an important goal, it has become a code word for a quota system that thrives on mediocrity. Especially in public safety the public has the right to know that the men and women who serve were selected fairly and equitably. There are no due overs on the scene of an emergency. Officials must not only provide appropriate direction to safely mitigate the incident, they also must ensure that their members are trained and competent to answer the next alarm. Moreover this initiative leaves in place all of the protections against discrimination. No one should be given an unfair advantage. Low expectations are also a form of bigotry that results in low performance holding individuals back and harming all races. No one should obtain a position or contract under a cloud of suspicion it only sets them up for failure. Anyone regardless of race can succeed in America.

Achievement is neither limited nor determined by race but by skills, dedication, commitment, and character. Arizona has an opportunity to ensure equal opportunity, **by voting for “The Civil Rights Initiative”**. Chief Justice Roberts stated “The Way to Stop Discrimination on the Basis of Race Is to Stop Discriminating on the Basis of Race.”

**Frank Ricci, Wallingford, Connecticut**

“We hold these truths to be self-evident, that all men are created equal...” So proclaims the Declaration of Independence, America's founding statement of ideals. Although we would now say “men and women”, there is nothing in these words that could be otherwise improved upon. No principle comes closer to the heart of what America means, or has contributed more to our national success.

A **YES** vote on Proposition 107 is simply a reaffirmation of this basic ideal. It gives to every Arizonan assurance that he or she will be judged solely by virtue of achievement and character, not color, ancestry, or sex. In so doing, it will spur all to do their best. It will also prevent politicians and bureaucrats from pitting group against group, doling out favors to some and withholding them from others. Social harmony depends on all individuals believing their rights are held in common, not bestowed on the basis of the accidents of birth.

The National Association of Scholars believes that equal treatment is especially crucial in higher education. A college degree only has value when it is perceived as having been fairly earned. Moreover, it is as students that our young men and women come to full knowledge of America's heritage of rights and freedoms. By making higher education a color- and gender-coded experience, this comprehension is undermined.

America's fundamental ideals get renewed each generation through education. Vote **YES** on Proposition 107 to ensure that they are renewed intact.

**Stephen H. Balch, Chairman, National Association of Scholars, Princeton, New Jersey**

**ARGUMENTS "AGAINST" PROPOSITION 107**

**AAUW Arizona's Argument against Proposition 107  
Arizona Civil Rights Referendum**

AAUW (American Association of University Women) Arizona is a non-partisan organization that works to advance equity for women and girls through advocacy, education, philanthropy, and research. Throughout Arizona, AAUW sponsors programs that educate and prepare young women for leadership roles in their communities and in the state. If the proposed referendum is adopted it will dismantle Arizona's successful equal opportunities programs and endanger our state's ability to educate the diverse workforce needed to attract new businesses and improve our state's economy. Arizona would be deprived of valuable programs that help girls to prepare for college, and women to enter math, science and engineering fields, programs such as YWCA Bright Futures Program; Arizona State University Women in Science Program (WISE); and the City of Phoenix Teen Parents Program.

Two years ago this same deceptively-named amendment to the Arizona Constitution was proposed for Arizona by an out-of-state group that failed to register a sufficient number of valid signatures for it to appear on the ballot. Prop 107, more accurately called the "anti-equal opportunity referendum," would amend Arizona's Constitution to prohibit equal opportunity programs in our state. Prop 107 deceptively claims to "level the playing field," but there is no level playing field in educational programs, jobs, and businesses where girls, women and people of color are under-represented. Equal opportunity programs offer the help that they need to achieve their aspirations and become productive citizens.

AAUW AZ opposes Prop 107 because of its negative impact, particularly on women and their families, and on the future of our state. It would be a giant step backward. We urge you to vote NO.

**Sara Wolters, President, American Association of University Women  
Arizona, Prescott Valley**

**Frances Connors, Recording Secretary, American  
Association of University Women Arizona, Scottsdale**

*Paid for by American Association of University Women Arizona*

**Argument Against PROP 107  
Anti-Equal Opportunity Initiative**

PROP 107, better known as the Anti-Equal Opportunity initiative, will eliminate important programs that ensure academic success for Arizona's students. Today's students are the workforce of the future. Without programs that help students learn study skills, access internships, and prepare for the workplace, Arizona's students will fall behind.

Passage of PROP 107 will eliminate many programs that support academic progress and improved student achievement. Among those programs is WISE (Women in Science and Engineering), an ASU-sponsored program that supports women studying math, science, technology, and engineering. WISE provides extracurricular programs in the field, helps students apply for internships and jobs, and supports young women through the application process for graduate programs. Also on the chopping block would be Upward Bound, a program designed to help college students learn study habits, enroll in the right classes, and prevent dropouts. Upward Bound will be eliminated because it is designed for low-income students of color. The Hispanic Mother-Daughter Program will also be eliminated. This program provides Hispanic girls in grades 7-12 and their mothers five years of preparation for college.

Arizona's diverse student population is served well by these and many other programs like them. The Arizona Education Association requests that you vote NO on PROP 107.

**John Wright, President, Arizona Education Association,  
Phoenix**

**Andrew Morrill, Vice President, Arizona Education Association,  
Phoenix**

*Paid for by AEA Education Improvement Fund*

**PREFERRED TREATMENT OR DISCRIMINATION PROHIBITION - CON STATEMENT**

The League of Women Voters of Arizona is opposed to Proposition 107, which would actually be an anti-equal opportunity amendment to the Arizona Constitution.

The LWVAZ thinks that everyone in Arizona should have an equal opportunity to succeed, regardless of race or gender. Furthermore, the LWVAZ thinks that the passage of this initiative would be bad for Arizona and particularly for Arizona women and girls.

The LWVAZ believes that all qualified candidates should get a fair chance to compete for jobs or obtain an education based on individual merit, not special connections. Proposition 107 would turn back the clock to a society of "good old boy" networks where women and people of color routinely face discrimination.

The LWVAZ stands for openness and honesty in the political process. We believe in transparency in all aspects of government, and dislike this overt effort to confuse voters. The LWVAZ opposes this attempt to dismantle programs that work today and will continue to do so for Arizona's future.

The LWVAZ stands united with women and men from across the state to make our fellow citizens aware of the adverse implications of this proposition and ask them to vote "NO" on Proposition 107.

**Dr. Bonnie F. Saunders, President, League of Women Voters of  
Arizona, Surprise**

**Dr. Barbara Klein, 1st Vice President, League of Women  
Voters of Arizona, Scottsdale**

*Paid for by League of Women Voters of Arizona*

**Argument against Referendum 107  
Arizona Civil Rights Initiative**

The title "Arizona Civil Rights Initiative" in and of itself is deceptive. This effort is managed and funded by out-of-state interests, spearheaded by California businessman Ward Connerly. It takes away rights and programs which have served Arizona well in the past and which are important to an invigorated and forward-thinking Arizona economic future.

The Connerly anti-equal opportunity initiative will change Arizona's Constitution to prohibit the state (and local governments, schools and universities) from offering any type of equal opportunity programs to women and people of color in Arizona. Among the programs which would be eliminated if the Connerly Initiative is passed are ASU's Bridges to Biomedical Careers Program, the Phoenix Teen Parents program, the Commission on the Prevention of Violence Against Women, the YWCA Bright Futures program, the New Start Summer program and ASU's Women in Science Education (WISE) program.

The Greater Phoenix Urban League's mission is about truth and fairness. The Connerly Initiative is about neither. We request that you vote No on Referendum 107.

**George Dean, President & CEO, Greater Phoenix Urban  
League, Phoenix**

**Diana Gregory, Chair, Board of Directors, Greater Phoenix  
Urban League, Phoenix**

*Paid for by Greater Phoenix Urban League*

ARGUMENTS "AGAINST" PROPOSITION 107

I am Chairman of the Arizona Civil Rights Advisory Board and our board opposes the Arizona Civil Rights Referendum. Recently, our board heard presentations from leaders on both sides of this issue. After careful consideration of the facts that were presented by both sides, a quorum of the Arizona Civil Rights Advisory Board voted unanimously in opposition of the Arizona Civil Rights Referendum.

The Arizona Civil Rights Board is a politically balanced volunteer body appointed by the Arizona Governor and authorized under AR.S. §41-1402(A) to make periodic surveys of the existence and effect of discrimination in the enjoyment of civil rights by any person within the state of Arizona, to foster the elimination of discrimination through community effort, and to issue publications of the results of studies, investigations and research as in our judgment will tend to promote goodwill and the elimination of discrimination between persons because of race, color, religion, sex, age, disability, familial status or national origin.

Referendum 107 amends the Arizona Constitution to eliminate rights and programs which have served Arizona well, programs which are even more important today for Arizona's long-term economic future.

"Quotas" don't exist in Arizona. State employers are already prohibited from considering race or gender in hiring practices. A person cannot be admitted or denied admission to any of Arizona's community colleges or universities based on race or gender in Arizona. The programs we have in place in Arizona schools today are provided only after students have been accepted based on academic merit.

Programs threatened by Referendum 107 include ASU's Bridges to Biomedical Careers and Women in Science Education Programs, the Phoenix Teen Parents program, the Commission on the Prevention of Violence against Women and others.

I urge all Arizonans to vote "No" on the Arizona Civil Rights Referendum. Thank you.

**Jeff Lavender, Casa Grande**

**Vote No on Prop 107**

The Tucson Hispanic Chamber opposes Prop 107. This proposition will limit the opportunities for women and minority owned businesses in our state to win state, county and local procurement contracts.

Pima County and the City of Tucson recently completed a Disparity Study that found there is a statistically significant disparity between the utilization and availability of minority owned firms in many race classifications when awarding contracts. The study also identified that women and minority owned firms (MWBE) showed a substantial decline when not able to participate in MWBE goals programs in other states.

All firms should receive an equal opportunity to compete for contracts. The existing preferential point system is a necessity for MWBE firms. The aforementioned study found that MWBE firms may lack key procurement business relationships and consequently be left off of preferred vendor lists without such a system. Without a MWBE goal program the usage of such firms would be drastically reduced. Our state still needs to improve - the study found that during a five-year period, MWBE firms received only 9.8% of all contracts in the general equipment and supplies category. The passing of Prop 107 will further limit opportunities for our over 50,000 Hispanic owned firms and other MWBE firms in our State.

Our business community is also concerned that the passing of such legislation will drastically affect the recruitment and retention of Hispanic and other ethnic minority students at the University of Arizona, Arizona State University and Northern Arizona University. Our state cannot afford the additional negative publicity that this bill will bring especially after the passing of SB1070 and the ethnic studies bill.

Please vote no on Prop 107.

**Lea Marquez Peterson, President, Tucson Hispanic Chamber of Commerce, Tucson**

*Paid for by Tucson Hispanic Chamber of Commerce*

**Bill Holmes, Past Chairman of the Board, Tucson Hispanic Chamber, Tucson**

**Oppose Proposition 107 and Protect the Public's Health**

The Arizona Public Health Association (AzPHA) strongly opposes Proposition 107 as it will further increase health disparities in Arizona. Although the overall health of the population has improved, racial and ethnic minorities generally experience higher rates of preventable illness and death than non-minorities. For example, American Indians disproportionately die from diabetes, liver disease, and unintentional injuries; Hispanic Americans are almost twice as likely as non-Hispanic whites to die from diabetes; and, some Asian-American subpopulations experience rates of stomach, liver and cervical cancers that are well above national averages. This proposition will prevent minorities from receiving the prevention and treatment they need. It will also prevent organizations from receiving grants that focus on helping such populations. This one size fits all approach will not improve the public's health, but will instead cause further health disparities.

Please Vote NO on Proposition 107 and Protect the Public's Health.

*The Voice of Public Health*

**Jennifer Bonnett, Executive Director, Arizona Public Health Association, Phoenix**

*Paid for by Arizona Public Health Association*

**Ellen Owens Summo, President Elect, Arizona Public Health Association, Phoenix**

**NO on PROP 107.**

- **PROP 107 is built on fraud and deception.**

The deceptively positive naming of PROP 107 as the "Arizona Civil Rights Amendment" and its false promises of equality are intended to mislead the voting public. PROP 107 has nothing to do with the improvement or furtherance of civil rights. In fact, it will have serious, long-term, negative effects in this state. Moreover, its original proponent is not an Arizona resident. Instead of seeking what is best for this state, he is using Arizona to further a strictly personal agenda that greatly benefits him financially. Across the nation, when this same proponent presented a similar initiative, he received support from the Ku Klux Klan. That endorsement speaks loudly about where PROP 107 can be expected to take the state. PROP 107 is very plainly a wolf in sheep's clothing.

- **The damage forecasted for Arizona from PROP 107 is irreparable.**

Though initially presented as being positive, similar measures across the United States have had a devastating impact on their communities once passed into law. Most significantly, they have returned access to business, education, and employment opportunities to a "good ol' boys" network. **With women and minorities collectively making up almost 75% of the population in Arizona, PROP 107 will negatively affect the everyday lives of a substantial majority of Arizona's citizens.**

In Arizona, diversity is important to attracting the best companies and the highest paying jobs for all citizens. Large, successful, multinational companies recognize the need to have a dynamic and diverse workforce. Should PROP 107 become law in this state,

our reputation as a state unfriendly to diversity will highly discourage new businesses and investment from coming to Arizona at a time when that is exactly what is needed.

**NO on PROP 107.**

**Salvador Ongaro, President, Los Abogados Hispanic Bar Association, Tempe**

*Paid for by Los Abogados Hispanic Bar Association*

**Margarita Silva, Recording Secretary, Los Abogados Hispanic Bar Association, Phoenix**

Proposition 107, the misnamed "Arizona Civil Rights Initiative," was initiated by an outsider group and does not address the current needs, problems, and values of Arizonans. Arizona's community colleges and universities serve all Arizonans and boast a diverse student population in terms of race, ethnicity, gender, and socio-economic backgrounds. Successful outreach and retention programs at Arizona's community colleges and universities help produce this diversity, while complying with existing federal and state civil rights laws that protect all Arizonans. Recruitment programs reach under-represented groups to inform them of educational opportunities in the state, familiarize them with financial aid options, and help them prepare for college-level work. Once enrolled, students benefit from academic support programs offered in a student-friendly and culturally-sensitive environment. Proposition 107 is an overbroad measure that would change our state laws unnecessarily, and in ways that may jeopardize these locally grown programs, with no off-setting advantage for our state. For example, the University of Arizona's nationally respected Women in Science and Engineering Program (WISE) would be affected adversely. Established in 1976, WISE motivates girls and women to enter careers in science, engineering, mathematics, and technology where they are very under-represented. Through academic training, mentoring, internships, and scholarships, WISE improves the lives of many girls from middle school and beyond. Recruitment, "pipeline," and retention programs such as WISE help address existing inequalities in ways that benefit all Arizonans. In 2009, over 38,000 students were enrolled at the University of Arizona, and of that number 52% were female, and 30.4% were minority. This balance reflects our state demographics and could change if Proposition 107 becomes part of the Arizona Constitution. Voters should reject Proposition 107 because it would place many worthy programs at risk—lawful programs that address existing inequalities while promoting the best interests of all Arizonans.

**Barbara A. Atwood, Tucson**

**Toni M. Massaro, Tucson**

**Jane B. Korn, Tucson**

Arizona NOW is opposed to Prop 107. This initiative is not about protecting civil rights or ending discrimination as claimed, but is designed to end all programs intended to achieve equal opportunity for women and minorities.

The National Organization for Women is dedicated to achieving equality of treatment, equality of opportunity, and equal pay for women. Historically, women and minorities have been denied the right to vote, property rights, and access to higher education. They were passed over in hiring and promotion and consigned to low-paying, dead-end jobs that resulted in much higher rates of poverty. Things are better now, but we have not yet overcome the many generations of discrimination. Women in Arizona still make only 77 cents for every dollar made by a man in a similar job. They are still more likely to live in poverty and to lack basic necessities such as health insurance.

Prop 107, promoted by wealthy out-of-state interests seeking to make us a national test case, would end all state programs that try to improve this situation. We would no longer be able to fund programs that seek to prevent violence against women. We could no longer encourage women and minority-owned business to compete for state contracts. We could no longer encourage and support women students seeking to enter the high-paying (and economically vital) fields of science and engineering.

Denying equal opportunity to a large segment of our population weakens our entire society and makes all of us poorer. **Vote NO on Prop 107.**

**Eric Ehst, Policy Coordinator (President), Arizona National Organization for Women, Phoenix**

**Karen Van Hoof, Political Action Coordinator (Vice President), Arizona National Organization for Women, Scottsdale**

*Paid for by Phoenix-Scottsdale Chapter National Organization for Women*

Arizona Women's Political Caucus and its Chapters' Argument Against PROP 107 Arizona Civil Rights Initiative, The Arizona Women's Political Caucus (AWPC), and its chapters in Tucson and the Greater Phoenix areas, work to help women attain leadership positions at all levels of government, improve the status of all Arizona women and educate and train young women to assume leadership roles in the future. PROP 107, the so-called "Arizona Civil Rights Initiative," is counter to AWPC principles and the progress made for women and girls in Arizona today. AWPC opposes this out-of-state effort to dismantle Arizona's effective equal opportunity programs.

PROP 107, more accurately called the "Connerly anti-equal opportunity initiative," will amend Arizona's Constitution to eliminate equal opportunity programs in our state. If the Connerly Initiative passes, Arizona will lose highly valued programs that help women who are victims of domestic violence, women who are single mothers trying to get off welfare, women who need assistance preparing for college or women in math, science, and engineering programs. Some specific programs at risk if the Connerly anti-equal opportunity initiative passes are: the Commission on Prevention of Violence Against Women, the Phoenix Teen Parents program, the YWCA Bright Futures Program, the Commission on Healthy Women and Families, the New Start Summer program and the Women in Science and Engineering Education program.

PROP 107 would be a giant step backward for women, girls and people of color in Arizona. It is bad for Arizona's future. We respectfully request your NO vote.

**Becky Gaspar, President, Arizona Women's Political Caucus and its Chapters, Phoenix**

**Eleanor Eisenberg, President, Arizona Women's Political Caucus, GP Chapter, Phoenix**

*Paid for by Arizona Women's Political Caucus*

**Against Proposition 107**

Proposition 107 would make equal opportunity illegal in Arizona, eliminating current educational, employment and contracting programs that help people of color and all women succeed. The sponsors of this bill have themselves identified many ways in which communities in Arizona will be harmed if the measure becomes law. Many of the programs potentially at risk from this anti-opportunity proposition are outside of the areas traditionally considered subjects of equal opportunity.

For example: Proposition 107 would eliminate programs designed to encourage girls interested in math and science to pursue careers in those fields and scholarships targeted to encourage people of color to enter medical careers in underserved communities, or to become K-12 teachers.

From 1996 to 2006, after the passage of a similar proposition in California, the number of underrepresented minority freshman in the entering class at the University of California fell 65%. At UCLA, the drop in minority enrollment in the freshman class during that same decade was 45%. The declining rates came at the same time that the population of the state is increasingly diverse.

Significant harm could also occur to contracting opportunities for people of color and women in Arizona. For example, data from Grand Rapids, Michigan (after implementation of a similar measure) show construction project dollars going to minority-owned business enterprises (MBEs) declined by 45% and the amount going to women-owned business enterprises (WBEs) dropped by 70%.

The effort to end equality and opportunity programs is bound to damage the economic status of women and people of color and undermine growth of our communities. Helping to strengthen communities helps us all, because we're all in this together. When communities fail, they become a public burden – but when they succeed, it's a public benefit.

**Miguel Zazueta, Treasurer, WE CAN! The Equality and Opportunity Committee Opposing Prop 107, Tucson**

*Paid for by WE CAN! The Equality and Opportunity Committee Opposing Prop 107*

Vote No on PROP 107

Phoenix, the fifth largest city in the country, is a city that is recognized around the world for achieving great things. The City of Phoenix values and respects the diversity of our residents, our employees and all people. Phoenix is a city that is proud to solve problems and find solutions when problems exist. PROP 107 is an out-of-state “solution” looking for a problem that does not exist in Arizona. As the Mayor of the City of Phoenix I oppose the Connerly initiative.

The Connerly anti-equal opportunity initiative would eliminate City and State programs that are key to a stronger Phoenix and a stronger Arizona. Top among the programs scheduled to be eliminated are educational opportunity programs which prepare a diverse group of emerging leaders to take us into the Arizona of the future. It's time to look forward, not back.

In addition to educational diversity programs, the Connerly anti-equal opportunity initiative would eliminate important programs which are important to the citizens of Phoenix including:

- the **Phoenix Teen Parents Program** to help teen mothers learn work skills to get off welfare;
- **Phoenix Domestic Violence Prevention programs;**
- the **Phoenix Women's Commission** which addresses economic, political and social concerns and challenges facing all women today;
- **Phoenix programs to assist young people of color with basic needs to attend school and** their families with information about domestic violence, education, nutrition and finance.

I urge my fellow Arizonans to vote no on PROP 107 and its outsider politics of division and deception. Together we can accomplish great things.

**Phil Gordon, Mayor, City of Phoenix, Phoenix**

Don't be fooled by the wording of Prop.107! Its' deceptive legal jargon may sound appealing to many, though as you peel the layers of the onion, you will find the TRUTH. Prop. 107 will wipe out important programs originally mandated by the Civil Rights Act of 1964 designed for Women, Minorities and the Disabled. Prop.107 is sponsored by the same “Stormfront Fringe Movement” who sponsored SB1070 and the banning of the Ethnic Studies Program. Proponents of Prop. 107 are eternally dedicated to reversing the positive changes implemented by the Civil Rights Movement that Martin Luther King, Cesar Chavez and John F. Kennedy and millions of others fought and have lost their lives for.

Looking at Prop.107's previous passage in other states, such as CA, we can expect the passage of Proposition 107 to have lasting negative effects in AZ. Diversity in our state schools will disappear. Our state universities, which are responsible for a significant portion of our state economy, will experience a sharp drop in applications from in-state and out-of-state students, particularly from students fearing a racially intolerant climate in Arizona (as we have already seen happen to The University of Arizona in response to the passage of SB 1070). Federal funding awarded to the state specifically for the purposes of increasing racial diversity in public schools and the private sector may disappear. Gender and ethnic studies programs at our universities - such as Women Studies, Chicano Studies, African-American Studies, Native-American Studies and Asian Pacific American Studies – may cease to exist. In short, Arizona stands to lose a lot of state money, a return to the segregation days of the 1960's, and lessens the chances for Women and Minorities to achieve EQUALITY and attain the American Dream. Vote No on Prop.107!

**Emmett Alvarez, Tucson**

Proposition 107 is not a Civil Rights Amendment for Arizona

This deceptively named measure would stop any efforts by Arizona's governmental entities to reduce racial and gender bias. Although progress has been made, Arizona needs more diversity in its government offices, corporate boardrooms and University graduation classes to better reflect the state's true demographics. Sometimes people need incentives to do what is right. Without programs of equal opportunity in place, it will be too easy to fall back on the exclusionary practices of the past.

Proposition 107 pretends to be something it is not. Don't be fooled. Vote no.

**Ann Wallack, Chair, Maricopa County Democratic Party, Phoenix**

**PROPOSITION 107 ~ BALLOT FORMAT**

BALLOT FORMAT

**PROPOSITION 107**

**PROPOSED AMENDMENT TO THE CONSTITUTION BY THE LEGISLATURE RELATING TO PREFERENTIAL TREATMENT OR DISCRIMINATION PROHIBITION [HCR 2019]**

**A CONCURRENT RESOLUTION**

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA; AMENDING ARTICLE II, BY ADDING SECTION 36, CONSTITUTION OF ARIZONA; RELATING TO PREFERENTIAL TREATMENT OR DISCRIMINATION PROHIBITION.

**DESCRIPTIVE TITLE**

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.

BALLOT FORMAT FOR PROPOSITION 107

<p>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.</p>	<p><b>YES</b> <input type="checkbox"/></p>
<p>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.</p>	<p><b>NO</b> <input type="checkbox"/></p>