

APPLICATION FOR INITIATIVE OR REFERENDUM PETITION SERIAL NUMBER

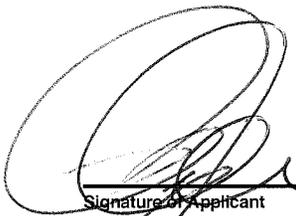
Secretary of State
1700 W. Washington Street, 7th Floor
Phoenix, AZ 85007

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.

Open and Honest Elections Amendment: Our current taxpayer-funded party primary system treats candidates and voters differently based on political party affiliation. This initiative creates an open election system where every person qualified to vote, including those not affiliated with any political party, has the right to vote for the candidate of their choice. All candidates will be subject to the same requirements to appear on the ballot and candidates will all appear on the same ballot regardless of party affiliation. The two candidates receiving the highest number of votes will run-off against one another in a general election.

2016 JAN 21 PM 12:35
SECRETARY OF STATE



Signature of Applicant

Paul Johnson

Printed Name of Applicant

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Open and Honest Elections Committee

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Date of Application 1/21/2016
Signatures Required 225,963
Deadline for Filing 7/7/2016
Serial Number Issued C-07-2016
FOR OFFICE USE ONLY

Revised 11/92

CF ID: 2016 00 399

ELIMINATING TAXPAYER-FUNDED PARTY PRIMARIES AND REPLACING THEM WITH OPEN ELECTIONS GIVING ALL QUALIFIED VOTERS THE RIGHT TO VOTE FOR THE CANDIDATES OF THEIR CHOICE; PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA; AMENDING ARTICLE VII OF THE CONSTITUTION OF ARIZONA RELATING TO DIRECT PRIMARY ELECTION LAW

TEXT OF PROPOSED AMENDMENT

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

Section 1. Title. This amendment shall be known as the "Open and Honest Elections Amendment."

Section 2. Purpose.

A. This amendment abolishes the existing system of taxpayer-funded primary elections from which some voters are excluded because of the party they are affiliated with or because they are not affiliated with any party.

B. In its place, this amendment establishes an Open Primary election in which:

(1) every person qualified to vote, including those not affiliated with any political party, has the right to vote at any election for any candidate.

(2) any requirements to appear on the ballot must be applied equally to all candidates, whether or not they are affiliated with any political party, and regardless of their party affiliation.

(3) the two candidates getting the most votes face each other in the general election.

C. This amendment applies to all Arizona congressional, state, county, and local elections. It does not apply to the system for the election of President and Vice President of the United States.

Section 3. Article VII, section 10, Constitution of Arizona, is amended by repealing section 10 and replacing it as follows:

~~§ 10. Direct primary election law~~

~~Section 10. The Legislature shall enact a direct primary election law, which shall provide for the nomination of candidates for all elective State, county, and city offices, including candidates for United States Senator and for Representative in Congress. Any person who is registered as no party preference or independent as the party preference or who is registered with a political party that is not qualified for representation on the ballot may vote in the primary election of any one of the political parties that is qualified for the ballot.~~

§ 10. OPEN ELECTIONS

A. OPEN PRIMARY. ARIZONA SHALL USE AN OPEN PRIMARY SYSTEM TO SELECT THE CANDIDATES THAT COMPETE IN THE GENERAL ELECTION:

1. WHEN MORE THAN TWO CANDIDATES QUALIFY TO APPEAR ON THE BALLOT FOR AN OFFICE, AN OPEN PRIMARY SHALL BE CONDUCTED TO SELECT THE CANDIDATES TO COMPETE IN THE GENERAL ELECTION. ALL QUALIFIED CANDIDATES WILL APPEAR ON THE SAME BALLOT IN THE OPEN PRIMARY ELECTION, REGARDLESS OF PARTY AFFILIATION OR LACK THEREOF. THE TWO CANDIDATES WHO RECEIVE THE MOST VOTES IN THE OPEN PRIMARY SHALL MOVE ON TO COMPETE IN THE GENERAL ELECTION. FOR ANY OFFICE TO WHICH MORE THAN ONE CANDIDATE WILL BE ELECTED, THE NUMBER OF CANDIDATES WHO WILL COMPETE IN THE GENERAL ELECTION SHALL BE THE NUMBER OF CANDIDATES TO BE ELECTED TIMES TWO.

2. IF THE NUMBER OF CANDIDATES WHO QUALIFY TO APPEAR ON THE BALLOT IS LESS THAN OR EQUAL TO THE NUMBER THAT WOULD APPEAR ON THE GENERAL ELECTION BALLOT, NO OPEN PRIMARY ELECTION NEED BE HELD AND THE QUALIFIED CANDIDATES WILL APPEAR ON THE GENERAL ELECTION BALLOT.

3. THIS SECTION DOES NOT PROHIBIT WRITE-IN CANDIDATES IN THE PRIMARY OR GENERAL

ELECTION AS OTHERWISE PERMITTED BY LAW.

B. RIGHT OF ALL VOTERS TO PARTICIPATE IN ALL ELECTIONS. ALL QUALIFIED VOTERS SHALL BE GUARANTEED THE UNRESTRICTED RIGHT TO VOTE FOR THE QUALIFIED CANDIDATE OF THEIR CHOICE IN ALL ELECTIONS. NO VOTER SHALL BE DENIED THE RIGHT TO VOTE FOR THE QUALIFIED CANDIDATE OF HIS OR HER CHOICE IN A PRIMARY OR GENERAL ELECTION BASED UPON HIS OR HER PARTY AFFILIATION OR LACK THEREOF.

C. LEVEL PLAYING FIELD. ALL QUALIFIED VOTERS AND CANDIDATES SHALL BE TREATED EQUALLY BY STATUTES AND REGULATIONS GOVERNING ELECTIONS REGARDLESS OF THEIR PARTY AFFILIATION OR LACK THEREOF. TO THE EXTENT THAT ANY PRIVILEGES OR PROCEDURES ARE MADE AVAILABLE TO CANDIDATES OR POLITICAL PARTIES, THEY SHALL BE MADE EQUALLY AVAILABLE TO ALL CANDIDATES OR POLITICAL PARTIES, REGARDLESS OF PARTY AFFILIATION, RECOGNITION, OR LACK THEREOF. ANY REQUIREMENT TO GATHER SIGNATURES TO QUALIFY AS A CANDIDATE SHALL BE THE SAME FOR ALL CANDIDATES FOR THAT OFFICE, REGARDLESS OF PARTY AFFILIATION OR LACK THEREOF.

D. IDENTIFICATION OF CANDIDATE'S PARTY AFFILIATION. THIS SECTION DOES NOT AFFECT EXISTING LAWS REGARDING WHETHER A CANDIDATE'S PARTY AFFILIATION DOES OR DOES NOT APPEAR ON THE BALLOT, NOR DOES IT PROHIBIT FUTURE CHANGES IN SUCH LAWS. HOWEVER, IF APPLICABLE LAW PERMITS A CANDIDATE'S PARTY AFFILIATION TO APPEAR ON THE BALLOT, THE AFFILIATION LISTED ON THE BALLOT MUST MATCH THE AFFILIATION LISTED ON THE CANDIDATE'S VOTER REGISTRATION FORM, AND THE BALLOT MUST INCLUDE THE STATEMENT: "THE PARTY REGISTRATION (IF ANY) STATED WITH THE CANDIDATES' NAMES ON THIS BALLOT IS NOT AN INDICATION THAT A CANDIDATE HAS BEEN NOMINATED OR ENDORSED BY THAT PARTY, BUT ONLY REFLECTS THE PARTY REGISTRATION (IF ANY) OF THE CANDIDATE."

E. OPTION TO PARTICIPATE IN PRIVATELY FUNDED POLITICAL PARTIES. NOTHING IN THIS SECTION SHALL RESTRICT THE RIGHT OF INDIVIDUALS TO JOIN OR ORGANIZE INTO POLITICAL PARTIES. NOTHING IN THIS SECTION SHALL RESTRICT A POLITICAL PARTY'S ABILITY TO CONTRIBUTE TO, ENDORSE, OR OTHERWISE SUPPORT OR OPPOSE CANDIDATES FOR ELECTIVE OFFICE, SUBJECT TO APPLICABLE LAW GOVERNING THOSE ACTIVITIES. POLITICAL PARTIES MAY ESTABLISH PROCEDURES TO ELECT PARTY OFFICERS, ENDORSE OR SUPPORT CANDIDATES, OR OTHERWISE PARTICIPATE IN ANY ELECTIONS, BUT NO SUCH PROCEDURES SHALL BE PAID FOR OR SUBSIDIZED USING ANY PUBLIC FUNDS.

F. APPLICABILITY. THIS SECTION SHALL APPLY TO THE ELECTION OF CANDIDATES FOR ALL STATE, COUNTY, AND CITY ELECTIVE OFFICES, INCLUDING THOSE IN CITIES SUBJECT TO ARTICLE 13, SECTION 2. IT SHALL ALSO APPLY TO ELECTIONS FOR CANDIDATES FOR UNITED STATES SENATOR AND FOR REPRESENTATIVE IN CONGRESS.

Section 4. Severability.

If any provision of this amendment is held invalid for any reason, the remaining portions of this amendment will be severed from the void portion and given the fullest possible force and application. The people of Arizona declare their intention that the provisions of this amendment are severable.

Section 5. Submission to voters.

The Secretary of State shall submit this proposition to the voters at the next general election as provided by Article XXI, Section 1, Constitution of Arizona.

Section 6. Effective date and implementation by Legislature.

If approved by the voters, this Constitutional Amendment shall apply to all elections occurring after January 1, 2018, and shall supersede any existing state statutes, regulations, and elections procedures to the extent that they are inconsistent with this Constitutional Amendment. The Legislature, Secretary of State, Citizens Clean Elections Commission, and county and local officials shall promptly make such changes in and additions to state statutes, regulations, and elections procedures as are necessary to fully implement the provisions of this Constitutional Amendment in time for the open primary election in 2018 and for every open primary and general election thereafter. Legislation, regulations, and elections procedures implementing this amendment must be consistent with and further the purpose of this amendment to permit and encourage all qualified voters in Arizona to vote in all primary and general elections for the candidates of their choice, regardless of the political affiliation of voters and candidates.