

APPLICATION FOR INITIATIVE OR REFERENDUM PETITION SERIAL NUMBER

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

2007 NOV -5 AM 11:18

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.

A PROPOSAL TO AMEND THE STATE CONSTITUTION TO PROHIBIT PREFERENTIAL TREATMENT OR DISCRIMINATION BY STATE GOVERNMENT

The proposal would amend the state constitution to prohibit preferential treatment or discrimination by state government, state universities, colleges, community colleges, school districts, counties and local governments to any individual or group based on race, sex, color, ethnicity or national origin in the operation of public employment, public education or public contracting. The amendment will not prohibit bone fide qualifications based on sex that are reasonably necessary to the normal operation of government.

Andrew Thomas
Signature of Applicant
Andrew Thomas
Printed Name of Applicant
4757 E. Greenway Rd., #103-233
Address
Phoenix, AZ 85032
City State Zip
602-710-0430
Telephone Number

Arizona Civil Rights Initiative
Name of Organization (if any)
P.O. Box 50813
Address
Phoenix AZ 85076
City State Zip
480-306-4743
Telephone Number
Andrew Thomas Chairman
Name of Officer and Title

4757 E. Greenway Rd., #103-233
Address
Phoenix AZ 85032
City State Zip
602-710-0430
Telephone Number

David Maxwell McPhail Treasurer
Name of Officer and Title
15251 South 50th Street, Apt. 2103
Address
Phoenix AZ 85044
City State Zip
602-710-0430
Telephone Number

Date of Application 11.5.07
Signatures Required 230,047
Deadline for Filing July 3, 2008
Serial Number Issued C-17-2008
FOR OFFICE USE ONLY

Revised 11/92

CF # 200802927

Article 30

- (a) 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.
- (b) Nothing in this section shall be interpreted as prohibiting bona fide qualifications based on sex that are reasonably necessary to the normal operation of public employment, public education, or public contracting.
- (c) Nothing in this section shall be interpreted as invalidating any court order or consent decree that is in force as of the effective date of this section.
- (d) Nothing in this section shall be interpreted as prohibiting action that must be taken to establish or maintain eligibility for any federal program, if ineligibility would result in a loss of federal funds to the state.
- (e) For the purposes of this section, "state" shall include, but not necessarily be limited to, the state itself, any city, county, city and county, state and county, public university system, including the University of Arizona, Arizona State University, Northern Arizona University, community college district, school district, any other political subdivision or governmental instrumentality of or within the state, or any other governmental entities formed under the laws of Arizona.
- (f) The remedies available for violations of this section shall be the same, regardless of the injured party's race, sex, color, ethnicity, or national origin, as are otherwise available for violations of then-existing Arizona antidiscrimination law.
- (g) This section shall be self-executing. If any part or parts of this section are found to be in conflict with federal law or the United States Constitution, the section shall be implemented to the maximum extent that that federal law and the United States Constitution permit. Any provision held invalid shall be severable from the remaining portions of this section.



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 CIVIL RIGHTS INITIATIVE** has filed a total of 28,205 petition signature sheets containing 325,587 signatures to initiative number C-17-2008, 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 4, 2008 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 30th Day of July, 2008.


JANICE K. BREWER
Secretary of State

**Sheets Removed from C-17-2008
 By the Secretary of State's Office during processing of petitions**

Reasons for Removal	Sheets	Signatures
Notary incomplete or missing or notary expired	53	607
Affidavit of Circulator incomplete or missing	133	1,410
Paid or Volunteer circulator not marked	38	422
Signatures obtained after notarization	197	2,042
Wrong petition filed	9	122
Attached text incomplete or missing	18	226
All signatures on sheet would have been removed	13	15

461	4,844
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JAN BREWER
SECRETARY OF STATE
STATE OF ARIZONA

August 21, 2008

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 C-17-2008, Arizona Civil Rights, has not met the signature requirements for placement on the November 4, 2008 General Election Ballot. The actual number of remaining signatures is below the minimum required by the Arizona 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 less than ninety five per cent of the minimum required or through examination of each signature has been certified to be less than the minimum required by the Arizona Constitution. Consequently, the petition for serial number C-17-2008 lacks the minimum number of signatures to place it on the general election ballot.

Enclosed are 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: Andrew Thomas, Chairman
Arizona Civil Rights Initiative
P. O. Box 50813
Phoenix, Arizona 85076

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

461 signature pages bearing 4,844 signatures for initiative petition serial number C-17-2008 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 4,304 signatures included on the remaining petition sheets were found to be ineligible. Of the total random sample of 16,280 signatures, a total of 6,532 signatures were invalidated by the county recorders resulting in a failure rate of 40.12 per cent. The actual number of remaining signatures for such initiative petition number C-17-2008 is below 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 less than ninety five per cent of the minimum required or through examination of each signature has been certified to be less than the minimum required by the constitution. Consequently, the petition for serial number C-17-2008 lacks the minimum number of signatures to place it on the general election ballot.

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, 2008.


JANICE K. BREWER
Secretary of State



C-17-2008
Arizona Civil Rights

SECRETARY OF STATE'S OFFICE
DETERMINATION OF VALID SIGNATURES
INITIATIVE AND REFERENDUM PETITIONS

Minimum Signature Requirement	<u>230,047</u>	95% <u>218,545</u>	105% <u>241,550</u>
Number of Signatures Submitted to Secretary of State			<u>325,587</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>461</u>
Number of Signatures on those sheets			<u>4,844</u>
Number of Signatures Removed by the Secretary of State According to A.R.S. §19-121.01(A)(2)(3)			<u>4,304</u>
Total Signatures Removed by the Secretary of State			<u>9,148</u>
Number of Petition Sheets that Contain Signatures Eligible for Verification			<u>28,205</u>
Number of Signatures Eligible for Verification:		<u>325,587</u>	
5% of that Number		<u>16,280</u>	