The undersigned intends to circulate and file an initiative 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. Attached hereto is the full title and text, in no less than eight point type, of the measure or constitutional amendment intended to be initiated at the next general election.

This act may be cited as the “Protect Arizona Agriculture Act.” Agricultural chemicals threaten pollinators crucial to Arizona’s agriculture. The Associate Director of Agriculture shall be responsible for ensuring that comprehensive health analysis and health risk assessments of agricultural chemicals on humans, flora, fauna and organisms that improve soil health including fungi and pollinators are reviewed and reported to the legislature. The Associate Director shall suspend the registration of all branches of the nitro group of neonicotinoids, chlorpyrifos and glyphosate, and regulate agricultural chemicals as necessary to protect Arizona’s agriculture and health.

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By submitting this Application for Serial Number and checking all boxes below, I acknowledge the following:

✔ That I have received and will review the accompanying Instructions for Statewide Initiatives, including the Secretary of State’s recommended best practices for printing copies of the Statewide Initiative Petition to be circulated.

✔ That at the time of filing, I was provided instructions regarding accurate completion of the Statewide Initiative Petition form.

applicant signature

Date 5/2/19

Office of the Secretary of State
1700 W. Washington Street
Phoenix, Arizona 85007

Rev. 03/04/2019
OFFICIAL TITLE
AN INITIATIVE MEASURE
AMENDING TITLE 3, CHAPTER 2, SECTIONS 3-343, 3-377; TEXT OF PROPOSED AMENDMENT

Be it enacted by the people of the state of Arizona:

Section 1. Title.
This act may be cited as the “Protect Arizona Agriculture Act”

Sec. 2. Findings.
The People of the State of Arizona find and declare the following:
A. Pollination services are a vital part of agricultural production, valued at over $125,000,000,000 globally and worth $20,000,000,000 to $30,000,000,000 in agricultural production annually in the United States.
B. One-third of food produced in North America depends on pollination by honey bees, including nearly 95 varieties of fruits such as almonds, avocados, cranberries, and apples.
C. Over the past several years, documented incidents of bee colony collapse disorder have been at a record high, with some beekeepers repeatedly losing 100 percent of their operations.
D. During the winter beginning in 2012 and ending in 2013, United States beekeepers, on average, lost 45.1 percent of the colonies they operate.
E. According to scientists of the Department of Agriculture, current estimates of the survivorship of honey bee colonies show they are too low to be able to meet the pollination demands of United States agricultural crops.
F. Scientists have linked the use of systemic neonicotinoid insecticides to the rapid decline of pollinators and to the deterioration of pollinator health.
G. Neonicotinoids cause sublethal effects including impaired foraging and feeding behavior, disorientation, weakened immunity, delayed larval development, and increased susceptibility to viruses, diseases, and parasites and numerous studies have also demonstrated acute, lethal effects from the application of neonicotinoid insecticides.
H. Recent science has demonstrated that a single corn kernel coated with a neonicotinoid is toxic enough to kill a songbird.
I. In June 2013, over 50,000 bumblebees were killed as a direct result of exposure to a neonicotinoid applied to Linden trees for cosmetic purposes.

J. In January 2013, the European Food Safety Authority determined that the most widely used neonicotinoids pose unacceptable hazards to bees, prompting the European Union to suspend their use on agricultural crops.

Sec. 3. Section 3-343, Arizona Revised Statutes, is amended to read 3-343. Enforcement and administrative powers
A. This article shall be administered and its provisions and all rules adopted under this article shall be enforced by the associate director.
B. The director may SHALL, after a hearing:
1. Declare as a pest any form of plant or animal life or virus which is injurious to plants, humans, domestic animals, articles or substances.
2. Determine whether or not EACH PESTICIDE USED IN THE STATE OF ARIZONA PRESENTS an unreasonable risk to humans OR DOMESTIC ANIMALS OR DOMESTIC AGRICULTURAL POLLINATORS.
3. Determine standards of coloring or disinfecting for pesticides, and subject pesticides to the requirements of section 3-352.
C. The director may SHALL after a hearing, make rules concerning safety in the distribution and sale of pesticides or devices.
D. All rules adopted under authority of this article shall be divided into two classes to be known as “technical rules” and “administrative rules”, such rules to be filed in the office of the secretary of state and subject to judicial review.
E. The director may adopt administrative and technical rules deemed necessary to effectuate the purposes of this article, but only after a hearing.

F. The director shall within 180 days of the passage of this initiative shall suspend the registration of IMIDACLOPRID, CLOTHIANIDIN, THIAMETHOXAM, DINOTAFURAN, AND ANY OTHER MEMBERS OF THE NITRO GROUP OF NEONICOTINOID INSECTICIDES TO THE EXTENT SUCH INSECTICIDE IS REGISTERED, CONDITIONALLY OR OTHERWISE, UNDER THE FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT (7 U.S.C. 136 ET SEQ.) FOR USE IN SEED TREATMENT, SOIL APPLICATION, OR FOLIAR TREATMENT ON BEES ATTRACTIVE PLANTS, TREES, AND CEREALS UNTIL THE DIRECTOR HAS MADE A DETERMINATION THAT SUCH INSECTICIDE WILL NOT CAUSE UNREASONABLE ADVERSE EFFECTS ON POLLINATORS BASED ON
1. An evaluation of the published and peer-reviewed scientific evidence on whether the use or uses of such neonicotinoids cause unreasonable adverse effects on pollinators, including native bees, honey bees, birds, bats, and other species of beneficial insects; and
2. A completed field study that meets the criteria required by the director and evaluates residues, including residue build-up after repeated annual application, chronic low-dose exposure, cumulative effects of multiple chemical exposures, and any other protocol determined to be necessary by the director to protect managed and native pollinators.
SUBSECTION (F), BASED ON AN EVALUATION DESCRIBED IN SUBSECTION (F)(1) AND A COMPLETED FIELD STUDY DESCRIBED IN SUBSECTION (F)(2), WITH RESPECT TO SUCH INSECTICIDE.

H. MONITORING OF NATIVE BEES.—THE DIRECTOR SHALL CAUSE THE FOLLOWING, FOR PURPOSES OF PROTECTING AND ENSURING THE LONG-TERM VIABILITY OF NATIVE BEES AND OTHER POLLINATORS OF AGRICULTURAL CROPS, HORTICULTURAL PLANTS, WILD PLANTS, AND OTHER PLANTS—
1. REGULARLY MONITOR THE HEALTH AND POPULATION STATUS OF NATIVE BEES, INCLUDING THE STATUS OF NATIVE BEES IN AGRICULTURAL AND NONAGRICULTURAL HABITATS AND AREAS OF ORNAMENTAL PLANTS, RESIDENTIAL AREAS, AND LANDSCAPED AREAS;
2. IDENTIFY THE SCOPE AND LIKELY CAUSES OF UNUSUAL NATIVE BEE MORTALITY; AND
3. BEGINNING NOT LATER THAN 180 DAYS AFTER THE DATE OF THE ENACTMENT OF THIS INITIATIVE AND EACH YEAR THEREAFTER, SUBMIT TO THE STATE LEGISLATURE, AND MAKE AVAILABLE TO THE PUBLIC, A REPORT ON SUCH HEALTH AND POPULATION STATUS.

Sec. 3. Section 3-377, Arizona Revised Statutes, is amended to read
3-377. Local Regulation
The provisions of this article and the rules which implement this article are of BOTH statewide AND LOCAL concern and are not subject to further local regulation.