

## **Arguments “Against” Proposition 136**

Vote No on Proposition 136!

Sierra Club Grand Canyon Chapter opposes Prop 136 because we oppose any attempts to strip Arizonans of their constitutional right to the ballot initiative process. The ballot initiative process is so important to the Arizona Constitution, it was amended back into the state constitution after President Taft required it be removed prior to admitting Arizona to the Union on February 14, 1912.

Arizonans have long been frustrated by the lack of representative leadership from the Arizona Legislature and in just the past three election cycles, Arizonans have voted to raise the minimum wage, increase campaign finance transparency, allow Dreamers in-state tuition, and protect public education funding.

Prop 136 would allow powerful monied interests to add significant burdens to Arizonans seeking change through the ballot initiative process. By allowing anyone to legally challenge initiatives even before they are filed, this means Arizonans will be tied up in court, paying expensive legal fees, and being distracted by powerful interests who don't want positive change for Arizona's future. We've already seen how legal challenges threaten the will of Arizona voters – in 2020, Arizona voters passed by a wide margin of over 100,000 votes Prop 208 which would have increased the tax rate on Arizonans making \$250,000 or more to fund education and that was later overturned by the Arizona Supreme Court. Arizona voters have the constitutional right to have their voice heard through ballot initiatives, and Prop 136 will make it even harder for them to do so.

Sierra Club Grand Canyon Chapter opposes Prop 136 and encourages all Arizona voters to protect their voice by voting No on Prop 136.

**Cyndi Tuell, chair, Sierra Club - Grand Canyon Chapter, Tucson and Jim Vaaler, vice chair, Sierra Club - Grand Canyon Chapter, Phoenix**

The League of Women Voters of Arizona strongly opposes this proposition, which would limit the constitutionally granted citizens' right to make laws through the initiative and referendum processes. The current process to get citizens' initiatives on the ballot includes a vigorous petition certification process, requiring a specific number of valid signatures. This proposition would allow individuals opposed to the changes proposed by the ballot measure to challenge the constitutionality of the measure in court before it is on the ballot. If the court agrees, then the measure would not be on the ballot, thus negating the intent of the voters who signed the petition and depriving all Arizona voters of making their voices heard. This proposition, if passed, would increase the barriers faced by citizen-led initiatives. And there would be a financial burden as well; litigation costs money, and taxpayers often foot the bill. This proposition is a blatant attempt to limit the power of voters to enact laws and constitutional amendments. It is in the voter's best interest to vote no on the proposition.

## THE LEAGUE OF WOMEN VOTERS OF ARIZONA URGES YOU TO VOTE NO

**Pinny Sheoran, President, League of Women Voters of Arizona, Scottsdale**  
*Sponsored by League of Women Voters of Arizona*

Arizona's fiercely independent founders valued the right of everyday citizens to make our own laws so much that they wrote that right into the state Constitution. In fact, citizens' first use of our new right to initiative was to put women's voting rights on the ballot in 1912, allowing Arizonans to honor women's right to vote 8 years before the 19th Amendment did. Prop 136 challenges that foresight and freedom, making it harder and enormously more expensive for citizens to even get measures on the ballot for the voters to decide.

Prop 136 would let well-funded special interests sue to try to knock a citizen initiative off the ballot before the election. All the plaintiff would have to do is argue that the initiative is unconstitutional. If they can get a judge to agree with them, that initiative would be thrown off the ballot, invalidating the voices of the hundreds of thousands of voters who signed the petitions and preventing the rest of us from ever having a say.

It should tell you all you need to know that the main proponent for Prop 136 is the Arizona Free Enterprise Club. This dark-money special interest group has sued year after year to block and overturn many voter-run initiatives. If they fool us into approving Prop 136, extremist politicians and lobbyists would be spared the trouble and expense of having to campaign against measures that threaten their anti-democratic agenda.

Prop 136 undercuts the rights of citizens granted in the Arizona Constitution and would force citizen-led initiatives to be tied up in costly legal battles triggered by frivolous lawsuits. Don't get hoodwinked into signing your own rights away. We strongly urge a NO vote on Prop 136.

**Beth Lewis, Executive Director, Save Our Schools Arizona, Chandler and Melinda Iyer, Policy Director, Save Our Schools Arizona, Phoenix**

Prop 136 would allow any person to challenge the constitutionality of any constitutional amendment or ballot initiative measure as soon as they are filed with the state. This means that citizen-led efforts to propose a ballot initiative would require even more burdensome preparation since they would inevitably be challenged, taxing oftentimes underresourced and understaffed citizen groups. Without any clear benefits, this measure only makes the initiative process more expensive, time-consuming, and confusing for Arizonans who want to exercise this essential democratic right.

Arizona's ballot initiative process is already subject to several checks and balances to ensure the legality of each measure. These include the single-subject rule, topic restrictions, and a veto referendum that already allows for citizen-led challenges. The ballot initiative process should be celebrated as a politically neutral vehicle made available to and used by individuals and groups for a wide range of causes dating back to 1912. Prop 136 is merely a power grab by politicians who seek to consolidate their own power by significantly impeding voters' ability to initiate change.

This measure undermines Arizona's long-standing leadership in direct democracy. The unintended consequences will be a distraction from the democratic process and chaos throughout the execution of the state's ballot measure system.

In particular, rural voters will be most hurt by this measure as they already face heightened difficulties in participating in the democratic process, from hurdles in getting signatures in these areas to challenges in accessing voting channels. Prop 136 will further disenfranchise rural Arizonans by creating another barrier to one of the few forms of direct democracy we are afforded today.

Vote NO on this measure.

Bob Sommer, Business for Democracy-AZ

**Bob Sommer, Tempe**

Planned Parenthood Advocates of Arizona (PPAA) is strongly opposed to Prop 136. PPAA is Planned Parenthood's advocacy arm in Arizona and the state's largest nonpartisan advocacy organization dedicated to protecting access to sexual and reproductive health care. We advocate for everyone in our community, no matter their race, gender, sexuality, disability, or immigration status, so we can ensure access to reproductive healthcare and bodily autonomy for everyone.

The citizen initiative process is one of the most vital parts of Arizona's democracy. Efforts such as raising the minimum wage, legalizing marijuana, and enshrining a fundamental right to abortion access are all ways that the voters of Arizona can and have shaped the future of our state independently of politicians. A strong direct democracy creates a healthier, more equitable, and more just Arizona, and the citizen initiative process is a key component of that.

Prop 136 would make the citizen initiative process much less accessible by increasing the costs of creating a ballot initiative. Allowing for challenges to ballot initiatives during the initiative process will require those organizing these initiatives to prepare for costly, time-consuming court challenges. All citizens deserve access to this process, not just those with financial resources.

It is vital to maintain the democratic process and protect the rights of all Arizonans. Please join Planned Parenthood Advocates of Arizona in voting NO on Prop 136.

**Erika Mach, Chief External Affairs Officer, Planned Parenthood Advocates of Arizona, Phoenix**

Arizona has a long and proud history of democratic self-governance. It's always been part of our state constitution that citizens have the right to make laws by drafting initiatives and placing them on the ballot. If we the people support a policy, we can make it the law of the land, even if our politicians won't or can't act.

But over the last few years, the ballot initiative process has become more and more challenging for ordinary people to navigate. As educators, we experienced that first-hand in 2018 and 2020 as we sought to increase taxes on the rich to raise money for Arizona public schools.

Proposition 136 would make it even easier for special interests to kick initiatives off the ballot for specious reasons, further limiting our power as citizens.

Let's protect our right as citizens to make our voices heard. Vote NO on Proposition 136.

**Marisol Garcia, President, Arizona Education Association, Phoenix**

SCR 1041 is an attack on the initiative process that undermines Arizona's long-standing leadership in direct democracy, seeks to limit the voice of the people, and creates additional barriers in the ballot initiative process, particularly for rural voters. This measure's unintended consequences will be expensive, a distraction from the democratic process, and wreak chaos throughout the state's vital initiative process.

This measure would allow any person to challenge the constitutionality of any constitutional amendment or ballot initiative measure as soon as it has been filed with the state. This means that citizen-led efforts to lead a ballot initiative have the challenge of even more preparation, knowing they would inevitably be challenged, often already underresourced and staffed. The extreme waste of time and money this measure will create is still unclear.

The current ballot initiative process is already subject to several checks and balances to ensure the legality of each introduced measure. Proposals undergo rigorous review by the Arizona Legislative Council and a fiscal analysis by the Joint Legislative Budget Committee. It isn't the case that any ballot initiative can get on the ballot, and SCR 1041 only makes it more expensive, time-consuming, and burdensome for Arizonans who want to utilize this democratic right.

In particular, rural voters will be most hurt by this measure as they already face heightened challenges in participating in the democratic process, from difficulties in getting signatures in these areas to challenges in accessing voting channels. SCR 1041 will further disenfranchise rural Arizonans by creating another barrier to the few forms of direct democracy we are afforded today.

Vote NO on this measure.

**Ryan Winkle, Chair, Arizona Asian Chamber of Commerce, Mesa**  
*Sponsored by Arizona Asian Chamber of Commerce*

We strongly urge a NO vote on Proposition 136, which would ask voters to amend the Arizona Constitution to allow anyone to sue to knock a citizen initiative off the ballot that they feel is not constitutional.

You and I probably don't have the millions of dollars to sue, but we know who does: deep-pocketed special interests that dislike measures that get in the way of their ability to profit,

pollute, or control our behavior. Lawsuits mounted by shadowy dark-money groups repeatedly spend millions to disqualify ballot measures that are overwhelmingly approved by voters, such as Invest in Ed and Stop Dark Money itself.

This measure would allow costly lawsuits before the issue even gets to the ballot, potentially preventing a popular vote at all. This is one of a battery of Republican legislative referrals in recent years aimed at making it harder for initiatives to qualify for the ballot and easier for challengers to get them removed from the ballot.

One of the tactics of those who want to hurt the voters' constitutionally protected chance to propose laws is to make the process prohibitively expensive, and this measure falls within that group.

Proposition 136 is broadly opposed by those who have sweated and worked tirelessly to bring popular ballot measures such as abortion access and a living minimum wage to the Arizona ballot. We urge you to vote NO on Proposition 136.

**Melinda Iyer, Policy Director, Civic Engagement Beyond Voting, Phoenix and Catherine Sigmon, Co-Founder, Civic Engagement Beyond Voting, Tempe**

Prop 136 represents a direct attack on the initiative process, introducing a provision allowing any person to challenge the constitutionality of a constitutional amendment or ballot initiative immediately upon filing with the state. This measure sets a dangerous precedent by burdening citizen-led initiatives with costly and time-consuming legal challenges, even before they gain traction or public support. This measure not only undermines the democratic process but also creates an unnecessary bureaucratic hurdle that will waste valuable time and resources.

Arizona's current initiative process already includes rigorous checks and balances to ensure the legality and feasibility of proposed measures. Initiatives undergo thorough reviews by the Arizona Legislative Council and receive fiscal analyses by the Joint Legislative Budget Committee. Prop 136 exacerbates existing challenges by adding further complexity and expense to an already demanding process, disproportionately affecting rural communities struggling with limited resources and access to voting channels.

Rural voters, in particular, will bear the brunt of this measure's impact, facing heightened difficulties in collecting signatures and navigating the additional legal hurdles imposed by Prop 136. This measure threatens to disenfranchise rural Arizonans and diminish their ability to participate effectively in our democratic system.

Prop 136 undermines Arizona's proud tradition of direct democracy, imposes unnecessary barriers to citizen participation, and disproportionately impacts rural communities. I urge voters to reject Prop 136 and safeguard our democratic rights by preserving fair and accessible pathways for Arizonans to participate in shaping their governance through the initiative process.

Vote NO.

Bridget Sharpe, Director of Human Rights Campaign AZ

**Bridget Sharpe, Phoenix**

The ACLU of Arizona is a non-partisan, civil rights and liberties organization committed to protecting the voting rights of all Arizonans. The ACLU of Arizona urges a NO vote on Proposition 136 because it will undermine the ability of Arizona voters to have a direct voice in our government.

The citizen initiative process has been in place since Arizona's founding. The first initiative granted women the right to vote, passing by a more than 2 to 1 margin. Since then, Arizonans from all sides of the political spectrum have utilized the initiative process to have a direct voice in the laws that govern our state. The citizen initiative process has led to raising the minimum wage, legalizing marijuana, and demanding special interests disclose their donors. A strong direct democracy ensures a government that is accountable, equitable, and fair for all people.

Proposition 136 would undermine the citizen initiative process by allowing special interests, corporate lobbyists, and the state legislature to bring costly litigation against a citizen petition before it even has a chance to reach the voters.

The ballot initiative process is already subject to several checks and balances to ensure citizen-led measures are legal. These include a single subject rule, legislative override, and a veto referendum, which already allow challenges to a citizen-led initiative. Additionally, all initiatives undergo rigorous review by the Arizona Legislative Council, a fiscal analysis by the Joint Legislative Budget Committee, and are subject to constitutional challenge if they pass.

Proposition 136 allows special interests to abuse the courts to file costly litigation to prevent Arizonans from having a direct say in our democracy. We urge voters to reject this legislative power grab. A NO vote ensures Arizonans continue to have a direct voice in our state laws and Constitution.

**Scott Greenwood, Executive Director, ACLU of Arizona, Phoenix**  
*Sponsored by ACLU of Arizona*

Opportunity Arizona strongly opposes Proposition 136 and condemns this attack by politicians at the Legislature on citizen-led initiatives. Extremists introduced this anti-direct democracy proposal to create another barrier for voters and to weaken the most effective tool citizens have to affect change.

The corrupt and extremist politicians who introduced this resolution are terrified that Arizona voters will use the ballot initiative process to vote on and pass the same common-sense solutions that they block with cheap political stunts. Direct democracy enables citizens to overcome the political barriers – like gerrymandered political districts or partisan obstruction at the State Legislature – that prevent voters' preferences from actually becoming policy.

Making direct democracy more difficult for citizens to initiate is part of a larger anti-democratic effort to make barriers for people to make decisions and will only give politicians more power while taking power away from the people. VOTE NO on Proposition 136 to protect citizen ballot initiatives and ensure that Arizona voters continue to have a voice.

**Ben Scheel, Executive Director, Opportunity Arizona, Phoenix**  
*Sponsored by Opportunity Arizona*

Over the past few elections, Arizonans have dealt with overly political courts deciding which ballot measures Arizonans can vote on. While this has been frustrating for voters who have had successful or popular ballot measures unjustly thrown out, Prop 136 takes it to a heightened level.

Prop 136 makes it easier for any ballot measure to be thrown out in court. Prop 136 is a clear attempt to undo the work of the everyday Arizonans who spend countless hours holding conversations with fellow voters to put the issues that Arizonans care about on the ballot. Prop 136 makes it so that special interest groups and other politicians can easily undo the work of community members to find solutions for themselves when politicians fail them at the legislature.

The process of challenging and vetting ballot measures already exists. Abusing the judicial branch to undermine the citizen initiative process and the will of the people is anti-democratic. Prop 136 is the result of lawmakers upset with concerned voters exercising their rights to place issues on the ballot after years of gridlock from the legislative branch.

Vote NO on Prop 136 to protect Arizonans' right to send the issues they care about to the ballot.

**Jennifer Guzman, Program Director, Common Cause Arizona, Phoenix**

Do you ever wonder who comes up with these ideas and why all this junk is on your ballot? We can help answer that.

The Arizona Agenda is a daily reported newsletter that delivers a behind-the-scenes view of Arizona's political shenanigans and puts you, the voter, in those smoke-filled rooms where decisions are made.

We're here to fill you in on all the weird backstories and interesting nuggets from the Arizona Capitol and beyond. (Including fun facts like that you can write about anything in these ballot arguments. Isn't that wild? Someone should really make a law against using the publicity pamphlet to promote your newsletter...)

The Agenda was started by two local political reporters who left their jobs in corporate journalism to try something new.

We're an independent, nonpartisan, no-BS daily newsletter about Arizona politics that's actually fun to read.

We have subscribers from the Governor's Office to the Capitol's Freedom Caucus. But we don't write the Agenda for those political insiders.

We write it for you, the confused voter who's tired of wading through clickbait, propaganda and misinformation to gain intelligence about your politicians and government.

We do investigations, features, voter guides, interviews with candidates and much more. Sometimes, we get politicians drunk and film it. If you'd like that delivered to your inbox every weekday at 6 a.m., **SUBSCRIBE FOR FREE** at [ArizonaAgenda.com](http://ArizonaAgenda.com) And if you're in Southern Arizona, check out our sister newsletter, the Tucson Agenda, which delivers the news you need to be an informed citizen south of the Gila River. Go to [TucsonAgenda.com](http://TucsonAgenda.com) to subscribe. Thanks! And good luck filling out the rest of this absurdly long ballot! (Check out the candidate guide on our website if you need help.)

**Hank Stephenson, Co-Founder, Arizona Agenda, Phoenix**

Chispa Arizona strongly opposes Prop 136. Chispa Arizona works to empower Latinx communities to influence policies, protect natural resources, and fight climate change. Through grassroots advocacy and community engagement, we work for clean air, safe water, and healthy neighborhoods, especially for those hit hardest by climate change.

The citizen initiative process is a key part of Arizona's democracy. It lets voters directly shape the state's future, whether by pushing for stricter clean energy laws or ensuring the right to clean water and air. This form of direct democracy makes Arizona healthier, fairer, and more just.

Prop 136 would make citizen initiatives much more expensive, limiting the ability to put important issues on the ballot to just the wealthiest special interests. Everyone deserves a say in our democracy.

We must protect our right to create a future with clean air and water through the citizen initiative process.

Please join Chispa Arizona in voting NO on Prop 136.

**Jose Martinez Jr., Operations Director, Chispa AZ, Buckeye**  
*Sponsored by Chispa AZ*

I am a veteran teacher of 37 years, spouse of a retired veteran and passionate about civic education. I am paying \$75 to submit each of these AGAINST statements because I feel voters in Arizona MUST know what is going on!

The Legislature only needs 47 of its members to agree to put something on a ballot. (Normal citizens must collect over 384,000 signatures to get something on a ballot!)

Because I believe that the Legislature is concerned that it is not difficult enough to keep citizens from "interfering in politics," they want to make it more difficult! (So much for "We the people...")



PROP 136 plan is to kill citizen initiatives by being allowed to take the citizen to court as soon as they file to BEGIN collecting signatures.

I believe the plan is to KEEP taking them to court until they just give up! Citizens have two years to get signatures; THINK how many court cases special interest groups could bring against them in that time? Now think of all the money that group will need for lawyers!

Citizen groups don't have the money to fight in court like Legislators and special interest groups do!

The way it is now, the Law says any court challenge cannot come until all 384,000 signatures are in. This means the citizen can then focus on one court case without time for the opposition to file multiple cases!

If the voters say 'yes,' we won't be able to blame the Legislators if we have to keep paying lawyers to get an idea on the state ballot.

PLEASE VOTE NO ON PROP 136 ! Let citizens have a chance of getting something on the ballot to take directly to the voters without spending ridiculous amounts of money fighting lawyers in court.

**Bonnie Hickman, Concerned Arizona Educator, MESA**