

Arizona Direct Democracy

*What you should know about
voter initiatives, referendums,
and recalls*

January 2017

Roots of Arizona's System

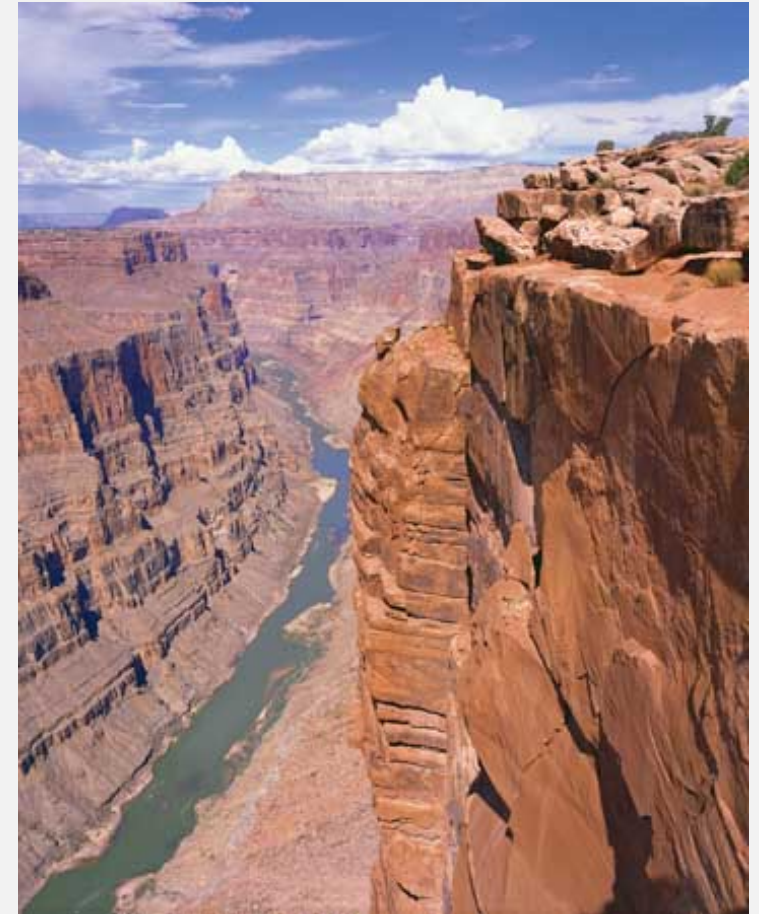
- **Arizona's Direct Democracy**
- Legacy of Arizona Founders:
 - **Recall**
 - **Referendum**
 - **Initiative**



The founders firmly believed Arizona citizens should have the ability to override legislators as a definitive checks-and-balances mechanism

What are the options?

- **Recall**
 - *Recall Election*
- **Veto Referendum**
 - *“Citizens’ Referendum”*
 - *“Protest Referendum”*
 - *“Popular Referendum”*
- **Voter Initiative**
 - *“Citizens’ Initiative”*



How are they different?

- **Recall**
 - Provides the general public with a mechanism to remove elected officials from office prior to the end of their term
- **Veto Referendum**
 - Provides the general public with a mechanism to challenge legislative actions
- **Voter Initiative**
 - Provides the general public with a mechanism to get around legislatures that refuse to take action desired by a majority of the voters

How does AZ compare?

Recall Elections

- Nineteen (19) states, including Arizona, permit the recall of all elected officials
- Nine (9) states, including Arizona, allow recalls of all elected officials by petition without justification
- In Six (6) states, including Arizona, recalls are followed by a simultaneous election between the incumbent and challenger(s).

How does AZ compare?

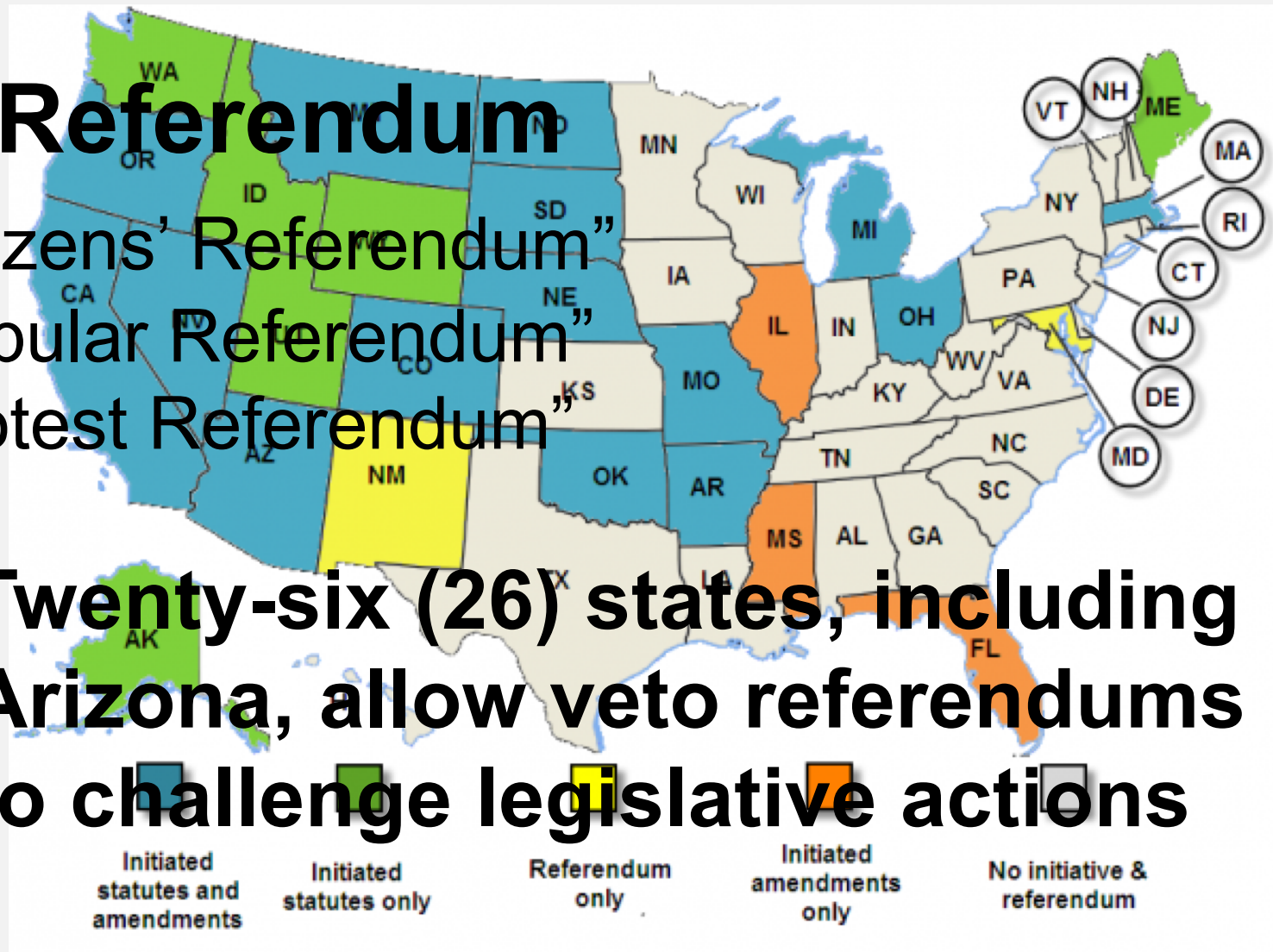
Veto Referendum

“Citizens’ Referendum”

“Popular Referendum”

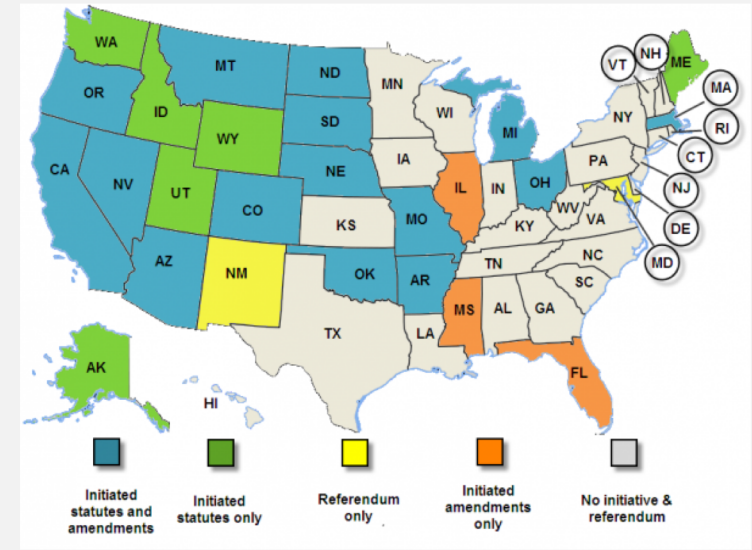
“Protest Referendum”

Twenty-six (26) states, including Arizona, allow veto referendums to challenge legislative actions



How does AZ compare?

- **Statewide Initiatives**
“Citizens Initiative”
“Legislative Initiative”

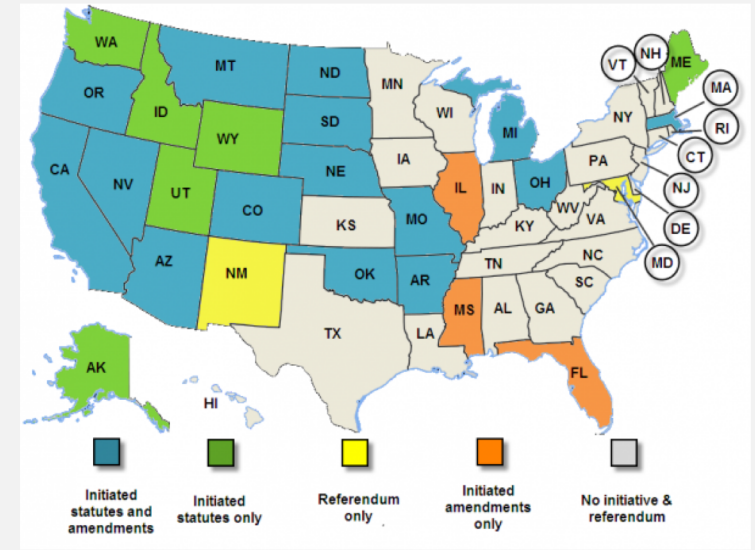


Twenty-four (24) states, including Arizona, allow the general public, as well as the legislature, to propose policies for statewide voter approval

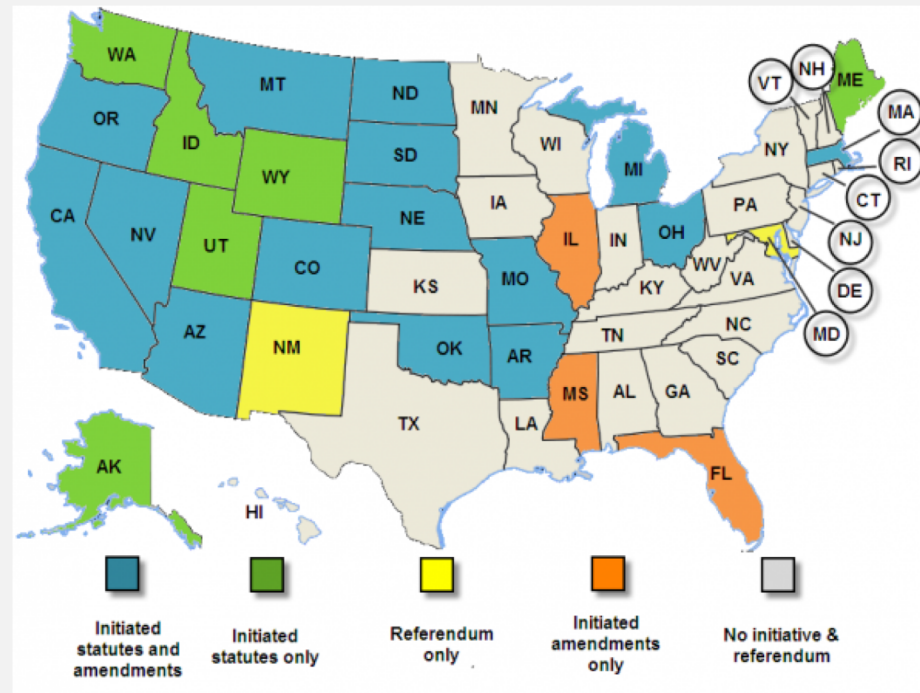
How does AZ compare?

Eight (8) states, including Arizona, enable the six (6) most common forms of direct democracy

These include voter initiated & legislatively referred *statutes* or *amendments*, as well as voter initiated *veto referendums* and *recalls*



How does AZ compare?



Since 1912 Arizona has been a National Leader in using the initiative process to either adopt a statute or amend the state constitution by placing a measure on the ballot as a proposition

What is a proposition?

Different origins for propositions (Ballot Measures):

Legislatively Referred

100s – Constitutional Amendment

200s – State Statute

Voter Initiated

100s – Constitutional Amendment

200s – State Statute

Veto Referendum (300s)



The Process of Direct Democracy

- **Secretary of State's Office**
Application to Circulate Petition:
 - Identify Sponsors
 - Required to Submit:
 - Summary
 - Title of proposition
 - Full text of proposal

The Process of Direct Democracy

- **Petition Filing Deadline**
 - No less than four (4) months before election
- **Voter Approval**
 - Simple Majority (>50%)
- **Legislative or Legal challenges**
 - Amendments or Constitutionality

The Process of Direct Democracy

Signature Collection:

- Volunteers and/or Paid Gatherers in any combination (full disclosure required)
- Petition must include copy of proposed measure
- Circulators: Must be 18, US citizen, no felony conviction (or rights restored)
- Petition signatures must be from registered voters and provide complete and correct information



The Process of Direct Democracy

- **Signature Thresholds**

- **Recall Election** 25% of votes for that office in the last election

Tied to most recent gubernatorial election

- **Veto Referendum:** 5%
- **Citizens' Initiative:**
 - State Statute 10%
 - Constitutional Amendment: 15%

Process for Recalls

- **Recall Petition**
- **Signature Threshold**
25% of votes cast for that office
in the last election
- **Simultaneous Election**
Potential successor(s), in run-off
with incumbent

Process for Veto Referendums

- **Veto Referendum Petition**
- **Signature Threshold**
5% of votes cast for governor
- **Voter Approval (>50%)**
- **No legal challenges**
Law is vetoed by citizens

Process for Initiatives

- **Citizens' Initiative Petition**
- **Signature Thresholds**
 - State Statute: 10%
 - Constitutional Amendment: 15%

% of votes cast for governor
- **Voter Approval (>50%)**

Process for Initiatives

Legislative Challenge

Proposition 105 - *Voter Protection Act*

(1998 Voter Initiated Constitutional Amendment):

- Prohibits Governor's veto
- Prohibits Legislative repeal
- 75% of legislature can vote to amend, supersede, or transfer designated funds, only if such actions would further the purpose of the measure.

Process for Initiatives

Legal Challenges

Constitutionality

- Must abide US Constitution
- Statutes must abide AZ Constitution



History of Initiatives in Arizona

Since 1996:

- 111 measures, three (3) to nineteen (19) per year
- Measures are only allowed the ballot for even numbered years
- 56 percent (62 of 111) ballot measures were approved
- 43 percent (48 of 111) were defeated
- One percent (one of 111) were approved but then overturned

History of Initiatives in Arizona

Recent Major Initiatives

- **2000** – English Language Education (63% - Yes)
- **2010** – Medical Marijuana (50.1% - Yes)

2016 (100s in May, 200s in November)

- Prop 123 – Education Funding (50.9% - Yes)
- Prop 124 – Retirement Benefits – (70.4% - Yes)
- Prop 205 – Marijuana Legalization – (51.3% - No)
- Prop 206 – Minimum Wage (58.3% - Yes)



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