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News

Arizona ballot proposals for General Election

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The following ballot proposals will be before Arizona voters at the Nov. 4 General Election (proposition numbers will be assigned by the Secretary of State after signatures have been verified for the initiatives):

Marriage Definition: Amends the Arizona Constitution to specify that only a marriage between a man and a woman will be valid and recognized in this state.

Medical Choice for Arizona: Amends the Arizona Constitution to prohibit laws that restrict freedom of choice in health care systems, interfere with the ability to pay directly for medical services or impose a penalty for health care plan choices.

No New Home Tax: Amends the Arizona Constitution to prohibit any tax, fee or assessment on the sale purchase, transfer or other conveyance of any interest in real property sales after December 31, 2007.

Majority Rules: Amends the Arizona Constitution to require approval from a majority of qualified electors (rather than participating voters) in order to enact a ballot initiative that contains any new tax, fee or spending mandate.

Conserving Arizona's Water and Land: Amends state trust land requirements outlined in the Arizona Constitution, designating approximately 570,000 acres of state trust land to be set as permanent conservation lands and allowing those lands to be sold for conservation purposes to a state agency, county or municipality outside the public auction process. Also changes the process for planning development of state trust lands, leasing of state trust lands and disposing of rights-of-ways across state trust land. The proposal would not become fully effective unless the U.S. Congress amends the Arizona-New Mexico Enabling Act prior to January 1, 2015.

Arizona Civil Rights Initiative: Amends the Arizona Constitution to prohibit preferential treatment or discrimination (i.e. affirmative action) based on race, sex, color, ethnicity or national origin by governments and educational entities in this state.

T.I.M.E. Initiative: Creates a new transportation fund by establishing a one-cent increase in the state transaction privilege use and mining severance taxes. Directs the revenue toward transportation infrastructure, including state highways (55 percent of the newly-generated revenue), rail systems (18 percent), local, regional and intercity transportation projects (20 percent), transportation enhancement projects (4 percent) and open space and wildlife conservation (9 percent). The Arizona Department of Transportation would receive the authority to consider public-private partnerships for transportation options, such as toll roads.

Homeowner's Bill of Rights: Establishes a 10-year warranty to be included in the purchase price of any home, which would transfer to new homeowners within the warranty period. Makes mandatory changes to the legal responsibilities home sellers or contractors have to homebuyers and amends statutory procedures for disputes between homebuyers and sellers or contractors. Establishes additional rights to home buyers in lawsuits, contracts and repair/replacement or home defects and specifies that all fixtures or equipment shown in a model home must be included in the advertised base price of a home unless clearly marked as separate costs. Requires a seller to have a licensed contractor repair defects with a home and specifies that the registrar of contractors cannot have had an order against the licensed contractor within the last 10 years. Also, requires sale contracts for new home to include disclosure of a seller's financial relationships with any financial institution.

Stop Illegal Hiring: Changes Arizona's employer sanctions laws, specifying that such sanctions apply only to businesses whose owner or officer hires an unauthorized alien while having actual knowledge of the individual's inability to work legally. Requires employers and government officials to rely only on federal-level processes and procedures established for determining authorization to work in the state, and specifies the penalties and restrictions that apply to a business that is found to have violated employer sanctions standards after January 1, 2009. Requires complaints filed against an employer thought to have violated employer sanctions laws to be written and signed (rather than anonymous), and specifies that any such complaint that is false or frivolous is a class 3 misdemeanor (current statute only applies the

misdemeanor charge to complaints what are frivolous). Changes the standard by which a false or frivolous claim is judged by removing a requirement that it be a knowingly false or frivolous claim. Requires an employer to verify every new employee's work eligibility following their hire after January 1, 2009. Creates a presumption of innocence if an employer verifies employee work eligibility through E-verify or another federal documentation procedure and expands current statutory definitions of identity theft to include the taking of another person's identity for the purposes of obtaining employment.

Payday Loan Reform Act: Repeals current law that terminates the payday loan industry in Arizona on July 1, 2010, instead allowing the industry to continue indefinitely. Establishes additional limitations on the length and frequency of payday loan options, restricts the number of times an overdraft charge can be applied to bad checks and requires the creation of repayment plan options. Specifies that the industry is not prohibited from making other loans of extensions of credit and clarifies further obligations on maintenance of net worth.

Legislator Salaries: Increase state legislator pay from \$24,000 to \$30,000 per year, as recommended by the Commission on Salaries for Elective State Officers.

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