

COMMITTEE ON WAYS AND MEANS

HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1048

(Reference to Senate engrossed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 16-502, Arizona Revised Statutes, is amended to  
3 read:

4 16-502. Form and contents of ballot

5 A. Ballots shall be printed with black ink on white paper of  
6 sufficient thickness to prevent the printing thereon from being discernible  
7 from the back, and the same type shall be used for the names of all  
8 candidates. The ballots shall be headed "official ballot" in bold-faced  
9 plain letters, with a heavy rule above and below the heading. Immediately  
10 below shall be placed the words "type of election, (date of election)" and  
11 the name of the county and state in which the election is held. The name or  
12 number of the precinct in which the election is held shall be placed on the  
13 ballot in a uniform location for all ballots. No other matter shall be  
14 placed or printed at the head of any ballot, except above the heading there  
15 may be a stub that contains the words "stub no. \_\_\_\_\_, register no. \_\_\_\_\_, to  
16 be torn off by inspector." The stub shall be separated from the ballot by a  
17 perforated line, so that it may be easily detached from the ballot.  
18 Instructions to the voter on marking the ballot may be printed below the  
19 heading. The official ballots shall be bound together in blocks of not less  
20 than five nor more than one hundred.

21 B. Immediately below the ballot heading shall be placed the following:

22 "Section One

23 Partisan Ballot

24 1. Put a mark according to the instructions next to the  
25 name of each candidate for each partisan office for whom you wish  
26 to vote.

27 2. If you wish to vote for a person whose name is not  
28 printed on the ballot, write such name in the blank space  
29 provided on the ballot or write-in envelope and put a mark  
30 according to the instructions next to the name so written."

1 C. Immediately below the instructions for voting in section one there  
2 shall be placed in columns the names of the candidates of the several  
3 political parties. Next to each candidate's name there shall be printed in  
4 bold-faced letters the name of the political party. At the head of each  
5 column shall be printed the names of the offices to be filled with the name  
6 of each office being of uniform type size. At the head of each column shall  
7 be printed in the following order the names of candidates for:

8 ~~1. President and vice-president. The indicator for the selection of a~~  
9 ~~candidate shall be next to the name of the candidate for president, and the~~  
10 ~~vice-presidential candidate's name shall be listed immediately below that of~~  
11 ~~the presidential candidate.~~

12 ~~2.~~ 1. Presidential electors, WHICH SHALL BE ENCLOSED IN A BRACKETED  
13 LIST AND DIRECTLY OPPOSITE THE CENTER OF THE BRACKETED LIST TO THE LEFT SHALL  
14 BE PRINTED IN BOLD TYPE THE SURNAME OF THE PRESIDENTIAL CANDIDATE AND THE  
15 SURNAME OF THE VICE-PRESIDENTIAL CANDIDATE WHO IS SEEKING ELECTION JOINTLY  
16 WITH THE PRESIDENTIAL CANDIDATE SHALL BE LISTED DIRECTLY BELOW THE NAME OF  
17 THE PRESIDENTIAL CANDIDATE. THE INDICATOR FOR THE SELECTION OF THE  
18 PRESIDENTIAL AND VICE-PRESIDENTIAL CANDIDATES SHALL BE DIRECTLY NEXT TO THE  
19 SURNAME OF THE PRESIDENTIAL CANDIDATE AND ONE MARK DIRECTLY NEXT TO A  
20 PRESIDENTIAL CANDIDATE'S SURNAME SHALL BE COUNTED AS A VOTE FOR EACH ELECTOR  
21 IN THE BRACKETED LIST DIRECTLY OPPOSITE THE PRESIDENTIAL AND VICE-  
22 PRESIDENTIAL CANDIDATES.

23 ~~3.~~ 2. United States senator.

24 ~~4.~~ 3. Representatives in Congress.

25 ~~5.~~ 4. The several state offices.

26 ~~6.~~ 5. The several county and precinct offices.

27 D. The names of candidates for the offices of state senator and state  
28 representative along with the district number shall be placed within the  
29 heading of each column to the right of the office name for state offices and  
30 immediately below the candidates for the office of governor. The number of  
31 the supervisorial district of which a candidate is a nominee shall be printed  
32 within the heading of each column to the right of the name of the office.

1           E. The lists of the candidates of the several parties shall be  
2 arranged with the names of the parties in descending order according to the  
3 votes cast for governor for that county in the most recent general election  
4 for the office of governor, commencing with the left-hand column. In the  
5 case of political parties which did not have candidates on the ballot in the  
6 last general election, such parties shall be listed in alphabetical order  
7 below the parties which did have candidates on the ballot in the last general  
8 election. The names of all candidates nominated under section 16-341 shall  
9 be placed in a single column below that of the recognized parties. Next to  
10 the name of each candidate, in parentheses, shall be printed a three-letter  
11 abbreviation that is taken from the three words prescribed in the candidate's  
12 certificate of nomination.

13           F. Immediately below the designation of the office to be voted for  
14 shall appear the words: "Vote for not more than \_\_\_\_\_" (insert the number  
15 to be elected).

16           G. In each column at the right of the name of each candidate and on  
17 the same line there shall be a place for the voter to put a mark. Below the  
18 name of the last named candidate for each office there shall be as many blank  
19 lines as there are offices of the same title to be filled, with a place for  
20 the voter to put a mark unless write-in envelopes are provided for that  
21 purpose. Upon the blank line the voter may write the name of any person for  
22 whom he desires to vote whose name is not printed, and next to the name so  
23 written he shall designate his choice by a mark as in the case of printed  
24 names.

25           H. When there are two or more candidates of the same political party  
26 for the same office, or more than one candidate for a judicial office, the  
27 names of all such candidates shall be so alternated on the ballots used in  
28 each election district that the name of each candidate shall appear  
29 substantially an equal number of times in each possible location. If there  
30 are fewer or the same number of candidates seeking office than the number to  
31 be elected, the rotation of names is not required and the names shall be  
32 placed in alphabetical order.

1 I. Immediately below section one of the ballot shall be placed the  
2 following:

3 "Section Two  
4 Nonpartisan Ballot

5 1. Put a mark according to the instructions next to the  
6 name of each candidate for each nonpartisan office for whom you  
7 wish to vote.

8 2. If you wish to vote for a person whose name is not  
9 printed on the ballot, write such name in the blank space  
10 provided on the ballot or write-in envelope and put a mark  
11 according to the instructions next to the name so written.

12 3. Put a mark according to the instructions next to the  
13 word 'yes' (or for) for each proposition or question you wish to  
14 be adopted. Put a mark according to the instructions next to the  
15 word 'no' (or against) for each proposition or question you wish  
16 not to be adopted."

17 J. Immediately below the instructions for voting in section two shall  
18 be placed the names of the candidates for judges of the superior court  
19 standing for election pursuant to article VI, section 12, Constitution of  
20 Arizona, school district officials, justices of the supreme court, judges of  
21 the court of appeals, judges of the superior court standing for retention or  
22 rejection pursuant to article VI, section 38, Constitution of Arizona, and  
23 other nonpartisan officials in a column or in columns without partisan or  
24 other designation except the title of office in an order determined by the  
25 officer in charge of the election.

26 K. Immediately below the offices listed in subsection J of this  
27 section, the ballot shall contain a separate heading of any nonpartisan  
28 office for a vacant unexpired term and shall include the expiration date of  
29 the term of the vacated office.

30 L. All proposed constitutional amendments and other propositions or  
31 questions to be submitted to the voters shall be printed immediately below  
32 the names of candidates for nonpartisan positions in such order as the

1 secretary of state, or if a city or town election, the city or town clerk,  
2 designates. Placement of county and local charter amendments, propositions  
3 or questions shall be determined by the officer in charge of the election.  
4 Except as provided by section 19-125, each proposition or question shall be  
5 followed by the words "yes" and "no" or "for \_\_\_\_\_" and "against \_\_\_\_\_" as  
6 the nature of the proposition or question requires, and at the right of and  
7 next to each of such words shall be a place for the voter to put a mark  
8 according to the instructions that is similar in size to those places  
9 appearing opposite the names of the candidates, in which the voter may  
10 indicate his vote for or against such proposition or question by a mark as  
11 defined in section 16-400.

12 M. Instead of printing the official and descriptive titles or the full  
13 text of each measure or question on the official ballot, the officer in  
14 charge of elections may print phrases on the official ballot that contain all  
15 of the following:

16 1. The number of the measure in reverse type and at least twelve point  
17 type.

18 2. The designation of the measure as prescribed by section 19-125,  
19 subsection C or as a question, proposition or charter amendment, followed by  
20 the words "relating to..." and inserting the subject.

21 3. Either the statement prescribed by section 19-125, subsection D  
22 that describes the effects of a "yes" vote and a "no" vote or, for other  
23 measures, the text of the question or proposition.

24 4. The words "yes" and "no" or "for" and "against", as may be  
25 appropriate and a place for the voter to put a mark.

26 N. For any ballot printed pursuant to subsection M of this section,  
27 the instructions on the official ballot shall direct the voter to the full  
28 text of the official and descriptive titles and the questions and  
29 propositions as printed on the sample ballot and posted in the polling place.

30 Sec. 2. Section 16-507, Arizona Revised Statutes, is amended to read:

31 16-507. Presentation of presidential candidates on ballot

1           When presidential electors are to be voted for, the PRESIDENTIAL AND  
2 VICE-PRESIDENTIAL candidates therefor of each party shall be grouped and  
3 printed together, arranged ~~in each group~~ in alphabetical order ACCORDING TO  
4 THE PRESIDENTIAL CANDIDATE'S SURNAME.

5           B. PRESIDENTIAL ELECTORS, WHICH, ~~and the entire group of electors of~~  
6 ~~each party~~ shall be enclosed in a ~~scroll or bracket to the right and~~  
7 BRACKETED LIST AND DIRECTLY opposite the center ~~on which~~ OF THE BRACKETED  
8 LIST TO THE LEFT shall be printed in bold type the surname of the  
9 presidential candidate and vice-presidential candidate WHO IS SEEKING  
10 ELECTION JOINTLY WITH THE PRESIDENTIAL CANDIDATE SHALL BE LISTED DIRECTLY  
11 BELOW THE NAME OF THE PRESIDENTIAL CANDIDATE. The indicator for the  
12 selection of ~~a candidate~~ THE PRESIDENTIAL AND VICE-PRESIDENTIAL CANDIDATES  
13 shall be DIRECTLY next to the surname of the presidential candidate, and one  
14 mark ~~opposite~~ DIRECTLY NEXT TO a presidential candidate's surname shall be  
15 counted as a vote for each elector in ~~that party~~ THE BRACKETED LIST DIRECTLY  
16 OPPOSITE THE PRESIDENTIAL AND VICE-PRESIDENTIAL CANDIDATES.

17           Sec. 3. Laws 2011, chapter 332, section 30 is amended to read:

18           Sec. 30. 2012 legislative and congressional candidates;  
19 secretary of state; nomination papers and  
20 petitions; nomination signatures

21           A. Notwithstanding any other law, for candidates for election in 2012  
22 to the legislature OR TO THE UNITED STATES CONGRESS, ~~the following apply:~~

23           ~~1.~~ if the nomination paper and nomination petition are in compliance  
24 with otherwise applicable law, the secretary of state shall accept as a valid  
25 filing the nomination paper and nomination petition of a person that  
26 ~~designates~~ DESIGNATE a ~~legislative~~ district for that person's candidacy and  
27 that use any or all of the following:

28           1. FOR A CANDIDATE FOR THE LEGISLATURE:

29           (a) A legislative district ~~number~~ as used in the 2010 elections.

30           (b) A legislative district as ~~denominated~~ DESIGNATED in a  
31 redistricting plan adopted by the 2011 independent redistricting commission.

1 (c) A legislative district as ~~denominated~~ DESIGNATED in a  
2 redistricting plan that is precleared FOR USE IN THE 2012 ELECTION by the  
3 United States department of justice OR THAT IS ORDERED FOR USE IN THE 2012  
4 ELECTION BY A COURT OF COMPETENT JURISDICTION.

5 2. FOR A CANDIDATE FOR THE UNITED STATES CONGRESS:

6 (a) A CONGRESSIONAL DISTRICT AS USED IN THE 2010 ELECTIONS.

7 (b) A CONGRESSIONAL DISTRICT AS DESIGNATED IN A REDISTRICTING PLAN  
8 ADOPTED BY THE 2011 INDEPENDENT REDISTRICTING COMMISSION.

9 (c) A CONGRESSIONAL DISTRICT AS DESIGNATED IN A REDISTRICTING PLAN  
10 THAT IS PRECLEARED FOR USE IN THE 2012 ELECTION BY THE UNITED STATES  
11 DEPARTMENT OF JUSTICE OR THAT IS ORDERED FOR USE IN THE 2012 ELECTION BY A  
12 COURT OF COMPETENT JURISDICTION.

13 B. NOTWITHSTANDING ANY OTHER LAW, FOR CANDIDATES FOR ELECTION IN 2012  
14 TO THE LEGISLATURE OR TO THE UNITED STATES CONGRESS, if the candidate  
15 nomination petition and the petition signers are in compliance with otherwise  
16 applicable law, the secretary of state shall accept and petition signers are  
17 valid if the petition signers are registered voters who are residents of any  
18 or all of the following districts that the candidate proposes to represent:

19 1. FOR A CANDIDATE FOR THE LEGISLATURE:

20 (a) A legislative district as used in the 2010 elections.

21 (b) A legislative district as ~~denominated~~ DESIGNATED in a  
22 redistricting plan adopted by the 2011 independent redistricting commission.

23 (c) A legislative district as ~~denominated~~ DESIGNATED in a  
24 redistricting plan that is precleared FOR USE IN THE 2012 ELECTION by the  
25 United States department of justice OR THAT IS ORDERED FOR USE IN THE 2012  
26 ELECTION BY A COURT OF COMPETENT JURISDICTION.

27 2. FOR A CANDIDATE FOR THE UNITED STATES CONGRESS:

28 (a) A CONGRESSIONAL DISTRICT AS USED IN THE 2010 ELECTIONS.

29 (b) A CONGRESSIONAL DISTRICT AS DESIGNATED IN A REDISTRICTING PLAN  
30 ADOPTED BY THE 2011 INDEPENDENT REDISTRICTING COMMISSION.

31 (c) A CONGRESSIONAL DISTRICT AS DESIGNATED IN A REDISTRICTING PLAN  
32 THAT IS PRECLEARED FOR USE IN THE 2012 ELECTION BY THE UNITED STATES

1 DEPARTMENT OF JUSTICE OR THAT IS ORDERED FOR USE IN THE 2012 ELECTION BY A  
2 COURT OF COMPETENT JURISDICTION.

3 C. THIS SECTION DOES NOT APPLY TO NOMINATION PAPERS AND NOMINATION  
4 PETITIONS FOR A SPECIAL ELECTION TO FILL A VACANCY IN THE OFFICE OF THE  
5 UNITED STATES HOUSE OF REPRESENTATIVES.

6 Sec. 4. Retroactivity

7 Laws 2011, chapter 332, section 30, as amended by this act is effective  
8 retroactively to from and after July 19, 2011.

9 Sec. 5. Emergency

10 This act is an emergency measure that is necessary to preserve the  
11 public peace, health or safety and is operative immediately as provided by  
12 law."

13 Amend title to conform

and, as so amended, it do pass

JACK HARPER  
Chairman

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2/6/12  
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