COMMITTEE ON APPROPRIATIONS

SENATE AMENDMENTS TO S.B. 1144

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

"Section 1. Section 19-123, Arizona Revised Statutes, is amended to read:

19-123. Publicity pamphlet; printing; distribution; public hearings

A. When the secretary of state is ordered by the legislature, or by petition under the initiative and referendum provisions of the constitution, to submit to the people a measure or proposed amendment to the constitution, the secretary of state shall cause to be printed PRINT, at the expense of the state, except as otherwise provided in this article, a publicity pamphlet, which shall contain:

1. A true copy of the title and text of the measure or proposed amendment. Such text shall indicate material deleted, if any, by printing such material with a line drawn through the center of the letters of such material and shall indicate material added or new material by printing the letters of such material in capital letters.

2. The form in which the measure or proposed amendment will appear on the ballot, the official title, the descriptive title prepared by the secretary of state and the number by which it will be designated.

3. The arguments for and against the measure or amendment.

4. For any measure or proposed amendment, a legislative council analysis of the ballot proposal as prescribed by section 19-124.

5. The report of the commission on judicial performance review for any justices of the supreme court, judges of the court of appeals and judges of the superior court who are subject to retention.

6. The summary of a fiscal impact statement prepared by the joint legislative budget committee staff pursuant to subsection D of this section."
7. IMMEDIATELY BELOW THE LEGISLATIVE COUNCIL ANALYSIS, FOR ANY STATUTORY MEASURE, THE FOLLOWING STATEMENT IN BOLD FACED TYPE:
NOTICE: PURSUANT TO PROPOSITION 105 (1998), THIS MEASURE CANNOT BE CHANGED IN THE FUTURE IF APPROVED ON THE BALLOT EXCEPT BY A THREE-FOURTHS VOTE OF THE LEGISLATURE AND IF THE CHANGE FURTHERS THE PURPOSE OF THE ORIGINAL BALLOT MEASURE, OR BY REFERRING THE CHANGE TO THE BALLOT.

B. The secretary of state shall mail one copy of the publicity pamphlet to every household that contains a registered voter. The mailings may be made over a period of days but shall be mailed in order to be delivered to households before the earliest date for receipt by registered voters of any requested early ballots for the general election.

C. Sample ballots for both the primary and general elections shall include a statement that information on how to obtain a publicity pamphlet for the general election ballot propositions is available by calling the secretary of state. The statement shall include a telephone number and mailing address of the secretary of state.

D. On certification of an initiative measure as qualified for the ballot, the secretary of state shall hold or cause to be held at least three public meetings on the ballot measure. Hearings shall be held in at least three different counties and shall be held before the date of the election on the measure. The hearings shall provide an opportunity for proponents, opponents and the general public to provide testimony and request information. Hearings may be scheduled to include more than one qualified ballot measure and shall include a fiscal impact presentation on the measure by the joint legislative budget committee staff. The joint legislative budget committee staff shall prepare a summary of the fiscal impact for each ballot measure, not to exceed three hundred words, for publication in the publicity pamphlet.

Sec. 2. Section 19-125, Arizona Revised Statutes, is amended to read:

19-125. Form of ballot

A. The secretary of state, at the time he transmits to the clerks of the boards of supervisors a certified copy of the name of each candidate for
public office, shall transmit to each clerk a certified copy of the official
title, the descriptive title and the number of each measure and proposed
amendment to the constitution to be voted on at the ensuing regular general
election.

B. Proposed constitutional amendments shall be numbered consecutively
beginning with the number one hundred, proposed initiative measures shall be
numbered consecutively beginning with the number two hundred, measures
submitted under the referendum shall be numbered consecutively beginning with
the number three hundred, and county and local issues shall be numbered
consecutively beginning with the number four hundred. Numbering shall be
consecutive based on the order in which the initiative or referendum
petitions are filed with the secretary of state. Individual numbering shall
continue from the last number used in the previous election and shall not be
repeated until all one hundred numbers in that series have been used.

Proposed constitutional amendments shall be placed by themselves at the head
of the ballot column, followed by initiated and referred measures in that
order. The number assigned to the measure by the secretary of state
constitutes the official title of the measure and shall be used for
identification of the measure by the state and the county in all subsequent
official election materials, including the publicity pamphlet.

C. The officer in charge of elections shall print the official title
and the descriptive title of each measure on the official ballot in the order
presented to him by the secretary of state unless otherwise provided by law.
The number of the measure shall be in reverse type and at least twelve point
type. A proposed constitutional amendment shall be designated "proposed
amendment to the constitution by the legislature", or "proposed amendment to
the constitution by the initiative", as the case may be. A measure referred
by the legislature shall be designated "referred to the people by the
legislature", a measure referred by petition shall be designated "referendum
ordered by petition of the people" and a measure proposed by initiative
petition shall be designated "proposed by initiative petition".

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D. There A DESCRIPTIVE TITLE shall be printed on the official ballot immediately below the number of the measure and the official title of each measure. THE descriptive title containing SHALL CONTAIN a summary of the principal provisions of the measure, not to exceed fifty words, which shall be prepared by the secretary of state and approved by the attorney general and that includes SHALL INCLUDE the following or the ballot shall comply with subsection E–F of this section:

A "yes" vote shall have the effect of ________________.
A "no" vote shall have the effect of ____________________.

The blank spaces shall be filled with a brief phrase, approved by the attorney general, stating the essential change in the existing law should the measure receive a majority of votes cast in that particular manner. In the case of a referendum, a "yes" vote shall have the effect of approving the legislative enactment that is being referred. The "yes" and "no" language shall be posted on the secretary of state’s website after being approved by the attorney general and before the date on which the official ballots and the publicity pamphlet are sent to be printed. Below the statement of effect of a "yes" vote and effect of a "no" vote there shall be printed the corresponding words "yes" and "no" and a place for the voter to put a mark as defined in section 16-400 indicating his preference.


F. Instead of printing the official and descriptive titles or the full text of each measure or question on the official ballot, the officer in charge of elections may print phrases on the official ballot that contain all of the following:
1. The number of the measure in reverse type and at least twelve point type.

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

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

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


F. G. For any ballot printed pursuant to subsection E-F of this section, the instructions on the official ballot shall direct the voter to the full text of the official and descriptive titles and the questions and propositions as printed on the sample ballot and posted in the polling place.”

Amend title to conform