



Initiative & Referendum Advocacy Paper 2015 Legislative Session

THE LWV ARIZONA POSITION

Consensus: 1976; Reviewed 1995, 2003; Revised 2004

The League of Women Voters of Arizona believes in the constitutional right of the people to enact direct legislation (enacting, amending, or repealing legislative acts and amending the Arizona Constitution); therefore, the League supports:

- The requirement that only qualified electors (registered voters) may sign any initiative, referendum or recall petition.
- The reduction of the required number of signatures on a statutory initiative petition to qualify placing it on the ballot from ten percent to not more than eight percent of the votes cast for governor at the last gubernatorial election.
- The amendment of the constitution to limit the power of the Legislature to repeal or amend the initiative or referendum measures by means such as requiring more than just majority approval, or setting a minimum time limit before the Legislature can act on such measures, or some other limitation short of complete elimination of power.
- Removal of the governor's power to veto initiative or referendum measures.
- Funding sources (for initiatives) should be identified, if practicable.
- The disclosure of financial contributions to committees supporting and opposing an initiative and referendum.

HISTORICAL BACKGROUND OF DIRECT LEGISLATION IN ARIZONA

During the Progressive Era (1890 – about 1920) there was a movement marked by numerous reforms aimed at breaking the concentrated power of certain corporations and trusts. Many citizens believed that state legislatures were part of the problem and that the legislators were essentially beholden to certain wealthy interests. They sought a method to counter this trend – a way in which average citizens could become directly involved in the political process. One of the methods they came up with was the initiative and referendum.

Progressives wanted to give more power to the ordinary citizenry to introduce and decide on legislation. In the early 1900's, due to the efforts of Oregon Populist Party State Representative William S. U'Ren and his Direct Legislation League, voters in Oregon approved a bill creating initiative and referendum processes which allowed citizens to directly introduce or approve proposed laws or amendments to the state constitution. U'Ren also helped insure the passage of an amendment to establish the power of the voter to recall elected officials. The idea began to catch on in the newer western states. In 1911 the Oregon system of "Initiative, Referendum, and Recall" was established in California. In 1912 when Arizona finally achieved statehood, the people were ripe for this type of citizen directed state government and initiative and referendum was included in the constitution.

Women in Arizona in 1912 were barred from voting, even though they had been instrumental in securing statehood and were an important and viable economic factor in the Arizona economy. An amendment to the constitution was introduced in the legislature but when it failed to pass, the women of Arizona wrote the first initiative allowing women to vote. They then collected the necessary signatures, the public support and the necessary money for the campaign to support it. The initiative passed with a two to one margin on November 5, 1912. Two years later Arizonans saw a total of 15 qualified initiatives on their ballots. Four of the 1914 initiatives passed because of the efforts of organized labor. One prohibited blacklisting of union members; a second established an "old age and mothers' pension; another established a state government contract system, and a fourth barred the governor and legislature from amending or repealing initiatives. In response, the legislature tried to pass a constitutional amendment that would make it more difficult to pass initiatives. The amendment was narrowly defeated in 1916. And so began the battle for control which continues to this day!

2015 LEGISLATION

OPPOSE HCR 2001 Constitutional amendment, need 60% to pass citizen initiative.
LWV Arizona opposes HCR2001. LWVAZ believes in the constitutional right of the people to enact direct legislation; therefore, the League opposes the amendment of the Arizona constitution to limit the power of the Legislature to repeal or amend the initiative or referendum measures by means such as requiring more than just majority approval. A minority of voters should not have a stronger voice in voting for or against a citizen's driven initiative or referendum.

ARIZONA LAWS GOVERNING THE USE OF THE INITIATIVE PROCESS?

See: http://ballotpedia.org/Laws_governing_the_initiative_process_in_Arizona