



Invest In Education to appear on ballot

Supreme Court issues ruling on Invest in Education

The state Supreme Court unanimously ruled that Invest in Education, a measure which aims to raise \$940 million each year for K-12 schools, can appear on the general ballot. Overturning a ruling by Maricopa County Superior Court Judge Christopher Coury, the Court approved placing the initiative on the general election ballot.

In July, Judge Coury barred the initiative from appearing on the ballot citing concerns that the 100-word petition description was misleading. Coury held that “instead of identifying all principal provisions in the initiative’s description, Invest in Education circulated an opaque ‘trojan horse’ of a 100-word description, concealing principal provisions of the initiative.” He found that the description as a “surcharge” was a mistake, as some voters might understand that would add 3.5 percentage points on the current top state income tax rate of 4.5 percent, while others might interpret it to be a temporary tax or even just a 3.5 percent increase in taxes when the actual increase would be 77.7 percent.

The Supreme Court unanimously overturned the Superior Court decision, citing a lack of evidence to support the findings. The Court ruled that the 100-word description for the initiative “did not create a significant danger of confusion or unfairness.”

The initiative has been certified by the Secretary of State's office and will appear on the general ballot under the name -- *Proposition 208*.

To read the Invest in Education initiative, click [here](#).

To read the Supreme Court’s decision on Invest in Education, click [here](#).

Smart and Safe Arizona to appear on ballot

Smart and Safe Arizona, a measure which aims to legalize cannabis will appear on the general ballot after the state Supreme Court unanimously upheld a lower court ruling.

Last month, Maricopa County Superior Court Judge James Smith rejected a legal challenge by Arizonans for Responsible Drug Policy, a group funded by Center for Arizona Policy. The group alleged that the 100-word summary of the measure was misleading to voters about key provisions. Judge Smith concluded that the 100-word summary could include everything and the full text of the initiative was attached to the petition. He also rejected the claim that voters might not

understand all the implications of the measure: “This initiative is plain: it wants to legalize recreational marijuana. That is the principal provision. It is unlikely electors signing these petitions would be surprised by cascading effects of legalizing a formerly illegal substance.”

Foes of the measure appealed the decision to the Supreme Court but the Court unanimously upheld the lower court’s ruling.

The initiative has been certified by the Secretary of State's office and will appear on the general ballot under the name -- *Proposition 207*.

To read Smart and Safe Arizona, click [here](#).

To read the Supreme Court’s decision on Smart and Safe Arizona, click [here](#).

Healthcare initiative ruled off ballot

Stop Surprise Billing and Protect Patients Act, an initiative that would require hospitals to increase the wages of practically all non-managerial hospital employees by five percent, will not appear on the general ballot.

In Maricopa County Superior Court, Judge Pamela Gates ruled that there were not enough valid signatures on the petitions submitted and that some circulators were not legally qualified to circulate the petitions. Some of the 332 circulators subpoenaed by foes of the initiative failed to appear in court to be questioned, so the court rejected the signatures they gathered. Gates also found that the 100-word summary was misleading and created significant danger of confusion or unfairness to those who signed petitions, particularly the description that insurers would be prohibited from discriminating based on preexisting conditions.

Backers of the initiative appealed to the State Supreme Court, which affirmed the lower court decision. The Court found that the initiative didn’t have sufficient signatures after county recorders had identified 28,000 invalid ones.

To read the state Supreme Court’s decision on Stop Surprise Billing and Protect Patients Act, click [here](#).

To read the earlier decision by Judge Gates, click [here](#).

Criminal Justice Reform removed from ballot

Second Chances Rehabilitation and Public Safety act, a criminal justice reform measure that would provide "earned release credits" which offenders could use to cut down their prison sentences, will not appear on the general election ballot.

Last week, the Secretary of State’s Office found that the random signature review process indicated the total number of valid signatures did not meet the minimum threshold to appear on the ballot. In July, the initiative filed 397,291 signatures. Once county election officials analyzed a 5 percent random sample, the initiative had a 64 percent validity rate and just under 217,000 valid signatures – about 20,000 short of the minimum requirement.

COVID-19 numbers continue to trend downward

At his weekly press conference, Governor Ducey indicated that Arizona is headed in the right direction as students begin to return to school. The Governor emphasized that the COVID-19 burden on hospitals “has been decreasing” and it is important for everyone to continue working to prevent a new surge.

Arizona Department of Health Services (AZDHS) data indicate that Inpatient hospitalizations, ICU beds in use, ventilators in use and ER visits for COVID-19

have been trending down over the past five weeks. As of last week, AZDHS figures show that 83% of inpatient beds and 78% of ICU beds were in use, which includes people being treated for COVID-19 and other patients. COVID-19 patients are using 13% of all inpatient beds and 22% of ICU beds. Overall, 30% of ventilators were in use. The state has the lowest COVID-19 rate of spread (Rt) in the nation at 0.76 (the average number of people a COVID-positive individual will infect). Of known test results from last week, AZDHS reported that 6% have come back positive. A positivity rate of 5% is considered a good indicator that the spread is being controlled.

As a result of the decline in COVID-19 cases, major hospital networks across the state have resumed all elective surgeries. Banner Health, Arizona's largest hospital system announced they have resumed elective surgeries after postponing them twice to handle a surge in new COVID-19 patients. In addition, the following networks have resumed elective surgeries: Mayo Clinic in Arizona, Abrazo Health, the Carondelet Health Network and Honor Health.

For more information on free COVID-19 testing sites click [here](#).

JLBC releases August report

Joint Legislative Budget Council (JLBC) officials revised their FY2020 projections after reviewing the latest FY2020 revenue data. The state ended FY20 with a positive balance of \$377 million instead of the shortfall of \$190 million projected in June. In the JLBC August report, officials note that the state experienced a \$248 million gain compared to the June forecast update and there was a \$319 million gain from lower-than-expected spending. This significant spending reduction is mostly related to the use of COVID-relief federal funds to offset existing General Fund spending.

In July, JLBC officials saw higher General Fund revenue collections than any July in the state's history, but the committee attributes much of the \$1.52 billion in General Fund revenue to the state's decision to defer the due date for income tax payments from April 15th to July 15th. In addition, July sales tax collections were 13% above sales tax collections in July 2019. Revenue from contracting transaction privilege tax collections increased 25.1% over the prior year which was the largest gain of any sector in the report. Restaurants and bars were the hardest hit sector and declined 11.1% compared to 2019 – which was still better than the April sales tax activity where the sector saw a 42% decline.

The report also revised the FY2021 projections. In June JLBC officials projected a \$518 million shortfall. In the August report officials predict a FY2021 budgetary shortfall of \$62 million, which is somewhat still speculative. JLBC expects to have more concrete numbers at the October meeting of the Finance Advisory Committee. As more information becomes available, we will update you.

To read the JLBC August report, click [here](#).

Governor announces appointment to Board of Regents

Governor Ducey announced the appointment of Cecilia Mata to the Arizona Board of Regents. A businesswoman, Mata founded a successful global security business and expanded it to two subsidiary companies.

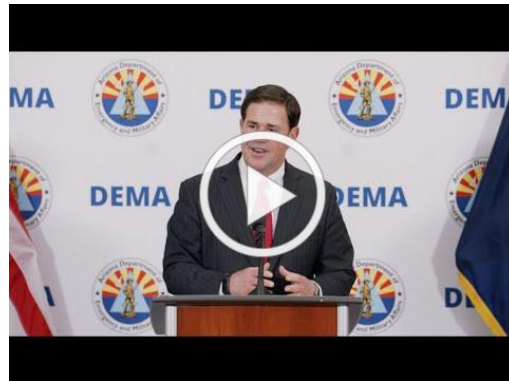
Born in Panama, Mata emigrated to the United States in 2000 and founded her company in 2005. She received a B.S. in Business Administration from Universidad Santa Maria la Antigua and an M.B.A. from Universidad Latinamericana de Ciencia y Tecnología. Mata's appointment will expand diversity on the higher education board. A community leader, Mata is a board member of the Arizona Small Development Center's Friends of Small Business Advisory Board and the former Chair of the Tucson Hispanic Chamber of Commerce Board of Directors.

The Arizona Board of Regents oversees Arizona's three public universities, Arizona State University, Northern Arizona University and the University of Arizona. In total, there are 12 regents: eight appointed to four-year terms, two student regents, and the Governor and Superintendent of Public Instruction, who serve as ex officio members.

Mata will fill the vacancy created by the retirement of Ram Krishna at the end of the year.



Governor Ducey Provides COVID-19 Update



Arizona Update on Issues



[Click here to find COVID-19 resources and volunteer opportunities](#)

[Click here to find the AGA 2020 primary analysis](#)

Upcoming Legislators' Birthdays



Happy Birthday Sen. Frank Pratt (R) Thursday, August 27th

Representing LD8, Senator Pratt was first elected to the Legislature in 2009. An Arizona native, he has owned and operated a swimming pool construction business since 1986. At the Legislature, he serves as Chairman of the Senate Natural Resources and Energy committee and is Vice Chairman



Happy Birthday Rep. Walt Blackman (R) Sunday, August 30th

Representing LD6, Representative Blackman is serving his first term at the Legislature. He is the first Black Republican elected in Arizona. Born in Portugal, Blackman was raised on a military base where his father was a pilot in the United States Air Force. Following his father, Blackman enlisted and

of both the Senate Transportation and Water committees. A former rancher, his top legislative priority this session was SB1206 which would have established the Agricultural Workforce Development Program in the Department of Agriculture to provide incentives to food-producing agricultural organizations to hire interns by partially reimbursing internship costs. To wish Senator Pratt happy birthday: fpratt@azleg.gov

served 21 years in the United States Army, earning a Bronze Star for combat action as a tank commander in Iraq. At the Legislature, he serves as Vice Chairman of the House Judiciary and State and International Affairs committees. This session his top legislative priority was HB2072 which would have implemented a three-year Arizona Mental Health Professionals Academy Pilot Program at Northern Arizona University to provide incentives for students to enter the mental health profession and commit to working as a mental health professional in Arizona public schools or in a correctional facility. To wish Representative Blackman happy birthday: wblackman@azleg.gov

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