Arizona Capitol Times

Your Inside Source for Arizona Government, Politics and Business

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Prop 315: Voters' money or their lives
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Helen Purcell: A record of recording and more
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Heap hides from moderates, dems & reporters
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Voters arrive to vote on the first day of early in-person voting at Surprise City Hall Wednesday, Oct. 9, 2024, in Surprise, Ariz. Some Arizona Republican leaders are seeking to rebuild trust in the election system. (AP Photo/Ross D. Franklin)

GOP leaders join forces to renew faith in elections

BY KIERA RILEY *kriley@stateaffairs.com*

After a legislative district, county and state Republican party chair watched election distrust seep into the party, the three sought to rebuild lost faith in the system.

With the 2024 election just weeks away, trust in elections among Republican voters looms large, leading the former Legislative District 4 Chair Kathy Petsas, former Pima County Chair David Eppihimer and former Arizona Republican Party Chair Robert Graham to join RightCount in hopes to suture up cuts to trust in the election systems among their own. The organization aims to shore up trust in state elections,

"The minute all of this conspiratorial stuff started becoming the norm and people were professing it as though it were fact, as if it were truth, our party complexion completely changed and the grassroots changed," Petsas said. "What we're trying to do is educate the grassroots, who ought to know better."

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"Thanks to record turnout among college students in 2020, I am vice president of the United States today."

Vice President Kamala Harris via text on the importance of university students' votes.

Capitol Quotes on page 2

Parties target pair of swing districts in bid to flip legislature

BY JAKOB THORINGTON
jthorington@stateaffairs.com

In two swing districts of the state with bipartisan representation, Republicans and Democrats are seeking legislative majorities by completely flipping districts they have voter advantage in.

Republicans are heavily focusing on winning all three seats in Legislative District 16, which covers a small part of south Maricopa County, Pinal County, and Pima County. With a 3.6% vote spread favoring Republicans, they are attempting to take the House seat occupied by Rep. Keith Seaman, D-Casa Grande.

Seaman, the only Democrat running for the House in the district as a single-shot candidate, won in 2022 by just over half a percent of votes, finishing ahead of Republican Rob Hudelson by more than 600 votes.

"We give (voters) something new to think about and something to vote for," Seaman said.

House Majority Whip Teresa Martinez, R-Casa Grande, and Republican Chris Lopez are running against Seaman.

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For more information about 2024 Women Achievers, please contact Sandy Mitchell at
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ARIZONA CAPITOL TIMES

CAPITOL QUOTES

"The opposition to 315 should be a chorus. Instead, it's a Will Humble solo."

- Former ADHS director Will Humble on the lack of opposition from state agencies to Prop 315.



"If they're going to cling to the legislature, they have to sneak a seat or two."

- Republican consultant Tyler Montague on the potential significance of GOP wins in LD 16 & 23.





"A campaign is a job interview, and this guy doesn't want to show up for the job interview,"

- Democratic consultant Rodd McLeod on how Rep. Justin Heaps' Fabian strategy could backfire.



"Last time I checked, Juan, you're not a doctor."

- Democratic candidate for Congressional District 6 Kirsten Engel on her opponent Rep. Juan Ciscomani's lack of medical qualifications to weigh in on the abortion issue.

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CAPITOL TIMES Q&A

HELEN PURCELL



REFLECTIONS *on a recorder's record and life in politics*

Former Maricopa County Recorder Helen Purcell.

BY KIERA RILEY *kriley@stateaffairs.com*

Helen Purcell served as the Maricopa County Recorder from 1989 to 2017. During her time, she oversaw leaps and bounds in election systems and flux in public attitudes. Since leaving office, she continues to work to strengthen trust.

How did you end up involved in politics?

I worked a lot with the title companies in closing loans. My friendships revolved around the people that I worked with. I became very good friends with the Secretary to the President of the company, and she and I hung out a lot, and that's where I ultimately met my husband, Joe.

My son was five, and he had a boy who was nine at the time. For a while, I just worked part time. Joe finally said, you know, why don't you stay home? So I quit working.

Joe came home one day and said, "I have this real good friend who is going to run for governor. And since you have all this time on your hands, maybe you could help him out." I don't know anything about politics. I've never been really involved in politics at all. But okay.

I started working for him a couple of days a week. And then, as it got into 1974, which was the election year, I worked more and more, and I ended up being a full-time employee. Russ Williams was the candidate. The chairman was Jane Hull. So that's how I met Jane. Jane and I were both born in Kansas, same year. She was born 8/8 and I was born 10/10, so we were very close in age. We both moved to Arizona the same year. We just had a lot of similarities. We really became very good friends right off the bat.

I was doing some accounting work, but mainly constituent services and stuff like that for Russ's campaign. My sphere of friends expanded to be all the people that I met in the campaign, which was a lot. We had a small office, but then when Russ won the primary, all of the Republican candidates for state and federal offices moved into a great big building on North Central. So you're just not your campaign, but you were involved in all the other campaigns as well.

It was a good education for me. Before then, I had no clue about politics at all. I had voted. That was about it.

What excited you about politics? What kept you in it?

It just really got in my blood, and I felt like I could do something. I always loved working, and I was disappointed when my husband asked me to quit and stay home, because that just wasn't me. I had worked since I was 14 or 15, so this gave me something to be involved in, and it was, you never knew what the outcome was going to be. So you're always working real hard to do something. Are you going to make it?

What led you to seek office?

My husband from 1970 to 76 was the city attorney for Phoenix, and we used to go to a lot of city events, and I was amazed that when people found out he was with the city, they were always complaining about something the city did or didn't do. And it amazed me that a lot of those people didn't vote.

I was just amazed. They're complaining about this. Why don't they try to do something about it? I wanted to make sure that people participated. For the whole time that I was recorder, that's something that hit me.

How was your first campaign?

I have a personal feeling that women have to be more qualified for jobs than men do when you're out on the campaign trail. I notice they hardly ever ask a man what his qualifications are.
They always ask a woman. That's changed a lot now in the years since, but that's one thing that struck me. I always got asked what my background was, what my experience was.

I figured that two things that that office did, which was voter registration and maintaining the voter rolls and recording real estate documents, both of those things I had a background in, yeah, so I thought that I came in with a little something to offer

I was one of three Republican candidates, and I didn't think I had a chance. One was a Scottsdale city councilwoman.

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GOP LEADERS JOIN FORCES TO RENEW FAITH IN ELECTIONS

A poll commissioned by the Democracy Defense Project shows Republicans' trust in national and local elections is still shaky.

A survey of 600 likely Arizona voters found eight in 10 registered Republicans believe the 2020 election was stolen. 82% of surveyed Republicans are concerned that voting irregularities could "imperil the legitimate election and certification of the next president."

RightCount formed with that distrust in mind. The national organization, operating in Arizona, Georgia, Nevada, Pennsylvania and Wisconsin, seeks to educate the public on political systems, voting safeguards and election officials ahead of the 2024 presidential election. It plans to recruit and assemble local civil, business, veteran and faith leaders.

In September, RightCount Arizona launched its leadership advisory committee, chaired by former governor Jan Brewer.

Petsas, Eppihimer and Graham were chosen to serve, alongside former Maricopa County Recorder Helen Purcell, former congressional staff member and county elections employee Marcus Milam, executive director of the Conservative Agenda for Arizona Jane Andersen, former Phoenix city councilman Braden Biggs, former GOP committee chairman Paul Cummings, and veterans Josh Stanwitz and Amanda Tallman.

As Petsas, Eppihimer and Graham prepare for the 2024 election as RightCount council members, they reflect on their time spent as leaders in the Republican party to guide their work going forward.

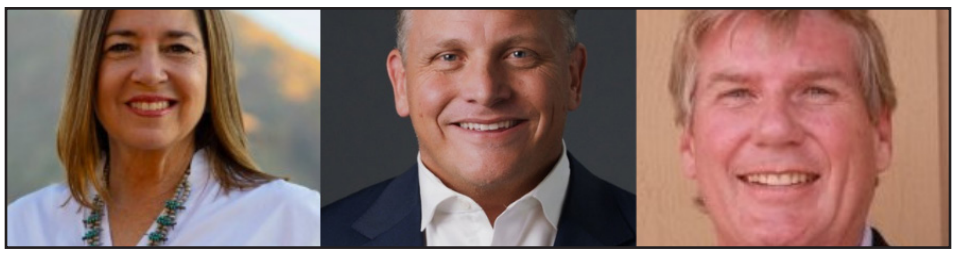
Petsas served as chair of former Legislative District 28 in 2016 and 2021.

She said during her time in leadership, she saw a shift in the grassroots of the Republican party, which started with a hike in participation.

"The grassroots were those reliable, trusted messengers that you went to and you knew within your community that were reliable arbiters of information," Petsas said. "I would say in the Republican Party, especially in the districts, we honestly had people who understand the Republican brand, they were reliable messengers of Republican policies."

She continued, "That changed dramatically."

Petsas pinpointed the 2020 election as a pressure point, which ushered in a new interest in party participation.



Former legislative district chair Kathy Petsas, former state GOP chair Robert Graham and former Pima county chair David Eppihimer. (Photos by RightCount)

"When I was chairman in 2016, we'd get maybe one or two a month interested in becoming a precinct committeeman," Petsas said. "But when 2020 happened and I became chairman, I must have been getting 20 to 50 requests a week. It was dramatic."

Petsas said the sudden interest struck her as odd, so she started meeting with interested committeemen about their motivations. She often heard a vested interest in election fraud.

"It was a perfect storm," Petsas said. "A lot of these districts were wide open spaces where precinct committeemen and people interested can be appointed. We were really susceptible when it came to the grassroots, you had so many people out of the woodwork that were believing that the election was stolen."

She continued, "These were not the people we should be elevating to a grassroots position. They would be, what we would call, in any normal setting, in any normal year, a low information voter."

Petsas is still involved as a committeeman and said the conversation around election security still persists, leaving a tangible goal for her work with RightCount.

"What's important is that you have leaders," Petsas said. "When you have those voices of confidence, who have, in some respects, for generations, been helping not just elect people, but get volunteers for candidates, and volunteer at the polls, that have strong voices that can advocate for the security of our elections."

As a council member for RightCount, Petsas said she aims first to start the conversation.

"My main goal is to find avenues of communication with those wavering their election trust and to bring them in so that they feel confident and trust election professionals," Petsas said. "To understand that the people who are running our elections are not the corner store barista."

Eppihimer served as chair of the Pima County Republican party from 2016 to 2022.

Similar to Petsas, Eppihimer found former President Donald Trump brought a swell of new faces to the party, ultimately leading to a tip toward the MAGA wing.

"It activated a lot of people that had not been active before," Eppihimer said.

In the realm of election trust, though, Eppihimer said he has seen trust grow since the 2020 election.

"I think that there is greater confidence now in the election process and the validity of vote totals than there was after the 2020 election," Eppihimer said. "I think there was a lot of effort put into rebuilding confidence."

He noted, in his experience, his time spent observing the ballot counting process after 2020 cemented his trust in the electoral process.

"I watched the votes being counted. I worked shifts at the recorder's office and watched them validating signatures and calling people if signatures didn't seem correct," Eppihimer said. "I had a lot of confidence in 2020 because I saw it. I wasn't just listening to a narrative that the election was stolen."

As for his role on RightCount, Eppihimer championed the effort in the way it seeks to "make people more comfortable with the process, the counting process, the registration process, so that there'll be more trust in the result, however it goes, than there was in Republican circles in 2020."

Robert Graham served as Republican party chair from 2013 through 2017.

He noted Republicans can have an "innate distrust" of government anyway and for voting in particular, the apparent loss of control after casting a ballot can add to a feeling of unease.

In his experience, he found "trust comes with service."

"You could be a registered Republican and never have an experience as a precinct committeeman," Graham said. "You may cast the vote, but you don't follow the process through. You're not chasing ballots. You're not doing what you got to do to try to assure that people get out and vote. And so with that lack of intimacy with the process, and I'm not using this in a pejorative way, people are ignorant. They don't know. And sometimes ignorance causes fear."

Ahead of Trump's election in 2016, Graham said the party saw an influx of volunteers.

"We couldn't deploy people fast enough, because so many people were interested in helping," Graham said."But when you have this big wave of people come… they're hard to train, they're hard to educate. We did the best we possibly could to keep them understanding the voting process and election process."

After 2016, Graham said the wave was by and large part of the party apparatus. "Some of them had formal political training experience. Most don't," Graham said. "They get elected as a chairman of their district, and they're going to run their district the best they know how. If they're not given much guidance from a county or a state, then they're going to do the best they can with what they have. And so that's where I think a lot of this disjointedness started happening."

Then, walking into 2020, Graham said many did not know the protocols, processes and systems to investigate irregularities.

"What happens is your base gets more angry and more angry and more angry, and then they become more and more distrusting," Graham said. "And ultimately, this distrust and this anger leads to lower participation rates, and that is the worst thing you could ever want in a republic that has this democratic voting process."

Graham said his key goal going forward is to ensure people are involved, voting and swapping out election denial for election integrity.

"I think skepticism is healthy … just because it keeps you alert and paying attention," Graham said. "You can watch. You can see how things are run. Look at your polling stations. Look at the process of your mail-in ballot. Did it make it? Did you get notification that it's there?"

He said with RightCount, the goal is to shore up trust but also to ensure an accurate outcome by highlighting checks and balances and keeping people involved, engaged and participating.

"The idea is that you can be skeptical. I encourage people to go out and hit up organizations like ours, or read more, try to find their way to understanding," Graham said. "Voting shouldn't be an angry event. It shouldn't be this political angst."

CONTINUED FROM PAGE 3

PURCELL: REFLECTIONS ON A RECORDER'S RECORD AND LIFE IN POLITICS

There was a gentleman from the East Valley. He was a graduate of Princeton, always wore a Princeton tie. He always talked down to me because I didn't have a college degree, so that got to be a little bit much.

Jane Hull had gotten me involved in Republican women's clubs, so I was a member of a very big club, and they were a lot of my support and encouragement to get into the race. They helped a great deal. We figured there's somehow we've got to get to people. I didn't have a lot of money. We had a few signs out, certainly not what we see today, but I had some people that went out and did traffic pattern studies, so we just got the best corners. So that was something, but we decided to take copies of all of the petitions that all three of us had gotten signed. My group of ladies sent postcards to everyone who had signed a petition, and I just thanked them for signing a petition for recorder. I didn't say they signed mine. I said thank you for signing a petition.

It took us weeks to do that. We sent that out not too long before the election, and I really think that's what made a difference. If somebody has enough interest to sign a petition, they're probably going to vote.

How did it feel to win?

I was the most surprised person on the planet. It was not an overwhelming win, but it was a win. It was scary. Now, I had been in positions before where I was a supervisor and so forth, so it was not like I was not used to that type of thing, but it's different. You're in charge. The buck stops with you.

What changes did you usher in during your time in office?

I put together a group of people to study what we could do to automate the office. I went to the legislature and asked for the money to do it, but I asked for it every time a document is recorded, if I could take a portion of that money and that could be applied only to automating the recorder's office. We finally got that passed, with the other recorders joining in, and set the maximum that we could charge or divert to that was $4. Every time a document is recorded, then $4 went into this fund.

Well, at some point you're going to have enough money to invest and do something. So this group that I put together of people from our office, people from the title and mortgage business, and people who were IT smart, came up with a plan to automate the office. We were able to write our own programs for a voter registration system that was halfway decent. I had 25 people in my IT department. Some of the other offices in the county were very envious of what we got done. We upgraded all the time in our elections.

What were some of the biggest challenges you encountered?

We had a sheriff's race between Arpaio and Penzone. That was the first time we saw the mobs. That was when I first had to put in bulletproof glass because we had people who were going to lynch me the night of the election. And for the 14 days it took us to count that election. It was an awful time. That was the first time I had ever seen anything like that. I'd had questions before, why'd you do this? And why can't you get the results quicker? And so forth, but I'd never had people screaming that they were going to do me bodily harm, that they were going to hurt my kids, that kind of thing.

I've never seen a perfect election. You're always going to have something crop up. Somebody didn't show up at six o'clock in the morning. We had a bomb threat one time, so we had to move a polling location to a different location on election day. We had a microburst that blew the roof off of a polling place. We moved that polling place into the back of an 18-wheeler, because that's the only thing we had available. One year, we had our ballots printed, our printer went into bankruptcy, and the court locked all the facilities with our ballots inside. You deal with stuff like that.

When you run into these challenges, these particularly stressful or intense moments, how do you stay centered and grounded?

I knew that we were doing the best we possibly could, and that our people were very well trained and well-versed. I was always very comfortable that I had good people, that they were doing the best that they could.

What philosophy has guided you through life?

I was always of the opinion, if you want to get any place, you have to work hard at it. I think that's important, but to enjoy your family. You really have to keep yourself balanced. I'm lucky because I'm Libra. Libra is a balance.



GUEST COMMENTARIES

Abortion amendment not needed for miscarriage treatment

By Lydia Vest

Arizonans deserve to know the truth: miscarriage care is now and will remain available for women, regardless of what happens with Proposition 139. I know first-hand. Last year, my husband and I found out I was pregnant.

During my second prenatal check, my midwife was using the doppler to find the heartbeat – all routine. But it was taking too long, she was struggling to find any sign of life. She was going over and over my belly, assuring me that the positioning of the baby could make it hard to find, so she got me in for an ultrasound quickly to check everything.

I remained optimistic as I waited.

My optimism faded as soon as I looked at the ultrasound. There was no more movement. No more heartbeat. The ultrasound showed our little one had stopped developing about a week earlier at 11 weeks.

Overcome with shock, I was ushered back into the doctor's office to now discuss miscarriage management. It was devastating, I went from joy and anticipation to grief and uncertainty. Because of how far along I was, the midwife recommended I have a dilation and curettage (D&C) procedure due to risk of infection. But she gave me the option to wait and see if the miscarriage would resolve on its own, as most do.

I opted for the D&C at the recommendation of my



midwife and doctor. But it was not an easy decision.

I was concerned how receiving a D&C would be perceived – that's used for abortion procedures, I thought. Not only this, but being that my husband and I don't use traditional insurance – we used a Christian cost sharing – would they assist covering it? Would they understand? Or would they see D&C and not cover it because it is associated with abortion? I called to verify prior to making my decision. Thankfully, the Christian cost sharing completely understood that I was going through a miscarriage, not an elective abortion – they assisted in covering it along with offering prayer for my family.

The hospital where my surgery was performed treated me with the utmost care and empathy. I recall watching informative videos prior to my procedure that explicitly stated that I was not undergoing an induced abortion, but the removal of a fetus that was no longer living. I learned also that Arizona law specifically states that miscarriage management is not an abortion.

Still, I had to be sure it was even necessary. Before the D&C, the ultrasound technician performed another ultrasound at my request – just to be sure that our little one had indeed passed away.

After confirmation and the procedure, hospital staff gave me a small keepsake box with a little quilt, a tiny teddy bear, and a poem in remembrance of my loss.

After my experience, I watched on social media and in the news a consistent flow of misinformation. It infuriates me that the pro-abortion movement claims that without Prop. 139, an extreme abortion amendment, women like me will not get necessary treatment. They are misusing painful stories from women to create a false narrative, scaring women into thinking they will be left helpless if they miscarry. It's not true.

If they are lying about this, what more are they lying about?

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Make tax code fair: end cuts for wealthy and corporations

By Linda Somo

How is it fair to middle class Arizonans that the wealthy and corporations pay so little in taxes? That's the message I took to Washington, D.C. last month when I met with members of Arizona's congressional delegation and urged them to vote in favor of a fairer tax code.

As a retired public school teacher here in the Valley, I have dedicated my life to the well-being of our communities. I am deeply concerned about the potential extension of the 2017 Republican tax law, which overwhelmingly benefited the wealthiest individuals and corporations while leaving middle-class families, like the ones I've spent my career serving, to shoulder an unfair burden.

Because of the 2017 tax law, many millionaires and billionaires have gotten away with paying too little in taxes on their massive earnings. Large corporations, some of which made billions in profits during the pandemic, were able to avoid paying their fair share and some even paid no federal taxes at all. This imbalance raises a fundamental question: how is this system fair to the middle class? We are the ones consistently asked to fund critical services like public education and health care. In fact, Arizona ranks dead last in education, due in large



part to the lack of funding for public schools as a result of low taxes for those at the top.

When the wealthiest one percent and corporations don't pay their fair share, it leaves the rest of us—the working families, retirees, and small business owners—to pick up the slack. As a retiree, I don't mind contributing my fair share in taxes, but it's frustrating that those at the top are allowed to avoid their responsibility to our communities. I want my children, my grandchildren, and my great-grandchildren to have the same opportunities to achieve the American Dream that I had. This means ensuring that they have access to quality public schools, affordable health care, and a social safety net that helps lift people up when they fall on hard times.

Unfortunately, the 2017 tax law did little to help the middle class or small businesses, which are the real engines of job creation. Instead, these cuts lined the pockets of the ultra-wealthy and left vital programs underfunded. When this tax code comes up for reauthorization, Congress must not extend these cuts. Instead, we need to let them expire and focus on creating a new system that benefits everyone—not just those at the top.

A fair tax code means more funding for public education, better access to health care, and a stronger social safety net for all Americans. It's time to demand that the wealthiest among us and the biggest corporations contribute their fair share, so we can build a better future for all Americans—not just the privileged few. That's why our elected leaders need to vote against extending these tax cuts that keep the playing field tilted against hardworking Arizonans.

GUEST COMMENTARIES

Ruling on cannabis: Justice wins, risky message for drivers

By Marc Lamber

I support the recent ruling by the Arizona Court of Appeals, but I fear its unintended consequences. While the decision rightly acknowledges that THC can linger in the bloodstream long after impairment has passed, the ruling may lead to a dangerous misconception: that it's safe to drive after using marijuana. Just like some alcohol users think they can beat the system, some believe they drive better under the influence of marijuana. Now, these individuals may feel emboldened, knowing that science alone won't convict them if they're caught driving high.

Before this ruling, if THC metabolites were found in a driver's blood, it was often presumed to be enough for a DUI conviction. But things shifted in 2020 when voters approved Proposition 207, legalizing recreational marijuana. Under the new law, the state could only impose penalties on drivers if they were "impaired to the slightest degree" by marijuana. However, THC's prolonged presence in the bloodstream complicates things. The court's ruling has now clarified this: THC metabolites alone are not enough to prove impairment. Law enforcement must show additional subjective evidence of a driver being impaired.



This stands in stark contrast to Arizona's rules for alcohol. If a driver blows a .08 on a breathalyzer, that's considered a clear-cut sign of impairment, and the law presumes DUI. For marijuana, no such scientific standard currently exists, leaving law enforcement with a more subjective—and less reliable—method of determining impairment.

While we're making progress toward the development of a THC breathalyzer that could establish a clear standard for marijuana impairment, it's now up to our lawmakers and law enforcement agencies to adopt such tools once available. The goal must be to create a standard that can reliably indicate when someone is truly impaired by marijuana, similar to the .08 limit for alcohol.

For the sake of safety on Arizona's roads, we need to move quickly. This ruling, while correct, should not be misconstrued as a green light to drive under the influence of marijuana. Until we have the right tools and standards in place, we risk perpetuating dangerous myths that could lead to more accidents, injuries, and loss of life.

Marc Lamber is a Martindale Hubbell AV Preeminent-rated trial attorney and public safety advocate. A director at the Am Law 200 firm Fennemore, Lamber chairs the Personal Injury Practice Group and has been featured in national and local media, including the USA Today, ABC News, The Wall Street Journal, Forbes, the ABA Journal and many others.

AG's ruling highlights need for affordable child care

By Joe Barba

Arizona Attorney General Kris Mayes recently acknowledged the real-world challenges faced by political candidates with families when she issued a legal opinion establishing child care as a permissible campaign expense.

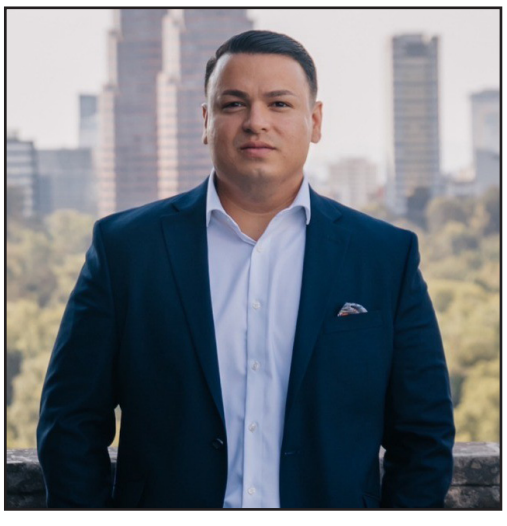
This ruling is not just a win for aspiring politicians with young children. It's a spotlight on a critical issue that affects countless Arizona families – the need for accessible, affordable and quality child care.

As the senior director of government affairs at First Things First, Arizona's early childhood agency, I view this decision through the lens of its broader implications. It recognizes that child care is not a luxury but a necessity for many who wish to participate fully in our democracy and workforce.

Mayes wrote, "Arizona's campaign finance law permits the use of privately raised campaign funds for dependent care if, and only if, the expenses are for the purpose of enabling the candidate or other person to perform campaign activities."

While this ruling is specific to campaign activities, it opens up a broader conversation about the importance of child care in all aspects of professional life. For the majority of Arizonans, child care is not a backseat issue — it's a kitchen table concern that directly impacts their daily lives and economic stability.

A recent survey of working parents in Arizona with children from birth to age 5, funded by the Helios



Education Foundation, revealed that 28% of parents have left a job due to child care challenges. More than half of the parents surveyed reported being late for work or having to leave early because of such obstacles. These statistics paint a clear picture – the lack of accessible and affordable child care is wreaking havoc on parents' work lives and, by extension, businesses and our state's economy.

It's imperative that our policymakers recognize that investing in child care is investing in Arizona's future. Quality early childhood education sets the foundation for lifelong learning and success. Moreover, ensuring parents have reliable child care options allows them to fully participate in the workforce, driving economic growth and stability for families across our state.

Mayes' ruling on campaign expenses is a step in the right direction, acknowledging the real costs associated with raising a family while pursuing public service. Now, we must build on this momentum to address the broader child care crisis facing Arizona families.

To our state legislators and policymakers: I urge you to consider comprehensive measures to increase access to affordable, high-quality child care. This could include:

- Investing in quality early childhood programs and services.
- Expanding child care assistance for college students and low- to middle-income working families.
- Offering tax incentives for businesses that provide on-site child care or child care benefits.
- Streamline regulation that encourages operators to open child care facilities in rural, tribal and low-income communities.

By addressing the child care crisis head-on, we can support working families, boost our economy and ensure that every child in Arizona has the opportunity to thrive. The attorney general's ruling has opened the door. Now it's time for our elected leaders to walk through it and create meaningful policy change for Arizona families.

Joe Barba is senior director of government affairs for First Things First.

PROP 315 SUPPORTERS ARGUE IT WILL SAVE MONEY; opponents say it will cost lives

ELECTIONS

BY REAGAN PRIEST *rpriest@stateaffairs.com*



Arizona State Senator Anthony Kern, R-District 27, at the Capitol in Phoenix on Wednesday, May 1, 2024. Kern sponsored Proposition 315, a legislative referral that would require legislative approval for state agency rules that increase regulatory costs. (AP Photo/Matt York)

Among the laundry list of propositions on Arizona's ballot this year is a measure that would require legislative approval for state agency rules that increase regulatory costs.

Supporters say the measure will save taxpayers money and return power to the people, but opponents say it will slow agency rulemaking to a pace harmful to Arizonans.

Proposition 315, a legislative referral sponsored by Republican Sen. Anthony Kern, would require state agencies to submit proposed rules that could increase regulatory costs by more than $100,000 to the Arizona Office of Economic Opportunity. If the OEO, an office overseen by the governor, finds that the proposed rules would increase regulatory costs by more than $500,000 over a five-year period, the rules must be submitted to the Legislature for approval.

Many backers of Prop. 315 are Republican lawmakers and Republican-aligned organizations, like Americans for Prosperity, which supported the measure as it moved through the Legislature. Steven Shadegg, the Arizona director for AFP, said the measure will give power back to the people by creating a check on state agencies that are run by appointees, not elected officials.

"When [voters] look at this proposition, they should look at this as a way of getting a check on any additional taxes that may have to be put on the citizens of Arizona as a result of new regulations that were implemented through agencies but not approved by the state Legislature," Shadegg said.

By letting elected officials weigh in on agency rulemaking, Prop. 315 would give power back to the people, Shadegg said.

"Our main goal is just to make sure that we have representative democracy and that the people are able to have a say in the money that is being spent," Shadegg said.

However, some former agency heads are vehemently opposed to Prop. 315 and say it will add another hurdle in an already bureaucratic agency rulemaking process.

Agencies make rules to support a variety of state programs and statutes. For example, the Arizona Department of Health Services recently began its rulemaking process for the implementation of the "tamale bill," a piece of legislation approved by lawmakers that expands the types of foods vendors can sell from their home kitchens.

Any rule change by a state agency must go through a lengthy process that involves economic impact statements, public comment periods, oral proceedings and approval from the Governor's Regulatory Review Council.

Will Humble, the former director of the ADHS, submitted an argument against Prop. 315 to the Secretary of State's publicity pamphlet. He said delays in rulemaking could be deadly for agencies like ADHS, which oversees many of the state's health care and public safety sectors.

Humble said an average agency rulemaking process takes at least 18 months to complete, but with new hurdles added, the process could drag on even longer or not be completed at all. That could put Arizonans at risk if important rules related to issues like nursing homes or clean water are sidelined.

"[If] there's a stakeholder that's pissed off and doesn't like the rule, then they can go to … the president of the Senate, who could then make sure that the request to approve the rule never makes it to the floor, so a single legislator could kill an entire rule package," Humble said.

He said he's concerned that lawmakers could weaponize Prop. 315 in times of divided government, similar to the way Republican lawmakers threatened state agencies run by Democratic appointees when they came before the Legislature for sunset reviews earlier this year.

"When they want a governor to look bad, and their agencies to look bad for political reasons, even though it's hurting the public, then they do all this monkey business," Humble said.

He acknowledged that agency rulemaking often comes with regulatory costs, but said those costs are often necessary to protect Arizonans. Humble said many rules targeting health care providers and nursing homes increase regulatory costs but ultimately make those facilities safer.

"So the people that are making this argument that, [Prop.] 315 is gonna save regulatory costs, that might very well be true, but it also is gonna cost human lives," Humble said.

Shadegg said Prop. 315 is not meant to remove agencies' authority or jeopardize their ability to keep Arizonans safe. He pointed out that eight other states have passed measures similar to the proposition in Arizona with AFP's help.

"I think that it's important for agency heads to understand that while public safety is a top priority, the money that is being spent is the people of Arizona's money, and therefore the people of Arizona should have some review and regulatory process for the money," Shadegg said.

Both Shadegg and Humble agree that Prop. 315 is an important measure that voters should pay attention to, along with the 12 other statewide propositions on the ballot. Shadegg said voters should consider the impact the proposition will have on their wallets, while Humble wants voters to remember that it is nearly impossible for propositions to be reversed once they are approved.

CONTINUED FROM PAGE 6

ABORTION AMENDMENT NOT NEEDED FOR MISCARRIAGE TREATMENT

Women do deserve comprehensive and safe medical treatment – and we already have it. Prop. 139 is about induced abortion, not miscarriage treatment. The difference is clear to the doctor who treated me, and it is clear in Arizona law.

Women deserve truth, not propaganda.

Please vote No on Prop. 139. Arizona women do not need to enshrine unlimited abortion into the state Constitution in order to get the care we need.

Lydia Vest grew up in Mesa, where she is now raising her family.

CONTINUED FROM FRONT PAGE

PARTIES TARGET PAIR OF SWING DISTRICTS IN BID TO FLIP LEGISLATURE



From Left: Rep. Keith Seaman, Rep. Michele Peña, Matias Rosales and Chris Lopez.

Martinez is a strong incumbent as one of the leaders of the House GOP caucus. She got the most votes in the 2022 House race and finished with more than 4% of votes ahead of Seaman.

Lopez is a small business owner in Casa Grande running on the same ticket as Martinez and Sen. T.J. Shope, R-Coolidge.

Lopez lists the border, increasing teacher pay, and defending the state's Empowerment Scholarship Account program as some of his top issues on his campaign website. He did not respond to an interview request from The Arizona Capitol Times.

He specifically cites Democrats not supporting a bill that would have increased teacher pay during the 2023 legislative session. The measure, House Bill 2800, proposed to give Arizona teachers a $10,000 raise over a two-year period but Democrats because the bill offered a one-time funding increase and it didn't include other classroom support staff.

Seaman said increasing pay for school staff was one of his top priorities, but he wanted to ensure the legislature finds an equitable solution.

"We're seeing teachers leaving and the number one reason they leave the schools, in the middle of the year too, is because they can't live on those salaries and they have too many kids in the room. They may not have a paraprofessional," Seaman said.

Republicans are targeting Seaman heavily in an attempt to get some breathing room with their one-seat majority in the House. The Republican State Leadership Committee recently begun running ads in the district as part of its "Left's Most Wanted" campaign, attacking Seaman for voting against SB1027 in 2023, which would have increased the penalties to fentanyl manufacturers or dealers if the drug they transferred caused injury to a minor.

Gov. Katie Hobbs vetoed the bill and wrote in her veto measure that she felt it undermined the state's "Good Samaritan Law." Other Democrats expressed concerns that the bill would prevent people from contacting emergency services in overdose situations out of fears they would be criminally charged.

"Arizonans deserve to have legislators who will protect their best interests and not obstruct a commonsense agenda," RSLC spokesperson Stephanie Rivera said in a statement about the committee's ad campaign.

Republican consultant Tyler Montague said picking up both seats in LD16 would be significant for the GOP because it might offset a loss in another district.

"If they're going to cling to the legislature, they have to sneak a seat or two," Montague said.

One such district could be Legislative District 23, where incumbent Rep. Michele Pena, R-Yuma, is running as the Republican single shot candidate in a district that the Arizona Independent Redistricting Commission has 17% vote spread favoring Democrats and is considered a non-competitive district.

Despite the commission's analysis, Pena was able to pick up a win for the GOP that gave Republicans a majority in the House when she beat Democrat Jesus Lugo Jr. by more than 4% of votes in 2022.

Even before Pena's win, parts of the district were represented by former Republican state Rep. Joel John before the state was redistricted.

LD23 is in the southeast region of the state and covers Maricopa County, Pima County, Pinal County and Yuma County. Its House top vote getter in 2022 was Rep. Mariana Sandoval, D-Goodyear, who received about 2.5% more votes than Pena.

Pena's challenger is Democrat Matias Rosales, a San Luis city councilman who's served on the council for the last 12 years.

Rosales was unavailable for comment before the Arizona Capitol Times deadline but recently criticized Pena on a Sept. 5 Clean Elections Commission discussion for voting in support of Prop. 138, a ballot referral that would allow employers to pay tipped workers up to 25% less than the minimum hourly wage if the employer can guarantee a worker's tips are at least $2 more than the minimum wage hourly earnings.

"We need to work to expand economic opportunities here in our state and create good paying jobs," Rosales said.

Pena didn't respond to the Arizona Capitol Times interview request. She lists the state's ESA program as one of her top priorities. In 2023, she also sponsored legislation to extend the expiration date for chicken eggs, which she says on her website have created obstacles for rural communities and farmers.

Rep. Alexander Kolodin, R-Scottsdale, attempted to help Pena defend her seat on Wednesday by sharing a complaint San Luis Mayor Nieves Riedel had previously filed with Attorney General Kris Mayes accusing Rosales of mishandling public funds for Greater Yuma Port Authority on social media.

Rosales has been a board member of the authority for the last decade and Riedel accused Rosales of conflict of interest and public monies violations by influencing the authority into renting office space from his real estate firm Realty One.

The complaint was submitted to the attorney general's office on June 2, 2023. Attorney General Communications Director Richie Taylor confirmed to the Arizona Capitol Times that Mayes' office investigated and found no violations on Feb. 28.

Despite no violations, Kolodin still shared the complaint less than a month away from the Nov. 5 general election in a race that will be pivotal in deciding which party controls the House.

"Though Mr. Rosales' conduct may constitute a felony … he, like every American, is entitled to the presumption of innocence," Kolodin wrote in his post on X. "Regardless, however, of whether his actions rise to the level of criminal conduct, voters should carefully weigh whether his conflicts of interests allow him to faithfully serve the best interests of the people."

ELECTIONS

HEAP AVOIDING DEBATES



Rep. Justin Heap is running for Maricopa County Recorder.

Nonpartisan events could cost him recorder race, consultants say

BY REAGAN PRIEST *rpriest@stateaffairs.com*

Republican candidate for Maricopa County Recorder Justin Heap says elections are a "nonpartisan issue," but appears to be focusing his campaign on turning out conservatives. Political consultants say that could hurt his chances with moderate and independent voters who will ultimately decide the race.

Heap, a current state lawmaker, has made several X posts over the last few months about the events he has attended to speak with voters. Most are Republican rallies, legislative district meetings or Turning Point USA events, but Heap claims he's reaching independent and Democratic voters there.

"One of my absolute favorite moments on the campaign trail was being able to meet almost every single attendee at the RFK, Jr. & Tulsi Gabbard rally," Heap said in a post on X on Sept. 30. "There were thousands of Independents and Democrats!"

He made a similar statement at former President Donald Trump's Aug. 23 rally in Glendale, when he asked the "independents and Democrats in the room" to "join me." Heap was criticized on X in September for posting a photo of him speaking to a voter wearing Trump merchandise and writing, "There's nothing better than getting to talk with voters from across the political spectrum."

Political consultants on both sides of the aisle say the strategy is puzzling, especially given the large number of independent voters in Maricopa County who will likely be casting decisive votes in the recorder's race and other political contests up and down the ballot.

"It's always important to turn out your base, but these things tend to get decided by the middle and by not offering anything to the middle, he's setting himself up for failure," said Tyler Montague, a Republican political consultant.

At a Turning Point event in Peoria on Wednesday, Heap told the audience that the key to winning in November is encouraging Republicans who sat out in 2022 to vote this time around. He said that lack of turnout contributed to the statewide losses Republican candidates saw that year.

"If they turn out, it will be a landslide victory," Heap told the audience.

But that strategy might not hold up, as many Republicans have backed Heap's Democratic challenger, Tim Stringham, after incumbent recorder Stephen Richer lost in the Republican primary in July. Montague said Heap has lost the ability to appeal to those voters by aligning himself with prominent election deniers like Trump and U.S. Senate candidate Kari Lake.

At Wednesday's Turning Point event, Heap appeared alongside congressional candidate Abe Hamadeh, a long-time proponent of election conspiracy theories who encouraged the audience to make this year's Republican turnout "too big to rig." Heap has avoided questions from reporters and debate opportunities that would require him to take a stance on whether or not the 2020 election was stolen.

Heap tried to appeal to the middle at the event, saying that the position of county recorder is nonpartisan and he will abide by that if elected.

"Once I am elected, the partisanship stops," Heap told the audience.

He said he will treat all ballots and candidates the same and make sure everyone "regardless of party" can feel confident in the election process and outcome. But Montague says Heap is likely not reaching a nonpartisan audience in "any meaningful way" when he makes those appeals at events geared toward conservatives who are already supportive of candidates like Trump.

"I'm sure he's met the occasional Democrat or Independent who's friendly to him, but I don't think he's reaching the masses," Montague said.

Montague said he thinks Heap avoids events with undecided or moderate voters to avoid an "uncomfortable situation" where he would have to address questions about his stance on the 2020 election. "He doesn't have good answers that resonate with anyone, so he stays in that bubble because it's safe," Montague said.

Stringham, his opponent, attended both debates for the race in September and used the platform to appeal to Republican voters who might have "thoughtful, heartfelt concerns" about elections. Democratic consultant Rodd McLeod said those debate opportunities and interviews with local media are crucial in county races where name recognition and campaign funds are lower.

"You want to actually talk to journalists who are producing news content for voters," McLeod said. "He isn't doing this because he's just a creature of MAGA politics."

After his remarks at Wednesday's event, Heap declined to answer questions from the Arizona Capitol Times, saying he had to go to another campaign event. He also did not respond to an emailed request for comment.

McLeod said those local media opportunities are where candidates are able to meet moderate voters and by insulating himself, Heap is less likely to break through to those who could help decide his fate in November.

"A campaign is a job interview, and this guy doesn't want to show up for the job interview," McLeod said.

ELECTIONS

LAKE ATTACKS GALLEGO ON BORDER WOES, DIVORCE, HE VOWS TO PROTECT ABORTION RIGHTS IN SENATE DEBATE

BY KIERA RILEY *kriley@stateaffairs.com*

In the sole Senate debate of 2024, Kari Lake kept her responses within a degree of the border while Ruben Gallego tracked back to his legislative record.

The two candidates took the stage Wednesday in a debate hosted by the Arizona Clean Elections Commission. In just under an hour, Lake and Gallego spent the most time on immigration and border policy, but still sparred over abortion, the economy, energy, water and Lake's claim she won the 2022 gubernatorial election.

For her part, Lake spoke over Gallego and the moderators with little interjection from her opponent and lodged what Gallego described as "personal attacks," in bringing up his divorce and alleged instances of harassment at his former workplaces.

Caroline Wren, senior advisor to Lake, called the debate a "decisive victory."

While in remarks to the press post-debate, Gallego said, "I think we all saw who Kari Lake is … which is someone who will lie, has continued lying and is still lying to this day."

Gallego, kicking off opening statements, again beckoned back to his upbringing in a low-income household, his military service and eventual ascent into higher education and political office in his pitch to Arizonans.

Lake took the time to hit on the familiar messaging on the border crisis, painting Arizona as unsafe and unaffordable given illegal immigration and made a call to ditch "career politicians."

Both candidates had parallel lines about the other.

"We're going to see and talk to somebody who has really failed the base test of honesty, lied to Arizonans about the 2022 election. She has said that she still is the rightful governor of Arizona. She's lied about fellow Republicans to the point where they have to go get bodyguards because of all the threats that she created," Gallego said.

Lake said, "We're going to be hearing tonight from somebody who's undergone an extreme makeover, to quote an old TV show, somebody who has voted with the most radical Democrats in Washington, D.C. to tear open our borders."

Moderators Steve Goldstein and Nohelani Graf started with the border wall, sending a question to Gallego on his stance on the necessity for a physical barrier.



Democrat Ruben Gallego answers questions Wednesday night during a debate with Republican Kari Lake in the race for Senate. (Pool photo by Cheryl Evans, Arizona Republic)

Gallego said the border wall was "important to a security package" but needed to be coupled with spending in personnel and technology and highlighted his support of the failed bipartisan border bill.

In her response, Lake called back to Gallego's past comments that the border wall was "stupid and dumb" and reaffirmed her commitment to seeing through the completion of Trump's wall if she were elected to the Senate.

Separate from border security, the candidates talked about immigration policy, namely, the allocation of resources to border communities.

Lake claimed Gallego supported funneling money into non-governmental agencies, which she claimed had been draining resources from the community and embedding immigrants deeper into the United States.

Gallego said Lake had failed to visit or speak with these communities.

"She would leave these towns abandoned, why have you not visited them and talked to them? You've been to Mar-A-Lago more than you've been to the border," Gallego said.

Gallego also pushed a question for Lake on her support of allowing dreamers, or those protected from deportation under Deferred Action for Childhood Arrivals, though Lake did not directly answer the question.

In moving to abortion, Gallego committed to codifying the protections of Roe v. Wade in the constitution and brought up Lake's past comments of calling the 1864 abortion ban a "great law," saying she was "thrilled" with the fall of Roe v. Wade.

Lake kept to the point that abortion should be left to the states and said she would not support a national abortion ban, nor would she allow any federal tax dollars to fund abortions. She further called for the importance of "UVF." She meant IVF.

Lake then got to personal attacks on Gallego, claiming he had complaints for harassing and disparaging women in the Legislature and in city hall, as well as bringing up the fact he separated from Phoenix Mayor Kate Gallego when she was pregnant.

Gallego said, "A lot of personal hits were just thrown out there. I'm not going to go through it point by point."

Lake interjected, "I'd be interested in doing that."

On the economy, Lake continued to bring any economic strain back to the border, while Gallego touched on his work lowering prescription drug prices and called for a stop to the Albertsons Kroger grocery merger.

In discussing energy and water, Lake said the country should "drill baby drill" and "bring in new sources of water to the West," while Gallego made the case for nuclear energy and water reclamation and future negotiations.

He then said Lake was in denial about climate change as well as the 2022 election.

"Did you win or lose that election?" Gallego asked.

Lake declined to say. Moderators then asked about reforms on election Lake would consider taking up, to which she made a call for paper ballots counted all on Election Day.

Gallego brought up the ongoing election contests and defamation suit by Maricopa County Recorder Stephen Richer and said Lake had lied.

"I've never lied to the people of Arizona," Lake said.

Following the debate, Gallego answered four questions from the press. He declined to say if he still considered himself a progressive and continued to hit on the fact that Lake resorted to personal attacks and had not answered the question on whether she had one or lost the 2022 gubernatorial race.

Lake did not speak to reporters after the debate. Instead, she sent out proxies, her senior advisor Caroline Wren, Senator John Barrasso, Mercedes Schlapp of Conservative Political Action Conference and Turning Point USA's Charlie Kirk.

Wren said Lake would be able to speak for herself at a press conference planned for today in Scottsdale.

ELECTIONS

Voter decisions on propositions are NEARLY PERMANENT

BY HOWARD FISCHER
Capitol Media Services

PHOENIX — Every measure on the 2024 ballot comes with a word of warning: Make sure this is what you really want to do.

The reason?

They are pretty much permanent. The Arizona Constitution spells out that anything approved by voters cannot be repealed by the Legislature. The issue would have to go back to voters at a future election.

Lawmakers can make some alterations. But they have to "further the purpose" of the original measure. And it takes a vote of three-fourths of both the House and Senate, 45 of 60 representatives and 23 of 30 senators, just to do that.

Lawmakers have complained for years about what is known as the Voter Protection Act.

But what is lost in all that is exactly how that came to be. Bottom line: It is the fault of the Legislature itself, at least those who were serving more than two decades ago, who concluded that voters just didn't know what they were doing.

It started in 1996 when a group put what was then numbered Proposition 200 on the ballot. It contained provisions toughening sentences on those who committed violent crimes while under the influence of illegal drugs.

But what it also did is allow doctors to actually prescribe otherwise illegal drugs to treat a disease or relieve the pain and suffering of a seriously ill or terminally ill patient. And it allowed those patients to possess those drugs without fear of state criminal prosecution.

Not just marijuana, though that was the focus. But the verbiage included any other Schedule 1 drugs, including heroin, mescaline and LSD.

It was approved by nearly two-thirds of voters.

That didn't last.

The following year lawmakers effectively suspended that element, amending the voter-approved law to say it could take effect only if the medications had first been approved by the U.S. Food and Drug Administration. And that effectively put the law in Arizona back to where it had been.

That sent backers back to the streets, with two petitions.

The first sought a referral of the 1997 legislative action. The Arizona Constitution not only gives voters the ability to make their own laws but to put the issue on a future ballot, where they would get the last word.

And in 1998 voters overrode the 1997 law by a 3-2 margin.

But that wasn't the end of it.

The same group behind the 1996 measure and the override came up with something new.

Proposition 105 that year stripped the Legislature of the power to veto anything approved by voters. And that requirement for a three-fourths vote applies not only to amendments that further the purpose but also to any diversion of funds for any project authorized by voters.

It drew bipartisan support.

"The Legislature thwarting the will of the people seems to me the ultimate act of arrogance," wrote Democrat Richard Mahoney, a former secretary of state.

"Once an election takes place, votes can't be thrown away just because a few politicians don't like the results of an election," said Joe Arpaio, the Republican sheriff of Maricopa County. "I believe Arizona voters are smart enough to know what they are voting for."

Proposition 105 was approved, though only by a 52-48 margin.

Since then, lawmakers have been trying to get out from under the provisions of the Voter Protection Act.

In 2016 Sen. J.D. Mesnard, then a state representative, sought to put a partial repeal on the ballot. It would not have allowed lawmakers to overturn previously approved measures. But it would have permitted repeal of future ballot measures if lawmakers could get approval of a certain number of senators and representatives.

"People want us to be effective," said the Chandler Republican at the time.

"Our ability to be effective is becoming diminished because of the tentacles of Voter Protection that are spreading throughout our ability to modify things very difficult."

But Sierra Club lobbyist Sandy Bahr told lawmakers there's another -- and simpler -- solution if they believe a law enacted by voters needs to be altered or repealed outright: Put it on the ballot and make the case for voters to approve the change.

Mesnard's proposal never made it to the ballot: After being approved in the House, it died in the Senate.

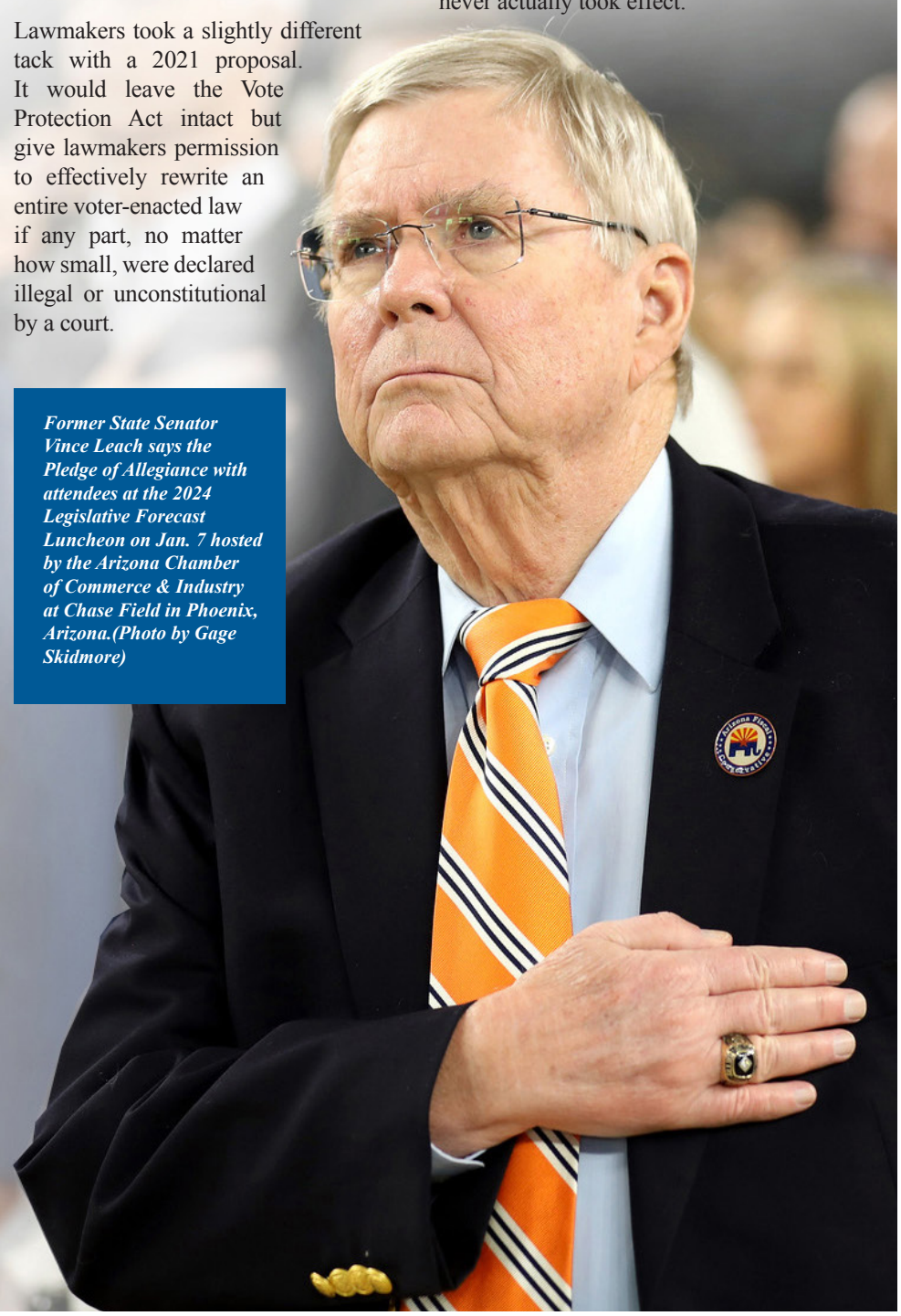
Lawmakers took a slightly different tack with a 2021 proposal. It would leave the Vote Protection Act intact but give lawmakers permission to effectively rewrite an entire voter-enacted law if any part, no matter how small, were declared illegal or unconstitutional by a court.

Sen. Vince Leach, R-Tucson, did line up every Republican in the House and Senate to put the issue on the 2022 ballot. But voters were having no part of it, rejecting Proposition 128 by a margin of close to 2-1.

It was not a good year for Leach. Months earlier, he lost the GOP primary to keep his Senate seat to Justine Wadsack, who ultimately won the general election.

This year's primary was a rerun, with Leach outpolling Wadsack for the right to face off in the general election against Democrat John McLean.

Oh, and as to that 1996, and reenacted in 1998, drug medicalization measure? It never actually took effect.



Former State Senator Vince Leach says the Pledge of Allegiance with attendees at the 2024 Legislative Forecast Luncheon on Jan. 7 hosted by the Arizona Chamber of Commerce & Industry at Chase Field in Phoenix, Arizona.(Photo by Gage Skidmore)

ELECTIONS

CD6 CANDIDATES DEBATE ABORTION, BORDER POLICY AND PERSONAL BARBS



From left: Kirsten Engel and Rep. Juan Ciscomani at a debate for Arizona's U.S. House Congressional District 6 on Tuesday, October 9, 2024. (Photo by Howard Fischer/Capitol Media Services)

BY HOWARD FISCHER
Capitol Media Services

PHOENIX — The Democratic candidate for Congressional District 6, Kirsten Engel, said she is totally behind a ballot proposal to enshrine the right to abortion in the Arizona Constitution.

During a debate Tuesday night with Republican incumbent Juan Ciscomani, the former state lawmaker said Arizona narrowly escaped being subject to an 1864 law that outlawed the procedure except to save the life of the mother.

That has left the state with a ban after 15 weeks, a law with no exceptions for rape or incest. Engel said that's unacceptable.

"Every women, every person, has to have the freedom to make their own health care decisions, with their doctor and with their family," she said in the nearly hour-long televised debate. Engel said that also means no artificial time limits.

"Pregnancies can go bad at any point, wanted pregnancies," Engel said, citing "devastating situations" – albeit from other states with time limits – where women have died.

"This is not something that we leave to politicians," she said. "Last time I checked, Juan, you're not a doctor."

Aside from supporting Proposition 139, Engel also said if elected she would work to approve federal legislation to restore the law to the way it was before the U.S. Supreme Court in 2022 overturned the historic 1973 ruling that declared women have a constitutional right to terminate a pregnancy.

Ciscomani, for his part, supports that ruling, one that former President Trump has bragged about.

"This is a state issue," the congressman said. The ruling, Ciscomani said, returned the decision to each state to decide the extent to which the rights that women had prior to the 2022 ruling should be retained now.

But it isn't exactly clear where the incumbent congressman stands on where that line should be drawn now.

"I trust women," he said.

"I cherish new life," Ciscomani continued. "I reject the extremes on this issue."

He does spell out what he doesn't want.

"I reject a federal ban on abortion," Ciscomani said.
He also said he opposed the ruling earlier this year by the Arizona Supreme Court that would have returned Arizona to that 1864 law. That was overturned by lawmakers, leaving the state with the 15-week ban.

But Ciscomani said he does not support the fact that the current Arizona law, the one that will remain if voters reject Proposition 139, does not have an except for rape or incest.

At the same time, he said there are "issues" with the ballot measure.

It would guarantee the right of a woman to terminate a pregnancy for any reason up to the point of fetal viability, something considered between 22 and 24 weeks.

"Setting the time at 24 weeks, that's obviously nine more than what the current law says," Ciscomani said. And abortions would be permitted beyond that point if a health care provider concluded it was necessary to save the life or the physical or mental health of the woman.

"So people are going to have to look very closely at the proposition versus the law that we have right now," he said. "And they're going to have to make a very personal decision on that."

Ciscomani said that's why it's now being decided on a state-by-state basis.

"It's a decision that voters in Arizona are going to have to make," he said.

The other side of that coin, he said, is that it's not a federal issue, meaning it's something he won't have to address in Congress if voters elect him to a new two-year term.

But he declined to answer a question after the debate of how, as an Arizona resident, he intends to vote.

"I will abide and I will respect whatever the will of the voters is in Arizona, as a state issue," Ciscomani said before ending any further questions to him.

Some parts of the debate turned personal.

Ciscomani chided Engel for not living in the congressional district. She conceded the point – it is not a requirement – saying she has lived in the same house for years, it is just two blocks from the district, and she represented much of the same area when she was in the Legislature.

She in turn took a poke at Ciscomani, saying it was during the years he served in the administration of Gov. Doug Ducey that foreign companies began leasing and buying up land in rural areas to pump unlimited quantities of groundwater to grow alfalfa to be shipped to the Middle East to feed dairy cattle there.

"You're giving me a lot of credit," he responded, saying his job for the now-former governor was to manage the Arizona-Mexico Commission.

But there also were barbs as the discussion turned to border security and, specifically, the failure of Congress to approve what had been billed as a bipartisan package that included technology like sensors, physical barriers, and additional personnel. It also would have tightened up the ability of entrants to seek asylum.

Engel said it was a conservative program and endorsed by the National Border Patrol Council.

"You had a chance to embrace a bipartisan deal that would have made significant steps forward and you rejected it," she said.

"And you rejected it because of President Trump telling you and your caucus to do so," Engel continued. "And the deal then fell apart."

Ciscomani said that ignores the fact that while there was bipartisan support, there also was bipartisan opposition.

"You really need to temper the lies on this stage and on the airwaves," he told Engel.

"Trump never called me," Ciscomani said. "No one called me to tell me how to vote."

Instead, he said, it was his own examination of the legislation that convinced him that there were "several aspects" that needed work.

Trump's role in killing the plan was verified earlier this year by Senate Minority Leader Mitch McConnell, who said, "Our nominee for president did not seem to want us to do anything at all."

FROM OTHER STATES

NEWS OF INTEREST FROM ACROSS THE NATION

Arkansas

JUDGE IN ALASKA SETS ASIDE CRITICAL HABITAT DESIGNATION FOR THREATENED BEARDED, RINGED SEALS

ANCHORAGE — A judge in Alaska has set aside a federal agency's action designating an area the size of Texas as critical habitat for two species of threatened Arctic Alaska seals. U.S. District Court Judge Sharon Gleason last week ruled the National Marine Fisheries Service did not explain why the entire 174-million-acre area was "indispensable" to the recovery of the ringed and bearded seal populations. The Anchorage Daily News reports that Gleason sent the matter back to the agency for further work. A spokesperson for the National Oceanic and Atmospheric Administration said the agency was reviewing the decision. The ruling comes in a lawsuit brought by the state of Alaska, which claimed the 2022 designation was overly broad.



California

THIS CALIFORNIA BALLOT MEASURE PROMISES MONEY FOR HEALTH CARE. ITS CRITICS WARN IT COULD BACKFIRE

SACRAMENTO — A ballot measure in California proposes to lock in billions of dollars to pay doctors more for treating low-income patients. Proposition 35 would take an existing tax on health insurance plans and use the money to increase payment to medical providers who see Medi-Cal patients. Medi-Cal is the subsidized insurance plan serving some 14-million Californians. It has ballooned in size with increased eligibility and benefits, but that hasn't come with a commensurate increase in payment to doctors. Supporters say the ballot measure will make the Medi-Cal program more stable and encourage more providers to see low-income patients. Opponents warn the measure could backfire and cause the state to lose billions in federal funding.



Colorado

COLORADO'S SUPREME COURT DISMISSES SUIT AGAINST BAKER WHO WOULDN'T MAKE A CAKE FOR TRANSGENDER WOMAN

DENVER — Colorado's Supreme Court has dismissed on procedural grounds a lawsuit against a Christian baker who refused to bake a cake for a transgender woman. Justices in Tuesday's ruling declined to weigh in on the free speech issues that brought the case national attention. Baker Jack Phillips was sued by attorney Autumn Scardina in 2017 after his Denver bakery refused to make a pink cake with blue frosting to celebrate her gender transition. Phillips scored a partial victory in a previous case before the U.S. Supreme Court after refusing to bake a cake for a gay couple's wedding.

Idaho

IDAHO STATE SENATOR TELLS NATIVE AMERICAN CANDIDATE 'GO BACK WHERE YOU CAME FROM' IN FORUM

KENDRICK, Idaho (AP) — An Idaho state senator is reported to have told a Native American candidate to "go back where you came from" during a candidate forum this week. Trish Carter-Goodheart is a Democratic candidate for the House District 6 seat and member of the Nez Perce Tribe. She says Republican Dan Foreman yelled at her after she talked about discrimination and racism within the state. She said the blowup left her shaken and frightened her young children. Foreman left the event early after the outburst. He later denied making any racist comments in a Facebook post. Foreman did not respond to a voice message from The Associated Press seeking comment.

Kentucky

KENTUCKY'S LIEUTENANT GOVERNOR LEANS ON HER TEACHING ROOTS IN FIGHTING A SCHOOL CHOICE MEASURE

LOUISVILLE, Ky. (AP) — Democratic Lt. Gov. Jacqueline Coleman is in campaign mode in opposing a ballot measure that would allow Kentucky tax dollars to support students attending private or charter schools. Coleman spoke out against the proposal again Monday in Louisville. The issue hits home for Coleman as a former public school teacher and administrator. If the proposal on the statewide ballot is approved by a majority of Kentucky voters, it would remove constitutional barriers that have blocked lawmakers from using public funds to support private school education. On Monday, Coleman warned of dire consequences for public school education if the measure wins approval in next month's election.

Louisiana

FEDERAL COURT REVIEWS CIVIL RIGHTS LAWSUIT ALLEGING ENVIRONMENTAL RACISM IN A LOUISIANA PARISH

NEW ORLEANS (AP) — The Fifth US Circuit Court of Appeals in New Orleans is reviewing a civil rights lawsuit alleging a south Louisiana parish engaged in racist land-use policies that placed polluting industries in majority-Black communities. The court heard oral arguments on Monday. Local community groups say St. James Parish encouraged industrial facilities to be built in areas with majority-Black populations "while explicitly sparing White residents from the risk of environmental harm." A federal judge had dismissed the lawsuit on procedural grounds in November 2023 but noted the claims "did not lack a basis in fact."

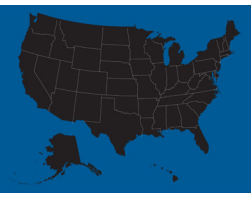
Maine

TRUMP CALLS MAINE GOV. JANET MILLS A MAN IN A MISTAKE-RIDDLED CALL TO SUPPORTERS, NEWSPAPER REPORTS

BANGOR, Maine (AP) — Republican Donald Trump mixed up Democratic Gov. Janet Mills' gender on a phone call with supporters in Maine. The Bangor Daily News obtained a recording of the call in which Trump referred to the state's first female governor as "he" several times Monday evening while attacking Mills on immigration. Mills referred to Trump's opponent Democrat Kamala Harris in a brief retort on X. She said Trump should get used to recognizing women because "he's about to get beat by one."

FROM OTHER STATES

NEWS OF INTEREST FROM ACROSS THE NATION



Montana

MONTANA'S ATTORNEY GENERAL DEFENDS ACTIONS AT HEARING ON 41 COUNTS OF PROFESSIONAL MISCONDUCT

HELENA, Mont. (AP) — Montana's attorney general testified before a state commission during a hearing that could lead to action against his law license. At issue is his aggressive defense of a law allowing the state's first Republican governor in 16 years to directly fill judicial vacancies. The law was part of a nationwide effort to make the judiciary more conservative. The hearing began Wednesday and could last up to three days. The complaint says Austin Knudsen and the lawyers he supervised attempted to evade the authority of the Montana Supreme Court. It also says they questioned the integrity of individual justices after the court quashed a subpoena seeking emails from the court administrator. Knudsen defended his actions, but said his office could have used language that wasn't so sharp.

New Mexico

EX-NEW MEXICO STATE SENATOR JOHN ARTHUR SMITH DIES AT 82

SANTA FE, N.M. (AP) — Former New Mexico state Sen. John Arthur Smith has died at age 82. The conservative-leaning Democrat served southwestern District 35 from 1989 until 2021. Smith died Monday at his Deming home. A cause of death wasn't immediately disclosed. New Mexico Lt. Gov. Howie Morales announced Smith's death at the annual meeting of the New Mexico Oil and Gas Association in Santa Fe. Smith was a gatekeeper on state spending as chairman of the lead budget-writing committee. He also helped expand the state's multibillion-dollar educational trust fund.

New York

TRUMP WILL HOLD A RALLY AT MADISON SQUARE GARDEN IN THE RACE'S FINAL STRETCH

NEW YORK (AP) — Donald Trump is returning to New York in the race's final stretch and will hold a rally at Madison Square Garden. Trump is planning his event for Oct. 27 to kick off the final week of campaigning. That's according to a campaign official familiar with the plans who spoke on the condition of anonymity ahead of a formal announcement. Trump has long believed that he can win New York, even though the state is overwhelmingly Democratic. It will be Trump's second rally in the city he grew up in following a stop in the South Bronx in May that drew a large and diverse crowd.

Oklahoma

SUPREME COURT SEEMS LIKELY TO GIVE OKLAHOMA DEATH ROW INMATE A NEW DAY IN COURT

WASHINGTON (AP) — The Supreme Court appears likely to give Oklahoma death row inmate Richard Glossip at least another day in court in his long quest to throw out his murder conviction and death sentence. The justices heard arguments Wednesday in a case that has produced a rare alliance in which lawyers for Glossip and the state argued that the high court should overturn Glossip's conviction and death sentence because he did not get a fair trial. The victim's relatives have told the high court that they want to see Glossip executed. The justices seemed unlikely to uphold the conviction and death sentence, after arguments that lasted one and three quarters hours. But precisely what the court would do was less clear.

Oregon

OREGON STRIKES AN ADDITIONAL 302 PEOPLE FROM VOTER ROLLS OVER LACK OF CITIZENSHIP PROOF

PORTLAND, Ore. (AP) — Oregon authorities say they've removed another 302 people from the state's voter rolls after determining they didn't provide proof of citizenship when they were registered to vote. Monday's announcement came the same day the state DMV released a report about the errors now known to have registered over 1,500 people to vote despite lacking citizenship proof. The mistake occurred in part because Oregon passed a law in 2019 allowing some residents who aren't citizens to obtain driver's licenses. And the state's so-called "Motor Voter" law automatically registers most people to vote when they seek a new license. Oregon's secretary of state and governor have called for an independent, external audit of the Motor Voter system.

South Dakota

SOUTH DAKOTA REMOVES 273 PEOPLE FROM VOTER ROLLS DUE TO HUMAN ERROR BY THE STATE

South Dakota's top elections official has removed 273 people from the state's voter rolls as general election voting is underway. Her office later said the move rectified a paperwork error on the state's behalf. Those people had inadvertently been registered to vote due to human error by state Department of Public Safety employees where the citizenship status was incorrectly marked, the state Division of Elections director said Wednesday. DPS on Monday had announced the removal of 273 "noncitizens" from the voter rolls. The action initially drew the ire of the American Civil Liberties Union of South Dakota, which sent a letter with questions to the secretary of state's office.

Texas

PATRICK SAYS TEXAS LEGISLATURE WILL REVIEW DELOITTE'S CONTRACTS AFTER PUBLIC LOAN PROJECT SCANDAL

Lt. Gov. Dan Patrick says the Texas Legislature will review all of the state's existing contracts with the firm Deloitte. The move comes after Deloitte selected a company whose CEO was previously convicted of an "embezzlement scheme" as one of 17 project finalists for a low-interest, taxpayer-funded loan program to build new power plants. Patrick's announcement of the review came after representatives from Deloitte were peppered with questions at a joint legislative hearing Tuesday about how details of the conviction were not uncovered in the vetting process. Deloitte representatives acknowledged at the meeting that they should have included a more thorough review earlier, but said that would have happened in the next phase of due diligence.

Washington

WASHINGTON STATE FINES PAPER MILL $650,000 AFTER AN EMPLOYEE IS KILLED

CAMAS, Wash. (AP) — Washington state authorities are fining one of the world's leading paper and pulp companies nearly $650,000 after one of its employees was crushed by a packing machine earlier this year. The Columbian reports the penalty comes after 32-year-old Dakota Cline was killed in March while working on a machine at Georgia-Pacific's paper mill in Camas. The Washington State Department of Labor & Industries says it cited and fined Georgia-Pacific for violating fundamental safety rules that directly contributed to Cline's death. Georgia-Pacific is appealing the department's decision.

Wisconsin

WISCONSIN SUPREME COURT GRAPPLES WITH GOVERNOR'S 400-YEAR VETO, CALLING IT 'CRAZY'

MADISON, Wis. (AP) — Justices on the Wisconsin Supreme Court say that Gov. Tony Evers' creative use of his expansive veto power in an attempt to lock in a school funding increase for 400 years appeared to be "extreme" and "crazy." But they questioned Wednesday whether and how the governor's veto powers should be reined in. Justice Jill Karofsky says it feels like "the stratosphere is the limit" when it comes to the governor's veto powers. The case is supported by the Republican-controlled Legislature. It is the latest flashpoint in a decades-long fight over just how broad Wisconsin's governor's partial veto powers should be.

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