

2002 Ballot Propositions

Proposition 200

ARIZONA

G. AN INDIAN TRIBE ENTERING INTO A TRIBAL-STATE GAMING COMPACT AND THE STATE EACH WAIVES ITS SOVEREIGN IMMUNITY...

H. EACH PARTY SHALL PAY ITS OWN ATTORNEY FEES AND EXPENSES AND AN EQUAL SHARE OF THE COSTS OF ARBITRATION...

I. FOR PURPOSES OF THIS SECTION, "PARTY" OR "PARTIES" MEANS THE GOVERNOR, AN INDIAN TRIBE, OR BOTH...

A. A COMMISSION ON INDIAN GAMING DISPUTES IS ESTABLISHED CONSISTING OF TWO MEMBERS APPOINTED BY THE GOVERNOR...

B. MEMBERS OF THE COMMISSION SHALL SERVE FIVE-YEAR TERMS IF A VACANCY OCCURS ON THE COMMISSION...

C. THE COMMISSION SHALL MEET BY APRIL 1, 2003 TO SELECT A POOL OF AT LEAST FOUR QUALIFIED TRIBAL-STATE GAMING CONTRACT DISPUTE ARBITRATORS...

D. BY JUNE 1, 2003, THE COMMISSION SHALL ESTABLISH ARBITRATION RULES THAT SHALL GOVERN ARBITRATION PROCEEDINGS CONDUCTED PURSUANT TO SECTION 5-601.02...

E. WITHIN TWENTY DAYS AFTER RECEIPT OF THE NOTICE PURSUANT TO SECTION 5-601.02(D), THAT AN ARBITRATION IS NECESSARY TO RESOLVE A DISPUTE...

F. COMMISSION MEMBERS ARE ELIGIBLE TO RECEIVE COMPENSATION IN THE AMOUNT OF ONE HUNDRED FIFTY DOLLARS FOR EACH DAY OF ACTUAL SERVICE...

G. EXPENSES INCURRED BY THE COMMISSION TO PERFORM ITS DUTIES UNDER THIS SECTION AND § 5-601.05 SHALL BE PAID FROM THE TRIBAL-STATE COMPACT FUND PURSUANT TO § 5-601.02(I).

H. FOR PURPOSES OF THIS SECTION, "COMMISSION" MEANS THE COMMISSION ON INDIAN GAMING DISPUTES ESTABLISHED PURSUANT TO SECTION 5-601.02...

Spelling, grammar, and punctuation were reproduced as submitted in the "for" and "against" arguments.

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Proposition 200

ARIZONA THE REMAINING PROVISIONS SHALL NOT BE AFFECTED BUT SHALL REMAIN IN FULL FORCE AND EFFECT...

ANALYSIS BY LEGISLATIVE COUNCIL

Proposition 200 directs the Governor to enter into tribal gaming compacts allowing Indian tribes to operate slot machines and card and table games on tribal land...

Each tribe may operate 3 gaming facilities. The tribe and the Governor may agree to authorize additional facilities...

Each tribe may contribute 5% of the tribe's net income from gaming to the Arizona College Scholarship and Elderly Care Fund...

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Arguments "For" Proposition 200

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Release the minimum gaming age to 21.

- Prohibits casino gaming from expanding beyond Arizona's Indian reservations.
- They could not otherwise obtain.
- More than 180,000 of your fellow Arizonans endorsed these goals by signing petitions to place Proposition 200 on the ballot. Proposition 200 strikes a fair balance between the needs of young and old, rural and urban, and Indians and non-Indians alike. Find out more at www.yesproposition200.com.

Please vote to continue Indian gaming in Arizona. Please Vote YES on Proposition 200.

Roy Bernard, Chairman, Yes for Arizona, Tucson

Dennis Patch, Member, Tribal Council, Colorado River Indian Tribes, Fortson

Paula Byrd, Yes for Arizona

Arizona's Indian Reservations see sovereign nations and as such should not have to ask the state's legislature for permission to establish gaming casinos. The Tribes are asking for permission to expand and continue gaming. Vote YES on 200 & 202!

Owners of dog & horse racing tracks seek permission to compete with Reservation casinos. Dog & horse racing is crucial to the survival. Find out more at www.yesproposition200.com

Bruce A. Friedman, Candidate, State Representative, District 28, Tucson

Paula Byrd, "Yes for Arizona"

Former Governor Paul Castro Supports Proposition 200

As a former Governor of Arizona, I have seen a lot of public initiatives come and go that promise to make our state a better place. Proposition 200 is one of those that I believe will deliver on that promise.

Proposition 200 would ensure that Arizona's Native American tribes can continue to experience the financial benefits of Indian gaming and work to improve the health care, housing and education on their reservations. It would also make a number of positive changes to Indian gaming so that it is better for the state as a whole.

Additionally, for the first time, funds from Indian gaming would be used for other purposes on a statewide basis. A new college scholarship fund for residents throughout our state would be created, enabling thousands of people to enjoy the benefits of higher education. And funds would also be used to boost senior care efforts in our state - pumping millions of dollars in new revenues into a system that has been neglected for budget cuts over the past year.

It is not often that we, as voters, have such an opportunity to make our state a better place to live. By voting yes on Proposition 200, we can improve our educational system, provide better care for seniors and ensure that Native Americans can continue to benefit from Indian gaming.

All in all, I would say that's good public policy. I urge you to support Proposition 200 in the November 5th election.

Paul Castro, Former Governor of Arizona, Nogales

Paid for by "Yes for Arizona"

Prime Community College President Supports Proposition 200

The cost of education is often the main barrier between our young people and the dreams they aspire to achieve. If we can help lessen the cost, we make it possible for our children to do more and ensure ourselves a better future.

That's why I'm joining so many other Arizonans in supporting Proposition 200, the YES for Arizona! Indian Gaming Initiative.

This important measure will provide more college scholarships for Arizona students than any other source in our state's history, making it possible for tens of thousands of students each year to better afford the cost of higher education.

This is a wonderful opportunity for our state to create a new source of revenue that will improve education in Arizona. And the initiative would also benefit our state by ensuring the future of Indian gaming and creating new revenue for senior care.

Proposition 200 is a sensible and beneficial way to fund higher education in Arizona at a time when steeper economic conditions make education funding even more scarce than usual. I strongly urge the voters of Arizona to support this measure and allow our children new opportunities in higher education.

Robert Jensen, Chancellor, Prime Community College, Tucson

Paid for by "Yes For Arizona"

Three of this year's propositions — Propositions 200, 201 and 202 — deal with Indian gaming. Of the three, Proposition 200 is the fairest and easiest to administer and deserves your vote.

As for seniors, Proposition 200 requires Indian tribes to (a) share 3% of net casino profits and (b) pay \$500 per machine to the State for compact enforcement and gaming employee certification. Proposition 200 will make \$32-\$40 million available for full-tuition college scholarships for all Arizona students as well as for programs benefiting all Arizona senior citizens, tribal education and tribal elderly care and \$10-\$11 million for the State, which the State now receives.

By requiring Indian tribes to pay even more to the State, Propositions 201 and 202 will deprive tribes of vital revenues needed for health care, housing and education. While Proposition 200 requires tribes to share tens of millions of dollars, it does not redistribute income from our poorest citizens to the general population as Propositions 201 and 202 do.

Propositions 201 and 202 are revenue Robin Hood proposals designed to solve the State's short-term budget problems caused by tax preferences and the alternative last tax. At best, they are short-sighted at worst, they are punitive.

As for senior care, Proposition 200 does not expand gaming to race tracks (as does Proposition 201) and does not displace money to a dizzying array of bureaucratic programs without adequate oversight (as does Proposition 202). Proposition 200 is straightforward. The bulk of the money paid by tribes will go for scholarship-like — some 18,000 scholarships each year, the bulk of the remainder will go for program for seniors.

If you believe that Indian gaming will help tribes become self-sufficient, I urge you to vote for Proposition 200 and against Propositions 201 and 202.

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Paul F. Eckstein, Phoenix

FORMER PRESIDENT OF STATE LEAGUE OF WOMEN VOTERS EXPRESSES SUPPORT FOR PROPOSITION 200

I have been involved with politics for many years, including service as the President of the League of Women Voters. We worked very hard to inform the public about the issues and candidates, and what would be good for our state.

Therefore, I feel that I know good public policy when I see it. And I believe that Proposition 200 is good public policy.

The ballot initiative would improve gaming in Arizona in many ways, including raising the minimum gaming age and providing the opportunity for rural tribes to benefit in the same ways urban tribes have benefited from gaming. It also doubles the amount of revenue dedicated to regulation of gaming in our state.

But just as importantly, Proposition 200 represents the first time that revenues from Indian gaming would be used for statewide purposes. Specifically, this measure will generate tens of millions of dollars annually in college scholarships and additional millions of dollars each year for senior health care.

Proposition 200 is a carefully crafted measure that is the best balance for the state of Arizona, and it will have a positive effect on our state's quality of life. When we have the opportunity to improve an existing industry while creating new funding for important statewide issues, that is the kind of measure we should support.

Please remember to vote in the November elections, and please support the many benefits of Proposition 200.

Ann Eschlagler, Past President, Arizona League of Women Voters, Phoenix

Paid for by "Yes for Arizona"

ASU Student Shows How Much Scholarships Can Make a Difference: Vote Yes On Proposition 200

I am very aware of the benefits that go along with having a scholarship. I was one of the fortunate students who received a Regents scholarship to a state school. In my case Arizona State University.

Without the scholarship, it would have been more difficult for me to have completed my education. My scholarship was awarded to me because of scholastic achievement and made me aware that I was going to college on my own merit.

I have seen my friends who also completed college, are overcame by debt and college loans. I was more fortunate, and if Proposition 200 passes, there will be many others like me who are able to start their writing lives without such debt.

This initiative helps Arizona's future by providing 18,000 full-tuition scholarships for Arizona students to apply for. The opportunity for 18,000 individuals each year to attend a college or university would not only alleviate financial burdens, but will produce a state with more young people who are ready to lead. It gives more opportunities for those that maybe never thought about going to college because of financial reasons. Now, they will have the opportunity to change their lives.

I feel extremely, as a resident of Arizona for 17 years and a product of the Arizona school system, that Proposition 200 is the right answer for Arizona citizens and for our future.

Vanessa Bucher, Tempe

Paid for by "Yes for Arizona"

STATEMENT OF STUDENT REGENT MEMBER, PROPOSITION 200

In the past year the university system has experienced record budget cuts - another casualty of the national and statewide economic downturn. Although university presidents have been able to maintain a commitment to our system's teaching mission by preventing cuts to classroom instruction, our universities have still been severely impacted in areas such as building maintenance.

I wish I could say that this year's budget problem is only an aberration. Unfortunately, even during the good 1990's economic times, the state failed to adequately fund the university system and history shows the percentage decrease of state appropriations over time since the 1970's. During such times the universities must resort to the possibility of larger resident and non-resident tuition increases to compensate for these cuts.

Higher tuition without adequate, compensatory financial-aid runs counter to the state constitutional provision that public university instruction be made "as nearly free as possible." Our state's founding fathers conceived a public university system that would insuritize access for the citizenry while maintaining high standards of scholarship and public service.

While the state should not limit its commitment to the public university system, I believe Proposition 200, the "Yes for Arizona" initiative, is a substantial step in the direction of keeping the doors of public higher education open to all Arizonans, especially poor and middle class students. This proposal would provide approximately 7,000 four-year tuition scholarships at current tuition rates, to Arizona residents, based on need and merit.

Although my opinion does not reflect that of the Board of Regents, I believe that the possibility of such a substantial amount of scholarship funding cannot be taken lightly. As the primary representatives and voices of Arizona's public university students, on Election Day I urge you to consider a "yes" vote on Proposition 200, the "Yes for Arizona" initiative.

Member Member, Voting Student Regent, Arizona Board of Regents, Tucson

Paid for by "Yes for Arizona"

Assisted Living Facility Shows Support for Proposition 200's Positive Impact on Senior Care

As Executive Director for Scottsdale Village Square and President of Senior Management Resources, I'm writing today to show my support for Proposition 200, the exciting new ballot initiative coming in November 2002 that will greatly benefit senior care in Arizona.

Importantly for my industry, Proposition 200 does mark 3 percent of Indian gaming profits in Arizona to elderly care and college scholarships. It's the only gaming measure that devotes so much to senior care.

Just this past year many seniors organized against a legislative attempt to cut elderly services by millions of dollars. This type of measure will help make those fight a thing of the past.

Thank a dramatic financial impact for our residents and for our industry as a whole, and will help us help many of Arizona's seniors. Proposition 200 would require the approval of Arizona voters. As a result, the new funding source for elderly care could not be hindered.

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with by the Arizona Legislature. The many millions of dollars per year that would be generated for elderly care is too great an opportunity to pass up for our residents.

I hope you will join me in supporting this important ballot initiative that could mean so much for elderly care in Arizona.

Colleen Street, Scottsdale
Paid for by "Yes for Arizona"

As a senior and Arizona resident of over 30 years, it's clear to me which of the gaming initiatives on the ballot is superior. We should vote Yes on Proposition 200 and No on Propositions 201 and 202.

Proposition 200 provides a significant and fair return of a share of casino profits to the Arizona citizens who have supported the development of Indian gaming. But unlike Proposition 201 and 202, it doesn't drain badly needed resources from the reservations that still are struggling to build their economic strength.

Proposition 200 is the only measure that remains faithful to the reason we approved Indian gaming in the first place - building the economy of the reservations so that they can provide the homes, schools, hospitals and other community facilities most of the rest of us build for granted in our hometowns. There's a benefit for those of us who aren't Indians and who don't live on reservations because it will help build the tribes' financial independence and reduce the demand on our tax dollars.

Proposition 200 is particularly good for Arizona's growing population of seniors. Recent news stories revealed that Arizona is falling far short of the health-care facilities, workers and funding well need for all those seniors in the state. Proposition 200 would transfer millions of dollars directly into a special new health care fund to pay for the needs of senior Arizonans.

On the other hand, Proposition 202 will undermine them most by draining resources to the state and spreading the money meagerly through dozens of state government bureaucracies.

And Proposition 201 is a con game by mere inside to move slot machines of the reservations and into their facilities. That makes the choice easy, "Yes-No, Yes on 200, No on 201, No on 202.

Rose Feder, Arizona Senior Parade
Paid for by "Yes for Arizona"

The economic outlook for most Indians on Arizona reservations remains bleak. High rates of unemployment and underemployment, poverty, poor housing and inadequate health care, contribute to a climate of hopelessness and despair that demoralizes and, ultimately, victimizes tribal members who lead quiet but desperate lives in the shadows of the prosperity and wealth of the surrounding non-Indian communities.

The Arizona Republic reported that the White Mountain Apache Tribe had a 60% unemployment rate prior to the Rodco-Creswell deal, which has fractured, if not wholly destroyed, the Tribe's fragile economic infrastructure. When Tribal governments cannot meet the needs of their members, the responsibility is often shifted to State government through tribal members' increased use and greater dependence on Arizona's social welfare programs.

Proposition 200 is the only gaming initiative which justly recognizes that there is still much work to be done before Tribes can achieve true self-sufficiency. Although Proposition 200 states the benefits of Indian gaming with all Arizonans by creating over 18,000 college scholarships and providing millions of dollars for senior health care, it does so without losing sight of the reason Arizonans have consistently supported Indian gaming. "It gives Tribal governments the economic means to build a better future for their people"

Help us to continue to build that brighter future, vote "Yes" on Proposition 200.
Denise Pelech, Council Member, Parker
Paid for by "Colorado River Indian Tribes"

Proposition 200 Benefits Seniors. All of Arizona I am a senior citizen living in the Tucson area, and I am in favor of Proposition 200 on the November ballot. Indian gaming has been good for Arizona's tribes and has provided a form of entertainment for tourists and residents. I support continuing it into the future, and Proposition 200 would secure its future for 20 years.

Additionally, the proposition would create new funds for senior care that do not currently exist. Part of the profits from Indian gaming would be used, going to the state annually for our state for this very important purpose.

This measure is the best way to ensure that the future of gaming in Arizona is protected and that residents throughout our state can continue to benefit. I encourage all Arizona residents, especially senior citizens, to vote yes on Proposition 200.

Andy Fisher, Tucson
Paid for by "Yes for Arizona"

PROPOSITION 200 WOULD GREATLY BENEFIT SENIOR CARE

Last year, the Arizona Legislature considered cutting more than \$3 million from senior care programs. Fortunately, they decided against it. But considering the budget crisis our state is in, those cuts could resurface again in the future.

Such cuts would be a devastating blow to senior care in Arizona, making it more and more difficult to provide our elders with the kind of medical care and living facilities they need and deserve.

And they would have come at a time when Medicare is undergoing serious changes and challenges in the process of trying to save our seniors. This could have created a one-two punch that would have seriously damaged senior care in our state.

Proposition 200 would help insulate our state against the possibility of such cuts in the future. It would create millions of dollars each year for senior care, which would mean such care more accessible and better for those we care about the most.

Our faculty, along with many others in Arizona, endorse Proposition 200 for this reason and many others. In these economic times, it's important that we look for innovative ways to solve problems. Using revenue from Indian gaming for senior care is one example of just that. I hope you will support Arizona's seniors by voting "Yes" on Proposition 200. It will go a long way toward ensuring better care in the future for some of those we love the most.

Lynne Davis, Administrator, Sierra Vista Lifecare Retirement Community, Pecos

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Paid for by "Yes for Arizona"

COLORADO RIVER INDIAN TRIBES FIRE DEPARTMENT EQUIPMENTS PROP. 200
The Colorado River Indian Tribes Fire Department jobs and important role in emergency services for the Town of Parker and the reservation. We work side by side with the Parker firefighters to provide our citizens with the best public safety team in the County.

We operate on a relatively small budget, sometimes stretching our resources very thin. But now, we have the opportunity to provide our residents with crucial improvements in public safety with Proposition 200, the new Apache American Gaming Initiative. Proposition 200 will generate much-needed additional revenue for the trucks, ambulances, personnel, and training, giving us the ability to preserve and protect the residents of our city with the most up to date technology available.

By giving our revenue base by expanding the tourism and gaming, we generate more operating revenue that can be used to accommodate the public safety needs of our community without raising our taxes. Citizens from our reservation.

FIREIGHTERS SUPPORT THIS WORTHY ECONOMIC INVESTMENT. WE UNDER A "YES" ON PROP. 200
Terri L. Little, Fire Chief, Colorado River Indian Tribes, Parker
Paid for by "Colorado River Indian Tribes"

The benefits of Indian Gaming stretch far beyond the casino walls. As a farmer on the Colorado River Indian Reservation, I see the benefits of Indian gaming here in the community where I live. Since the opening of Elan Water Casino and Resort, the tribal farm has been able to expand and diversify the crops grown on their land. Not only do other growers and I benefit from joint venture opportunities with CRIF Farms but our employees benefit as well. Adding new crops to our area creates additional opportunities for year round employment. These crops also help develop new markets for all of us farming on the reservation.

Gaming on the reservation has increased tourism to our area and that has created a need for more jobs, dishwashers and house-keeping employees. Some of these new jobs have been filled by older farm workers who can no longer take the long hours in the hot sun and yet are still able to do these jobs and continue to provide income for their families.

Recently, the Colorado River Indian Tribes sent thousands of alleles to the drought stricken ranchers on the Navajo Nation. This was the product of their tribal farm and directed to the ranchers for their livestock. In years past the tribe's dependence on agricultural revenues would have made this third gesture more difficult. Gaming revenues have allowed this tribe to diversify and make their life less dependent on agriculture.

Indian gaming does make life better on reservations and throughout Arizona.
Please vote "Yes" on Proposition 200.
Rosario Huidob, Parker

As a long-time farmer and resident of the Colorado River Indian Reservation, I have seen the benefits of Indian gaming on the reservation. Revenue from Indian gaming has enabled the Colorado River Indian Tribes to build a new hospital and invest in fire stations. The resort and casino have also boosted the local economy by generating additional tourism and jobs.

Continuing Indian gaming so the tribes are able to further develop their reservation is a reason enough to support Proposition 200. However, Proposition 200 provides all Arizonans with direct benefits. Indian gaming profits will be shared with the people of Arizona and will provide some 18,000 college scholarships for tribal and non-tribal students across our state. Proposition 200 is the only Indian gaming measure that does this. As a parent of three, I support Proposition 200.

Please vote "Yes" on Proposition 200.
Hirshano Chavama, HEC Farms, Parker
Paid for by "H & C Farms"

My name is Francisco Diaz and I have been farming on the Colorado River Indian reservation for most of my life. In 1983 I leased a small parcel from the Colorado River Indian Tribes. Since then, I have been able to expand my farm operation, I now currently lease 4,000 acres from the tribe.

Farming has allowed me to adequately provide for my family. I have been able to send two of my children to Arizona State University and two are currently attending Phoenix College. As you know the cost of education continues to rise, I want to ensure that my grandchildren also continue their education in Arizona. Proposition 200 provides a sense of ease for me because it addresses the concern by providing approximately 18,000 scholarships to Arizonans.

Revenue from the tribal casino has enabled the tribe to provide additional social and health care services. Over the years my wife and I have seen this first hand through our work as foster parents to several local children.

As I age toward retirement, I am desiring to return to the challenges senior citizens face. Proposition 200 addresses the concerns of seniors by providing money for senior programs including health care. As I near retirement it would be nice to know that our state has the resources to protect the seniors and children of Arizona through programs funded by Proposition 200.

As I write this letter I must keep in mind the difficulties that face our farming community. Farming is a risky business. Each year we face potential economic disaster from weather, insects, and volatile markets for our crops. Proposition 200 provides security for my family's future.

Please vote "Yes" on Proposition 200.
Francisco Diaz, D & D Farms, Parker
Paid for by "D & D Farms"

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Please vote "Yes" on Proposition 200.
Francisco Diaz, D & D Farms, Parker
Paid for by "D & D Farms"

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ECOLOGICAL PROPOSITIONS SPECIALIST URGES A YES ON PROCP 200
As the Project Administrator for the Colorado River Indian Tribes, I believe that the many benefits derived from Indian gaming...

Over the years, there were cut-down for steamboat fuel, dams prevented floods necessary for the continued growth of plants, game-tion of species, and suppression of non-native and invasive species, which have now replaced much of the native riparian vegetation.
In 1985, the Colorado River Indian Tribes established the Ashlaw Tribal Preserve to restore and protect a 1042-acre portion near Cotton.
In 2001 the tribes provided an additional 211 acres to the environmental conservation efforts of the Preserve, which brings the total acreage to approximately 1253.
To date, over 30,000 native trees have been planted, approximately 250 acres of aquatic habitat has been restored and protected with plans to plant several thousand more trees over the next three years.
In addition to the revegetation projects the Preserve supports an environmental education department, which conducts summer day camps and science education activities that include wildlife observation, habitat restoration, and canoeing.

Since the time of my grandmother's relocation from the Navajo Nation in the late 1940's we have never realized such opportunities for growth and development of all segments throughout the reservation. I believe that gaming, in conjunction with traditional revenue streams, has provided us opportunities that otherwise would not have been possible. It is essential that we are afforded the ability to continue this advancement for past, present and future generations.
I urge all Arizonans to get out and vote YES on PROCP 200.
Jon Washburn, Ashlaw Tribal Preserve, Colorado River Indian Tribes, Parker

If voters don't pass an Indian gaming initiative in this election, all of Arizona will lose the progress that has come from tribal casinos. Indian gaming has begun to help many tribes work their way out of poverty and financial dependency. Tribes near big cities or recreation areas that have the ability to offer casino gaming have received a much-needed boost that has made it possible for them to build hospitals, schools, new housing, roads and business enterprises.
Proposition 200 will make sure all Arizona tribes have the same opportunity to become financially self-sufficient and less dependent on taxpayer support. Proposition 200 is the only gaming initiative on the ballot designed to give revenue, not tribes a real chance to share in the financial priorities of tribal casinos by giving them a stable in gaming machines.
Now that they've had a chance to establish their gaming operations, it's time for tribes to share some of their profits with the rest of Arizona that has supported their efforts. Proposition 200 is the only initiative that pumps millions of dollars into new state funds to finance thousands of college scholarships and to expand other health care programs.
It's important that we do not forget the original reason Arizonans approved Indian gaming a decade ago. Proposition 200 is focused on making life better for Arizona's Indians. And improving life on the reservations has major long-term benefits for all of us. That's why Proposition 200 is the only Indian gaming measure on the ballot that deserves the support of Arizona voters.
Robby Galsomni, Tucson Business Owner, Tucson

Navajo Expresses Support for Proposition 200
As a Navajo, my tribe does not allow Indian gaming on its reservation. It would be difficult even if we did because the Navajo Nation is in the far northern part of the state, a more isolated area than some of the other tribes.
I don't know if we are going to have Indian gaming in the future, but there are some things I do know. We don't have the advantages of being located near Phoenix or Tucson, so even if we do it won't be as successful as the Indian gaming facilities in those areas. I also know we haven't enjoyed the advantages of Indian gaming, and still need other schools and health care and other services.
Proposition 200 would provide Navajos with a new opportunity to experience the benefits of Indian gaming if we choose to do so. The initiative would allow voters like the Navajos who do not have casinos or who are located in rural areas to have their allocations of gaming machines to other tribes.
This would allow tribes like the Navajos to benefit from Indian gaming revenue for the first time, as well as making sure that Indian gaming is secure well into the future.
The college scholarships and new money for other care would also help Navajo improve their quality of life. Elders are the most important part of Navajo families, and our children are the future of our Nation. Proposition 200 would help them both.
I'm voting "Yes" on Proposition 200 in November, and I hope you will do the same. It opens a lot of doors for Navajos and for the state of Arizona as a whole.
James Freshwater, Canyon

Preserving Indian Gaming, Supporting Proposition 200 Will Help Arizona's Tourism Economy
My family owns a hotel near the Grand Canyon, in Tusayan. We're a small business that hires local employees and strives to make visitors to our state feel comfortable and enjoy their stay.
Over the past few years, we've seen the competition for tourism dollars grow more fierce, as places like Las Vegas spend millions of dollars to lure visitors away from Arizona. We need to preserve and protect our competitive edge so that we don't lose the important source of economic impact.
Indian gaming has helped on that front. By providing yet another entertainment attraction for visitors to our state, Arizona's Indian gaming facilities have kept tourism dollars in state, making our local economies stronger and creating and protecting jobs for Arizona citizens. That's why I support Proposition 200 on the November ballot. This initiative would preserve gaming for 20 years longer than the other proposed initiatives--and would provide voter protection so that the Legislature could not eliminate this important economic engine without a public vote.
There are many other benefits of this proposal, including the remarkable contribution Indian gaming has made to life on Indian reservations and the revenue this proposition would set aside for thousands of new college scholarships and improved elderly care programs. Proposition 200 is sound public policy that will help Arizona compete for tourism dollars more effectively, and therefore help keep our Spelling, grammar, and punctuation were reproduced as submitted in the "for" and "against" arguments.
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Some of the best days of my life were spent in Parker, Arizona. It was there that I had so many cherished friends that were members of the Colorado River Tribes.
The Lakotas, the Hopis, the Fawns, Heilan Scott, Lloyd Miller, Jasper Johns, and my real life hero, Peter Harris, and many others were all very special to me.
Those memories helped prompt me to join in the support of Proposition 200. However, there are other good reasons to support the Proposition.
The cost of education is often the main barrier between our young people and the dreams they aspire to achieve. It we can help lessen the cost, we make it possible for our children to do more and ensure ourselves a better future.
That is an important reason why I am joining so many other Arizonans in supporting Proposition 200, the YES for Arizona Indian Gaming Initiative.
This worthwhile measure will provide more college scholarships for Arizona students than any other source in our state's history, making it possible for tens of thousands of students each year to better afford the cost of higher education. Some of these scholarships will go to our native Americans in Arizona.
This is a wonderful opportunity for our state to create a new source of revenue that will improve education in Arizona. And the initiative would also benefit our state by securing the future of Indian gaming and creating new revenue for senior care.
Proposition 200 is a creative and beneficial way to help fund higher education in Arizona at a time when slower economic conditions make education funding even more scarce than usual. I strongly urge the voters of Arizona to support this measure and allow our children new opportunities in higher education.
S. Thomas Chandler, Tucson
Paid for by "Yes for Arizona"

Initiative Provides New Educational Opportunities for Arizona Students
I've been a teacher in Arizona for more than 20 years, and throughout that time, my goal has always been to ensure my students get the most out of their education.
I've watched as many of these students have gone on to community colleges or universities and done great things with their lives. But unfortunately, I've also seen students miss opportunities because the cost of higher education can be prohibitive.
Proposition 200, the YES for Arizona Indian Gaming Initiative would make it easier for Arizona students to get a college degree by providing direct college scholarships for Arizona's children. The initiative seeks to secure and improve Indian gaming in Arizona, but perhaps more importantly, also designates a percentage of net gaming profits in Arizona for college scholarships.
These scholarships will go to students throughout Arizona who attend the state's community colleges or universities, and will create significant savings for these students on tuition and fees. Tens of millions of dollars annually will be earmarked for our children so that they can get the education they deserve.
These scholarships will make higher education more accessible for Arizona's families, creating new opportunities for our youth that will improve their quality of life and make Arizona a better place to live. For someone who has worked for more than two decades to educate our children, the thought of making a college degree more attainable is something I enthusiastically support.
Sharon Jaeger-Rosenzweig, Scottsdale
Paid for by "Yes for Arizona"

PROCP 200 - THE BEST CHOICE FOR RURAL ARIZONA
With the passage of Indian Gaming legislation, tribal governments were delivered a unique economic development tool, specifically targeted to Native American Tribes.
The Colorado River Indian Tribes' rugged, individualistic nature emerged as they took control of their future. By embarking on a bold plan to independently design, build and manage a resort and casino on the Colorado River, CRT emphatically accepted the challenge to help eradicate poverty from their Reservation. Parker, Arizona lies within the boundaries of the Colorado River Indian Reservation. The positive effects are appreciated area-wide. Local people are empowered to make local decisions at the local level. This results in stronger relationships with neighbors, more work given to local contractors and service companies, and more support for community programs, both tribal and non-tribal.
The "ripple effect" of resort tourism and gaming touches most, if not all of the Parker business community. Indian gaming has expanded the customer base and aggregate discretionary spending levels that target local entrepreneurs. Indian gaming has been a positive addition to the Parker area's mix of amenities, helping to expand the local economy by drawing tourism dollars into La Paz County.
Rural communities face much different economic development challenges than do urban communities. Implore the State, and the voters to focus on competition and collaboration. Local decision-makers understand what benefits all of our residents - tribal and non-tribal. We all share the same needs, the same plans, and the same sense of community.
I fully support local decisions playing where they are most needed. In our local economy, Proposition 200, sponsored by CRT, answers these issues with a plan to fund State health and education programs, without damaging Arizona's rural economy.
Jerry Mc-Guff, Parker Area Businessperson, Parker

Native American Elder Whittens Benefits of Indian Gaming
Growing up on the reservation, I lived a more traditional Indian life. We worked on the farm growing corn, melons, melons and other things we could eat at the market. We depended on each other to provide for our families and our community. But for our people to thrive, we need to accommodate the changes that inevitably come with the passage of time.
Our children want to go to college. Our seniors need better medical care than we have accepted in the past. Our elders and our young

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Rural Arizona Benefits from Indian Gaming, Proposition 200
I'm not from a community near an Indian gaming facility, but I still see how our state benefits from Indian gaming all the time. And I also see how we will benefit from Proposition 200 and the YES For Arizona Indian Gaming Initiative.

Indian Gaming has provided a dedicated revenue stream to fund much-needed infrastructure on our lands, such as roads and schools. Gaming revenues has allowed tribes throughout the state of Arizona to provide better services for the people living on reservations. Many of these areas are rural areas not unlike Williams or other communities of this size. There's a need in places for health care, better schools and better infrastructure that would otherwise not be met. Proposition 200 would secure the future of Indian gaming in Arizona, and allow these improvements to continue. And additionally, it would help rural Arizona and small communities throughout the state in two other important ways. First, it would create new college scholarships for our children, making an education easier to obtain, no matter where in Arizona you are from. And second, it would create new revenue for senior care, ensuring we can take better care of those who have dedicated their lives to taking care of us.

Proposition 200 is a great initiative for all the people of Arizona, and I'm pleased to lend my support. I hope you will join me in voting "Yes" in the November 2002 election.
Michael Vespenek, Williams City Council, Williams
Paid for by "Yes for Arizona"

PROPO 200 WILL BE A LONG-RANGE ECONOMIC BOOST FOR RURAL TRIBES
Indian Gaming has provided a dedicated revenue stream to fund much-needed infrastructure on our lands, such as roads and schools. Gaming revenues has allowed tribes throughout the state of Arizona to provide better services for the people living on reservations. Many of these areas are rural areas not unlike Williams or other communities of this size. There's a need in places for health care, better schools and better infrastructure that would otherwise not be met. Proposition 200 would secure the future of Indian gaming in Arizona, and allow these improvements to continue. And additionally, it would help rural Arizona and small communities throughout the state in two other important ways. First, it would create new college scholarships for our children, making an education easier to obtain, no matter where in Arizona you are from. And second, it would create new revenue for senior care, ensuring we can take better care of those who have dedicated their lives to taking care of us.

Proposition 200 provides the certainty we need to plan our capital investments, our program funding and infrastructure improvements -- making it possible for Arizona tribes to achieve their goals of self-sufficiency. And let tribes build their economic strength, those who the and work nearby will see the benefits, too.
We urge you to support Prop. 200. Together, we will build our future.
Linda Metz Blomberg, Navajo, Colorado River Indian Tribes, Parker
Paid for by "Colorado River Indian Tribes"

Proposition 200 Good for Arizona's Communities
As a City Councilman in the rapidly growing city of Chandler, I keep an eye on issues that will affect how we are able to provide for the people and families of the state of Arizona.
I'm supporting Proposition 200, the YES For Arizona Indian Gaming Initiative, because I believe it will help provide valuable services for all Arizonans while helping maintain the benefits of Indian gaming to the state's tribes.
Communities that Chandler faces the opportunity to use for recreation and tax revenues to create a better quality of life for their residents. Indian reservations didn't have that kind of luxury before Indian gaming came along. Now, reservations across the state are enjoying new health and health care facilities, better schools and improved other opportunities because of this source of revenue.
Proposition 200 solidifies Indian gaming for the next 20 years, and at the same time, provides new benefits for Arizona residents. A percentage of the revenue generated by Indian gaming would be used for statewide college scholarships not just on the reservations, but for thousands of Arizona students. And revenue would also be used to pump money into senior care programs.
This initiative would improve the quality of life not only for Arizona's tribes, but for all of us. Please join me in voting "Yes" on Proposition 200 this November.
David Gaudel, Chandler City Council, Chandler
Paid for by "Yes for Arizona"

BLUESWATER RESORT AND CASINO BOOSTS TOURISM THROUGHOUT LA PAZ COUNTY
Since it opened in the mid 1980s, the Blues Water Resort and Casino has become an economic engine for both the Town of Parker and the Colorado River Indian Tribes. The Resort has helped secure a competitive position for Parker as a destination for local and regional recreation and tourism.
Thousands generate hundreds of thousands of dollars in direct spending for local stores, restaurants, and recreational businesses. The Spelling, grammar, and punctuation were reproduced as submitted in the "for" and "against" arguments.
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Arguments "For" Proposition 200

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Presence of Indian gaming has helped local existing events and recruit new ones.
Television coverage for our events reaches over 3 million households throughout Arizona and into California. Hold rooms are booked solid throughout La Paz County and as far away as NY/NJ. The kind of exposure reaches new people to the area and keeps familiar faces coming back.

The impact of the Casino can be witnessed by the increase in the number of tourists heading to the greater Parker area for hunting, golf tournaments, concerts, and other local and regional events. Because a large percentage of those visiting are California residents, Indian gaming has actually imported direct spending, as well as tax dollars, into the local and county economy and helping created a clear ripple down effect to just about every business in our community.

But the benefits go beyond just tourism. Gaming has created jobs. The Colorado River Indian Tribes have become the largest employer in La Paz County. It's clear that the success and economic vitality of the tribe and the Casino has had positive impact on the quality of life for the surrounding community.

The employees of our Resort hope you will say "YES on Prop. 200 and keep our community working.
Dannery Holt, Chamberlain, Director of Marketing and Special Events, Blueswater Resort and Casino, Parker
Paid for by "Colorado River Indian Tribes"

Tucson Restaurant Owner Supports Proposition 200
My business depends on tourism, as do a lot of Tucson businesses. We've worked hard to make Tucson more of a tourist attraction and draw people in from outside southern Arizona.

Indian gaming has helped us do this by providing visitors with more to do when they visit the area. That means they stay longer, and spend more money in local businesses.
Of the mistakes being presented to voters on Indian gaming, Proposition 200 is the one that will do the best job of making sure this continues into the future.

Proposition 200 will ensure the future of Indian gaming for 20 years or more. That in turn provides us with the knowledge that Indian gaming will continue to contribute to our tourism economy.
We need all the help we can get in competing with Las Vegas, Laughlin, California and other areas that target the same visitors we do. It will also help our state by providing college scholarships for our children and families and by creating new dollars for senior care. No important causes that deserve our support.

Proposition 200 does not secure the future of gaming for as long, and punts money into bureaucracy after bureaucracy instead of earmarking it for important purposes. The plan, based on one created by the Governor, is not nearly as solid a solution for our state.
Proposition 200 is a great opportunity for our state to preserve part of our tourism economy and help our state's economy and families in a number of ways. I encourage you to vote "Yes" on the measure on the November 6th ballot.
Bob Makelov, Metro Restaurant, Tucson

ARGUMENTS "AGAINST" PROPOSITION 200

I oppose Proposition 200 and I hope you will join me in voting "NO" on this proposition.
Instead, I strongly urge you to vote "YES" on Proposition 202, the "177 Rifle" Initiative. Proposition 202 keeps casinos limited to Indian reservations and limits the number of casinos on reservations. It also provides for strong regulation of Indian casinos by both the State and tribes.

Voting "yes" on Proposition 202 ensures that no new casinos will be built in the Phoenix metropolitan area and only one in the Tucson area for at least 23 years. Proposition 202 also allows poor rural tribes the option to transfer their gaming machines to other in urban areas thus giving these poor tribes millions of dollars in revenues for services they desperately need.

Voting "yes" on Proposition 202 will strengthen the State's regulatory role in Indian Casinos, including state, clean operations, that play, like a regular slot machine but escape regulation because of a technicality. It is also the only initiative on the ballot that has the support of the vast majority of Arizona Indian tribes.

Proposition 202 is the only alternative that limits gaming, offers fair revenue sharing and ensures strong regulation. Fish and Wildlife.
Please vote "NO" on Proposition 200 and "YES" on Proposition 202.
John Dee Hill, Governor, Phoenix

Last in the notes surrounding Indian reservation gaming is the issue of sovereignty. Voters should first ask, when in the casino gaming debate have they heard any state official -- the governor, the attorney general or legislative leaders -- defend Arizona's constitutional right and sovereignty? Then ask, how often have they heard them date to "tribal sovereignty"?
The Tribal Amendment to the U.S. Constitution forbids -- as "nothing shall sovereignty" -- federal laws which commanders. (In plain words, Nighth) a state's legislative process to control the enactment of measures handed to enforce federal regulatory programs. In 1892 Supreme Court decision by Justice Serrano Day O'Connor confirms this.

However, the federal Indian Gaming Regulatory Act (IGRA) does exactly the opposite. An initiative just to exist, it's not.
Moreover, the advertised goal of "controlling" the gaming to reservations -- as if they weren't scattered across the state already -- is a sham of the revenues (to fund scholarships and elderly care, and who could oppose that?), but only if the monopoly is preserved.

Prop. 200 and the other "gaming" initiatives are expedient, after-the-fact attempts to justify past forms of unauthorized Indian casino gaming. They are efforts to perpetuate Indian gaming, forever immunize it from challenges and take the next step in the continuing saga of "high-the-dog" expansion of casino gaming throughout Arizona.

If voters enjoy being spoon-fed propaganda, glossy ads and newspaper editorials designed to hypnotize them into participating in the phoney surrender of Arizona's sovereignty, they should vote for the propositions.
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Prop 200 is a Leading Proposition for Local Communities
 Two initiatives on the November 5 ballot are sponsored by Indian tribes. Prop 200 was developed and is supported by 17 tribes representing over 80% of all tribes living on reservations in Arizona. Prop 202 is a balanced approach that continues regulated gaming on Indian lands and provides revenues to support tribal self-reliance and community programs throughout Arizona.
 In contrast, Prop 200 is a single title initiative that provides significantly less funding for local programs and less regulation of Indian gaming. That's a losing proposition.
 Why the people of Arizona can eliminate the double threat of reduced funding and regulation by voting NO on Prop 200, CRTT's Single Title Initiative, YES. With our votes, we can preserve and strengthen the benefits of Indian gaming by voting YES on Prop 202, the 17-Tribes Indian Self-Reliance Initiative.
 It is up to us, the voters, to make sure that gaming works for all Arizonans. Join us on Election Day in voting NO on 200 and YES on 202.
Jacobs Baker, Council Member, Town of Camp Verde, Camp Verde **Ruben Juraygul, Mayor, City of Cottonwood, Cottonwood**
 Paid for by "Arizonans for Fair Gaming and Indian Self-Reliance"

Prop 200 is a Leading Proposition for Local Communities
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 It is up to us, the voters, to make sure that gaming works for all Arizonans. Join us on Election Day in voting NO on 200 and YES on 202.
R. Paul Barnes, President, Neighborhood Coalition of Greater Phoenix, Phoenix **Daherah Johnson, President, Abel Area Block Watch Association, Phoenix**
Dorrea Nelt, Director, NALLEEM, Phoenix **Paula Landis, Director, "Paula's Landscape Services"**

There is a desperate need for economic development in Native American communities, and we have a record of providing non-gaming enterprises on Indian land. However, gaming is not the solution to socio-economic problems and will ultimately be destructive and detrimental to Native Americans and Arizona.
 This debate is about whether we allow a dramatic increase in gaming in Arizona. Statistics demonstrate that wherever there is growth in gaming, organized crime seeks to corrupt the enterprise and dramatic increases in street crimes follow. Declining Prop. 200 will not provide Arizona from dodging on a reasonable gaming policy, we still can't... Prop. 200 is not responsible.
 The Arizona Republic recently reported that 67,000 tribes in Arizona are problem gamblers. Gardeners Anonymous chapters in the Phoenix area have increased from five to 21 in seven years. The National Gambling Impact Study Commission found that the rate of pathological gambling doubles within 50 miles of a casino.
 Compulsive gambling is linked to the accessibility and acceptability of gaming in our community. Studies show that the number of compulsive gamblers will increase between 100-550 percent in areas with gaming. Gaming is the fastest growing teenage addiction. Domestic violence, child abuse and teen suicide rates are on a dramatic rise in gaming communities in nearly double the national average. Arizona's crime rate rose an incredible 25% percent within ten years of legalized gaming.
 Known for the love of Native Americans, the late Senator Barry Goldwater understood the dangers of Indian gaming. In 1996, he said, "Gaming poses upon human family and greed - a steady stream of economic looting for purposes of greed, fraud and independent self-interest." There are better means to economic development - means which lift the spirit and build foundations for the future.
 We agree. Vote no on Prop. 200.

John R. Shadegg, U.S. Congressman, Phoenix
John R. Shadegg, U.S. Congressman, Phoenix
John R. Shadegg, U.S. Congressman, Phoenix
 Paid for by "John Shadegg for Congress"

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Ballot Format for Proposition 200

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PROPOSITION 200
 PROPOSED BY INITIATIVE PETITION

OFFICIAL TITLE
 AN ACT AMENDING TITLE 5, CHAPTER 6, ARIZONA REVISED STATUTES BY ADDING NEW SECTIONS 5-601.02, 5-601.03, 5-601.04, 5-601.05 AND 5-601.06; AMENDING TITLE 13, CHAPTER 33, ARIZONA REVISED STATUTES BY ADDING SECTION 13-3302.01; RELATING TO INDIAN GAMING.

DISCRIPTIVE TITLE
 DIRECTS GOVERNOR TO APPROVE NEW TRIBAL GAMING COMPACTS; ALLOCATES EACH TRIBE 3 GAMING FACILITIES, 1000-1400 SLOT MACHINES AND 20 GAMING TABLES PER FACILITY; 3% OF TRIBES' NET INCOME GOES TO FUND PROGRAMS FOR NON-TRIBAL AND TRIBAL COMMUNITY COLLEGE AND UNIVERSITY SCHOLARSHIPS AND ELDERLY HEALTH CARE SERVICES.

| | | |
|--|--|--|
| PROPOSITION 200 | YES <input type="checkbox"/> | |
| A "yes" vote shall have the effect of directing the Governor to approve new tribal gaming compacts, allocating to each tribe 3 gaming facilities, 1000-1400 slot machines, and 20 gaming tables per facility; 3% of tribes' net income goes to fund programs for non-tribal and tribal community college and university scholarships and elderly health care services. | | |
| A "no" vote shall have the effect of not authorizing the Governor to approve new tribal gaming compacts and not authorizing renewal of the current compacts when they expire. | NO <input type="checkbox"/> | |

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ACTIVITY PERFORMANCE MONITORING, AUDITING, REVENUES AND EXPENDITURES.

7. ESTABLISH STANDARDS FOR INVESTIGATION OF BACKGROUNDS AND LICENSING REQUIREMENTS FOR EMPLOYEES AS PROVIDED IN SECTION 5-108, SUBSECTION A.

8. ESTABLISH GUIDELINES FOR AUTOMATED TELLER MACHINE USE AND THE USE OF SMART, DEBIT, CREDIT AND CREDIT CARDS OR OTHER FORMS OF CREDIT IN GAMING FACILITIES.

9. REQUIRE THE PERMITTEE TO POST SIGNS AT ALL PUBLIC ENTRANCES AND EXITS TO THE RACETRACK ENCLOSURE THAT STATE THAT HELP IS AVAILABLE IF A PERSON HAS A PROBLEM WITH GAMBLING AND THE STATEWIDE TOLL FREE CRISIS HOTLINE TELEPHONE NUMBER, ESTABLISHED BY THE ARIZONA STATE LOTTERY COMMISSION.

10. PROHIBIT RACETRACK PERMITTEE ADVERTISING AND MARKETING REGARDING GAMING THAT SPECIFICALLY APPEALS TO MINORS AND ESTABLISH GUIDELINES FOR DETERMINING ACCEPTABLE ADVERTISING AND MARKETING.

11. ESTABLISH GUIDELINES FOR VOLUNTARY PROCEEDURES FOR A PERSON TO REQUEST BANS FROM THE RACETRACK ENCLOSURES, INCLUDING PROHIBITING THE PERSON FROM THE USE OF CHECK CASHING SERVICES, AUTOMATIC TELLER MACHINES, SMART DEBIT, CREDIT AND CREDIT CARDS OR OTHER FORMS OF CREDIT OFFERED AT A RACETRACK ENCLOSURE. A THIRD PERSON MAY NOT REQUEST A BAN ON BEHALF OF ANOTHER PERSON.

12. REQUIRE DAILY FINANCIAL REPORTING TO THE DEPARTMENT OF RACING FOR THE OPERATION OF ALL GAMING FOR EACH RACETRACK ENCLOSURE AND ANNUAL AUDITED FINANCIAL STATEMENTS FOR THE OPERATION OF ALL GAMING FOR EACH RACETRACK ENCLOSURE, WHICH SHALL BE AVAILABLE FOR PUBLIC INSPECTION AT THE DEPARTMENT OF RACING PURSUANT TO TITLE 38, CHAPTER 1, ARTICLE 2.

13. REQUIRE DISCLOSURE OF GROSS GAMING REVENUE FROM ALL TYPES OF GAMING AND CONTRIBUTIONS MADE TO THIS STATE BASED ON GROSS GAMING REVENUE THAT AT A MINIMUM IDENTIFIES THE GROSS GAMING REVENUE FOR EACH RACETRACK ENCLOSURE BY GAMING ACTIVITY AND THE ANNUAL TOTAL CONTRIBUTION TO THIS STATE BY EACH RACETRACK ENCLOSURE.

14. THE COMMISSION SHALL REGULATE AND SUPERVISE THE USE AND OPERATION OF GAMING DEVICES AT RACETRACK ENCLOSURES IN THIS STATE AND MAY DELEGATE TO THE DEPARTMENT ANY OF THE COMMISSION'S POWERS AND DUTIES NECESSARY TO CARRY OUT THE PURPOSES OF THIS CHAPTER, NO OTHER AGENCY OF THIS STATE OR ANY COUNTY, CITY, TOWN OR OTHER POLITICAL SUBDIVISION MAY LIMIT OR REGULATE THE USE AND OPERATION OF GAMING DEVICES BY A RACETRACK PERMITTEE.

K. RACING PERMITTEES SHALL PAY THIS STATE DAILY FORTY PER CENT OF DAILY GROSS GAMING REVENUE FROM GAMING DEVICES IN LIEU OF ANY OTHER STATE, COUNTY OR MUNICIPAL TAX LICENSE, FEE, ASSESSMENT OR OTHER CHARGE OR REVENUE OR RECEIPTS FROM GAMING DEVICE OPERATIONS. THE STATE SHALL DISTRIBUTE THE STATES SHARE OF GAMING DEVICE RECEIPTS AS REQUIRED BY SECTION 5-113.

L. IN ADDITION TO THE PARAPHRASE, WAGERING REVENUES THAT ARE ALLOCATED FOR HORSE, HARNESSES AND DOG RACING PURSUANT TO THIS SECTION,

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THIRTY PER CENT OF GROSS GAMING REVENUE FROM GAMING DEVICES AFTER PAYMENT TO THIS STATE PURSUANT TO SUBSECTION K SHALL BE DEPOSITED DAILY IN A TRUST ACCOUNT FOR SUPPLEMENTING PURSE AMOUNTS UNLESS OTHERWISE PROVIDED BY A WRITTEN AGREEMENT BETWEEN A PERMITTEE AND:

1. FOR HORSE AND HARNESSES RACING, THE GROUP THAT REPRESENTS THE MAJORITY OF OWNERS AND TRAINERS RACING AT THE PERMITTEE'S RACETRACK ENCLOSURE;

2. FOR DOG RACING, THE GROUP THAT REPRESENTS THE MAJORITY OF OWNERS AND TRAINERS RACING AT THE PERMITTEE'S RACETRACK ENCLOSURE.

Section 7, Section 5-112, Arizona Revised Statutes, is amended to read:

5-112. *Weighting authorized; attendance of jockeys; unaltered; voiding of bets; attendance of jockeys; disqualification.*

A. Except as provided in subsection L of this section, section 5-101.01, subsection G and title 13, chapter 33, any person within the enclosure of a racing meeting held pursuant to the provisions of this article may weight or manipulate the results of a race held at the meeting or believed to be conducted at the racetrack enclosure by substituting pursuant to this section by contributing money to a pari-mutuel pool operated by the permittee as provided by this article.

B. The department may, upon request by a permittee, grant permission for electronically selected simulcasts of horse, harness or dog races to be received by the permittee. In counties having a population of one million, the hundred thousand persons or more according to the most recent United States decennial census, the simulcasts shall be received at the racetrack enclosure where a horse, harness or dog racing meeting is being conducted, provided that the simulcast may only be received during, immediately before or immediately after a minimum of three posted races for that racing day. In counties having a population of five hundred thousand persons or more, but less than one million, the hundred thousand persons according to the most recent United States decennial census, the simulcasts shall be received at the racetrack enclosure where a horse, harness or dog racing meeting is being conducted, provided that the simulcast may only be received during, immediately before or immediately after a minimum of four posted races for that racing day. In all other counties, the simulcasts shall be received at a racetrack enclosure at which authorized racing has been conducted whether or not posted races have been offered for the day the simulcast is received. The simulcasts shall be limited to horse, harness or dog races. The simulcasts shall be limited to the same type of racing as authorized in the permit for the racing conducted by the permittee. The department may, upon request by a permittee, grant permission for the permittee to transmit the live race from the racetrack enclosure where a horse, harness or dog racing meeting is being conducted to a facility or facilities in another state. All simulcasts of horse or harness races shall comply with the Interstate Horse Racing Act of 1978 (P.L. 95-515, 92 Stat. 1811, 15 United States Code chapter 47). All forms of pari-mutuel wagering shall be allowed on horse, harness, or dog races authorized by this section. All monies wagered by patrons on these horse, harness, or dog races shall be computed in the amount of money wagered each racing day for purposes of section 5-111.

C. Notwithstanding subsection B of this section, in counties having a population of one million, the hundred thousand persons or more according to the most recent United States decennial census, simulcasts may be received at the racetrack enclosure and at any additional weighting facility used by a permittee for handling wagering as provided in section 5-111, subsection A, during a permitted racing meeting as approved by the commission, whether or not posted races have been conducted on the day the simulcast is received. It:

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1. For horse and harness racing, the permittee's racing permit requires the permittee to conduct a minimum of nine posted races on an average of five racing days each week at the permittee's racetrack enclosure during the period beginning on October 1 and ending on the first full week in May.

2. For dog racing, the permittee is required to conduct a minimum of twelve posted races on each of AN AVERAGE OF FIVE RACING DAYS each week for fifty weeks during a calendar year at the permittee's racetrack enclosure.

D. Notwithstanding subsection B of this section, in counties having a population of five hundred thousand persons or more but less than one million, five hundred thousand persons according to the most recent United States decennial census, simulcasts may be received at the racetrack enclosure and at any additional weighting facility used by a permittee for handling wagering as provided in section 5-111, subsection A, during a permitted racing meeting as approved by the commission, whether or not posted races have been conducted on the day the simulcast is received, subject to the following conditions:

1. For horse and harness racing, the permittee may conduct weighting on dirt day simulcasts for twenty days, provided the permittee conducts a minimum of seven posted races on each of the racing days maintained in the permittee's commercial racing permit. In order to conduct weighting on dirt day simulcasts for more than twenty days, the permittee is required to conduct a minimum of seven posted races on one-hundred-day-NINETY racing days at the permittee's racetrack enclosure.

2. For dog racing, the permittee is required to conduct a minimum of nine posted races on each of four days each week for fifty weeks during a calendar year at the permittee's racetrack enclosure.

E. In an emergency and upon a showing of good cause by a permittee, the commission may grant an exception to the minimum racing day requirements of subsections C and D of this section.

F. The minimum racing day requirements of subsections C and D of this section shall be computed by adding all racing days, including any county fair racing days operated in accordance with section 5-110, subsection F, allotted to the permittee's racetrack enclosure in one or more racing permits and of racing days allocated to the permittee's racetrack enclosure pursuant to section 5-110, subsection I.

G. Notwithstanding subsection B of this section, and subject to subsection C and D of this section, during the period of the permit for horse racing, weighting on dirt day simulcasts of horse races at a permittee's additional weighting facilities shall only be allowed for a maximum number of days equal to the number of days of the horse racing scheduled to be conducted at that day's racetrack enclosure during the permittee's racing meeting, and during the period of a permit for dog racing, weighting on dirt day simulcasts of dog races at a permittee's additional weighting facilities shall only be allowed for a maximum number of days equal to the number of days of the dog racing scheduled to be conducted at the permittee's racetrack enclosure during the permittee's racing meeting. The number of days allowed for weighting under this subsection shall be computed by adding all racing days, including any county fair racing days operated in accordance with section 5-110, subsection F, allotted to the permittee's racetrack enclosure in one or more racing permits and all racing days allocated to the permittee's racetrack enclosure pursuant to section 5-110, subsection I.

H. Simulcast signals or telecasting of simulcast signals does not prohibit the racing or telecasting of that live racing in any county at any time.

I. Except as provided in subsection L of this section, section 5-101.01, subsection G and title 13, chapter 33, any person within a racetrack enclosure or an additional facility authorized for weighting pursuant to section 5-111, subsection A may weight on the results of a racing meeting, whether the race is conducted within or without the state, in the following conditions:

1. Notwithstanding subsection B of this section, the department, in counties having a population of one million, five hundred thousand persons or more according to the most recent United States decennial census, may, upon request by a permittee for one day each year, grant permission for simulcasts to be received without compliance with the minimum of nine posted races requirement. K. Except as provided in this article and in title 13, chapter 33, all forms of weighting or betting on the results of a race, including but not limited to buying, selling, cashing, exchanging or acquiring a financial interest in pari-mutuel tickets, except by operation of law, whether the race is conducted in this state or elsewhere, are legal.

L. Until June 1, 2005, a permittee shall not knowingly permit a member-to-be-a-part-of-the-pari-mutuel-system-of-weighting, beginning on June 1, 2005, a permittee shall not knowingly permit a person who is under twenty-one years of age to be a patron of the pari-mutuel system of weighting OR TO USE GAMING DEVICES.

M. Except as provided in title 13, chapter 33, any person violating any provision of this article with respect to any weighting or betting, whether the race is conducted within or without the state, is guilty of a class 6 felony.

N. Simulcasting may only be authorized for the same type of racing authorized by a permittee's racing permit.

O. GAMING DEVICES MAY BE OPERATED ONLY AT A RACETRACK ENCLOSURE ONLY BY A COMMERCIAL PERMITTEE HOLDING A PERMIT FOR LIVE RACING WHERE LIVE OR SIMULCAST RACING PROGRAMS ARE CONDUCTED ON AN AVERAGE OF FIVE DAYS PER WEEK FOR AT LEAST FIFTY WEEKS IN A TWELVE-MONTH PERIOD. A PERMITTEE MAY NOT OPERATE GAMING DEVICES AT AN ADDITIONAL WAGERING FACILITY. THE TOTAL NUMBER OF RACETRACK ENCLOSURES AT WHICH GAMING DEVICES MAY BE OPERATED SHALL NOT EXCEED TEN, AND THERE SHALL BE NO MORE THAN TWO RACETRACK ENCLOSURES AT WHICH GAMING DEVICES ARE OPERATED LOCATED WITHIN A COUNTY.

P. THE TOTAL NUMBER OF GAMING DEVICES AT ALL COMMERCIAL RACETRACK ENCLOSURES IN THIS STATE SHALL NOT EXCEED SIX THOUSAND FOUR HUNDRED FORTY ON JULY 1, 2008, AND EVERY FIVE YEARS THEREAFTER BY THE TOTAL INCREASE IN DEVICES FOR EACH INDIVIDUAL RACETRACK ENCLOSURE AS PROVIDED IN SUBSECTION R OF THIS SECTION.

Q. ON THE EFFECTIVE DATE OF THIS AMENDMENT TO THIS SECTION, THE MAXIMUM NUMBER OF GAMING DEVICES AVAILABLE FOR PLAY AT ONE TIME AT EACH RACETRACK ENCLOSURE SHALL BE LIMITED AS FOLLOWS:

1. FOR HORSE AND HARNESSES RACING:

(a) NINE HUNDRED FIFTY GAMING DEVICES AT RACETRACK ENCLOSURES THAT CONDUCT A MAXIMUM OF NINE POSTED LIVE RACES PER DAY ON AN AVERAGE OF THE RACING DAYS EACH WEEK DURING THIRTY CONSECUTIVE WEEKS IN A TWELVE-MONTH PERIOD AND HAVE ONE HUNDRED FORTY OR MORE POSTED LIVE RACE DAYS, INCLUDING AT LEAST ONE THOUSAND TWO HUNDRED POSTED LIVE RACES IN A TWELVE-MONTH PERIOD.

(b) FIVE HUNDRED FIFTY GAMING DEVICES AT RACETRACK ENCLOSURES THAT HAVE FEWER THAN ONE HUNDRED FORTY BUT AT LEAST FIFTY MONTH POSTED LIVE RACE DAYS IN A TWELVE-MONTH PERIOD AND THAT CONDUCT A MINIMUM OF EIGHT POSTED LIVE RACES PER DAY, INCLUDING AT LEAST THREE HUNDRED SIXTY POSTED LIVE RACES.

Spelling, grammar, and punctuation were reproduced as submitted in the "for" and "against" arguments. GENERAL ELECTION NOVEMBER 5, 2002

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A race believed to be the facility pursuant to section 5-111, subsection A by contributing to a pari-mutuel pool operated as provided by this article.

J. Notwithstanding subsection B of this section, the department, in counties having a population of one million, five hundred thousand persons or more according to the most recent United States decennial census, may, upon request by a permittee for one day each year, grant permission for simulcasts to be received without compliance with the minimum of nine posted races requirement. K. Except as provided in this article and in title 13, chapter 33, all forms of weighting or betting on the results of a race, including but not limited to buying, selling, cashing, exchanging or acquiring a financial interest in pari-mutuel tickets, except by operation of law, whether the race is conducted in this state or elsewhere, are legal.

L. Until June 1, 2005, a permittee shall not knowingly permit a member-to-be-a-part-of-the-pari-mutuel-system-of-weighting, beginning on June 1, 2005, a permittee shall not knowingly permit a person who is under twenty-one years of age to be a patron of the pari-mutuel system of weighting OR TO USE GAMING DEVICES.

M. Except as provided in title 13, chapter 33, any person violating any provision of this article with respect to any weighting or betting, whether the race is conducted within or without the state, is guilty of a class 6 felony.

N. Simulcasting may only be authorized for the same type of racing authorized by a permittee's racing permit.

O. GAMING DEVICES MAY BE OPERATED ONLY AT A RACETRACK ENCLOSURE ONLY BY A COMMERCIAL PERMITTEE HOLDING A PERMIT FOR LIVE RACING WHERE LIVE OR SIMULCAST RACING PROGRAMS ARE CONDUCTED ON AN AVERAGE OF FIVE DAYS PER WEEK FOR AT LEAST FIFTY WEEKS IN A TWELVE-MONTH PERIOD. A PERMITTEE MAY NOT OPERATE GAMING DEVICES AT AN ADDITIONAL WAGERING FACILITY. THE TOTAL NUMBER OF RACETRACK ENCLOSURES AT WHICH GAMING DEVICES MAY BE OPERATED SHALL NOT EXCEED TEN, AND THERE SHALL BE NO MORE THAN TWO RACETRACK ENCLOSURES AT WHICH GAMING DEVICES ARE OPERATED LOCATED WITHIN A COUNTY.

P. THE TOTAL NUMBER OF GAMING DEVICES AT ALL COMMERCIAL RACETRACK ENCLOSURES IN THIS STATE SHALL NOT EXCEED SIX THOUSAND FOUR HUNDRED FORTY ON JULY 1, 2008, AND EVERY FIVE YEARS THEREAFTER BY THE TOTAL INCREASE IN DEVICES FOR EACH INDIVIDUAL RACETRACK ENCLOSURE AS PROVIDED IN SUBSECTION R OF THIS SECTION.

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Proposition 201

Pursuant to section 4-1-1304.03, Arizona Revised Statutes, the director of the Arizona Legislative Council may combine changes made to the Arizona Revised Statutes by this act with other non-conflicting changes to those statutes by other 2002 enactments.

Section 13. Statutes. If a provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

Section 14. Conflict with other laws. A. If any part of the act conflicts with any law of this state in effect as of November 1, 2002, the provisions of the act shall prevail in all particulars as to which there is a conflict.

ANALYSIS BY LEGISLATIVE COUNCIL

Proposition 201 allows racetracks conducting the horse and dog racing to operate slot machines and authorizes the Governor to order into tribal gaming compacts allowing Indian tribes to operate slot machines and card and table games on tribal land. Racetracks would pay 40% of their "gross gaming revenues" (defined as the difference between gaming wins and losses, before deducting costs and expenses) from the operation of slot machines to the state to fund racing and agricultural programs, including programs for kindergarten through third grade students, programs to provide medical assistance in rural areas and reduce the cost of prescription drugs for Medicare recipients, scholarship, scholarship tuition, programs for problem gambling, local government programs to provide enhanced police, fire and emergency services, and to the state fund used for the general operation of state government. Tribes that compact to conduct house-banked games and/or horse-banked games, or that elect to transfer unleased slot machines would contribute 6% of their gross gaming revenues to the state fund used for the general operation of state government.

Section 15. Statutes. The provisions of the state of Arizona authorize the legislature to determine whether or not to continue the Arizona Racing Commission and the Arizona Department of Racing and the provisions of the 5, Chapter 1, as provided in Section 41-3008.13 beyond January 1, 2008 by enacting a measure as provided by the 41, Chapter 27 without referring the matter to the voters for approval.

Section 16. Conflict with other laws. A. If any part of the act conflicts with any law of this state in effect as of November 1, 2002, the provisions of the act shall prevail in all particulars as to which there is a conflict.

Section 17. Conflict with other laws. A. If any part of the act conflicts with any law of this state in effect as of November 1, 2002, the provisions of the act shall prevail in all particulars as to which there is a conflict.

Section 18. Conflict with other laws. A. If any part of the act conflicts with any law of this state in effect as of November 1, 2002, the provisions of the act shall prevail in all particulars as to which there is a conflict.

Section 19. Conflict with other laws. A. If any part of the act conflicts with any law of this state in effect as of November 1, 2002, the provisions of the act shall prevail in all particulars as to which there is a conflict.

Section 20. Conflict with other laws. A. If any part of the act conflicts with any law of this state in effect as of November 1, 2002, the provisions of the act shall prevail in all particulars as to which there is a conflict.

Section 21. Conflict with other laws. A. If any part of the act conflicts with any law of this state in effect as of November 1, 2002, the provisions of the act shall prevail in all particulars as to which there is a conflict.

Section 22. Conflict with other laws. A. If any part of the act conflicts with any law of this state in effect as of November 1, 2002, the provisions of the act shall prevail in all particulars as to which there is a conflict.

Section 23. Conflict with other laws. A. If any part of the act conflicts with any law of this state in effect as of November 1, 2002, the provisions of the act shall prevail in all particulars as to which there is a conflict.

Section 24. Conflict with other laws. A. If any part of the act conflicts with any law of this state in effect as of November 1, 2002, the provisions of the act shall prevail in all particulars as to which there is a conflict.

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public inspection at the Arizona Department of Racing. Gambling compacts - Each tribe must disclose to the Arizona Department of Racing its gross gaming revenue for each facility and each gaming activity and its contributions to the state. This information is open for public inspection.

Section 13. Statutes. If a provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

Section 14. Conflict with other laws. A. If any part of the act conflicts with any law of this state in effect as of November 1, 2002, the provisions of the act shall prevail in all particulars as to which there is a conflict.

Fiscal Impact Summary

Proposition 201 allows an increase in the number of slot machines and permits horse and dog racetracks to operate slot machines. Racetracks that choose to participate would share 40% of their gross gaming revenues with the state and tribes that choose to participate in revenue sharing would provide 6% of their gross gaming revenues to the state. Several issues could affect the actual level of revenues generated by the proposition. It is difficult to predict in advance how these issues will affect the earnings per machine and the level of participation. The following fiscal estimates, therefore, represent potential maximum impacts, rather than a specific prediction of the ultimate outcome. This proposition could possibly generate state government revenues of up to \$197 million from the Indian tribes. The proposition could possibly generate state and local government revenues of up to \$185 million from the racetracks. At this potential level of revenues from the tribes and the racetracks, up to \$178 million would be deposited in the state's General Fund for any use and up to \$154 million would be earmarked for specific purposes. The proposition could also possibly generate up to an additional \$5.3 million in revenue to pay for state Indian gaming enforcement costs. The proposition also provides \$10 million from the state's General Fund for state race-track gaming enforcement costs.

ARGUMENTS "FOR" PROPOSITION 201

Dear Arizona Voters, The Coalition for Arizona consists of thousands of citizens concerned about the future of gaming in Arizona. Proposition 201 limits gaming to the Indian reservation, and to no more than 10 horse and greyhound racetracks where gaming has existed for the past sixty years. The Fair Gaming Act ensures that all gaming is regulated in a manner consistent with the highest law enforcement standards in the country. The Fair Gaming Act is the only gaming bill that requires all casinos to publicly disclose their gross gaming revenues. Disclosure is essential for open and honest gaming. Disclosure is the only way to guarantee that the State and other beneficiaries will receive the benefits promised.

- Prohibits and expends Indian gaming in Arizona.
• Requires full public disclosure of gaming revenues.
• Grants racetracks that hold live races a limited number of gaming devices with 40% of their gross revenues paying for:
- Kindergarten through third grade mandated education
- College scholarships
- Prescription drug benefits for seniors
- Rural healthcare
- Police and fire protection
- Tourism promotion
(www.coalitionforarizona.com for more information)
• Provides the State with a share of 6% of gross revenues from Native American casinos.
• Estimates that rural tribes receive a far share of gaming revenues.
The State estimates that Proposition 201 will generate almost \$300 million dollars per year for public purposes. That is nearly \$200 million dollars more than any other proposed gaming initiative. The additional money will help all Arizonans and ease State budget needs. Proposition 201 treats everyone fairly, requires public disclosure, requires sophisticated regulation, and generates almost \$300 million dollars for the state.

Please vote YES on Proposition 201, the Fair Gaming Act. Dale V. Ray, Chairman, Coalition for Arizona, Phoenix Paid for by Coalition for Arizona

Dear Arizona Voters, I am a police officer and I support Proposition 201 because it promotes improved police protection and requires financial disclosure. Proposition 201 continues Indian Gaming while giving a limited amount of gaming devices to some racetrack endusers. These racing endusers will be required to give 40% of their gross gaming revenues back to the state. This revenue source will generate an additional \$200 million dollars for the state. Out of this revenue the state will be able to pay for important projects like: K-3 reading programs, colleges scholarships, and increased police protection. A yes for 201 is a yes for public safety. Another important aspect of Proposition 201 is that it requires disclosure. I believe that all gaming facilities should disclose their revenue and expenses. Open and disclosed gaming is the only way to ensure that gaming facilities are operated effectively without fraud or corruption. A yes for 201 is a yes for regulation and disclosure.

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Arguments "For" Proposition 201

Support Proposition 201, the Fair Gaming Act. Proposition 201 is the key to a safer Arizona through increased police funding and dis-

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I am a firefighter and I support Proposition 201, the Fair Gaming Act. Proposition 201 improves gaming regulation, promotes responsible gaming, and generates nearly \$300 million dollars for the state of Arizona.

Support Proposition 201, the Fair Gaming Act. Proposition 201 is the key to a safer Arizona through increased police funding and dis-

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I know that many people have been led to believe that the Indian tribes were already required to give money to the state. I am here to tell you that is not the case. Although the tribes have to pay the government for casino regulation, the tribes are not currently required to direct any other money to the state.

Support Proposition 201, the Fair Gaming Act. Proposition 201 is the key to a safer Arizona through increased police funding and dis-

Dear voters, I am writing in support of Proposition 201, the Fair Gaming Act. I have educated children in the State for a long time. My understanding of a child's success has not come without an understanding of the necessary funding to create programs.

Support Proposition 201, the Fair Gaming Act. Proposition 201 is the key to a safer Arizona through increased police funding and dis-

Dear Arizona Voter: I have been involved with agriculture and operated farming business most of my life. After reviewing the qualifications of each bill, I believe that only one offers a fair and legal answer to the State's gaming concerns while addressing the needs of the rural community.

Support Proposition 201, the Fair Gaming Act. Proposition 201 is the key to a safer Arizona through increased police funding and dis-

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Arguments "For" Proposition 201

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Do you want to stop to unfair business practices and monopolistic advantages in the State? Certainly, yes, and with the help of Proposition 201, Arizona's gaming industry will be legal and fair once again.

I believe the State needs public disclosure of gaming revenues. Every other business in the state is required to disclose its revenue to the state. Knowing the revenue numbers is the only way to make sure that the state gets the correct amount of tax revenue.

I believe that all traditional gaming locations should have at least some access to the same type of gaming devices. I believe that it is unfair and monopolistic to not allow non-traditional gaming facilities to have at least some gaming devices. Why should one group exclusively have an advantage over another?

I also believe in the need for increased government regulation and equal treatment within the gaming industry. Only the Fair Gaming Act will ensure a legal change in the gaming industry.

Support Proposition 201 and support the fair and legal gaming solution.

Support Proposition 201, the Fair Gaming Act. Proposition 201 is the key to a safer Arizona through increased police funding and dis-

Dear Voter, I urge all Arizonans to support Proposition 201, Fair Gaming Act, because it is the best gaming solution on the ballot. It is good for Yuma, and it is good for all of Arizona.

Support Proposition 201, the Fair Gaming Act. Proposition 201 is the key to a safer Arizona through increased police funding and dis-

Dear Arizona Voter: The Arizona Horsemen's Benevolent & Protective Association has led the fight for horsemen across the state. We have a long tradition of racing in Arizona that we take great pride in. In fact, Arizona's rich 80-year gaming history began with horse racing.

Support Proposition 201, the Fair Gaming Act. Proposition 201 is the key to a safer Arizona through increased police funding and dis-

Dear Arizona Voter: I feel compelled to write this letter and let the record straight. There are some people out there trying to spread lies about the Fair Gaming Act. I have closely studied the law and I can tell you the truth.

Support Proposition 201, the Fair Gaming Act. Proposition 201 is the key to a safer Arizona through increased police funding and dis-

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Arguments "For" Proposition 201

Dear Arizona Voters,
I want to support Arizona's economy. I am concerned that uninformed voters will overlook the Indian gaming issue. I am concerned that they will get bogged down by all the rhetoric and decide not to vote at all. I am concerned that they will miss an excellent chance to save Arizona's economy.

The gaming issue means more to the State than continuation of Indian gaming, or the addition of gaming devices to a few racetracks across the state, or the disclosure of revenues obtained by Indian Tribes.
The gaming issue really deals with the future of 6,000 non-truck industry jobs and the preservation of the numerous industries that support the gaming industry. Only one proposal will fight to preserve the people involved in these industries. This State should not determine the success of one industry at the expense of another. Vote yes on Proposition 201 and save jobs, save the economy.

Edward Branger, Gil, Apache Greyhound Park, Apache Junction

Dear Voters,

I would like to express my dissatisfaction with the Tribal gaming initiatives. There are three reasons why the Tribes fail and do not get my vote.

- Tribes have no regulation with regards to gaming revenues.
- Resisting that contribute to this business have not seen any public disclosure of gaming revenues.
- Growing concern for legitimacy and fairness.

I believe there is one position that will offer a solution to my discontent. Proposition 201 will improve public disclosure of gaming revenues and increase government regulation of gaming, and treats everyone equally.

I am going to vote for Proposition 201 because it is a fair solution to the gaming question.

Luella Parker, Phoenix

The Arizona Thoroughbred Breeders Association, Inc. was organized in 1987 as a non-profit. Arizona Corporation dedicated to the betterment of the Thoroughbred industry in the State of Arizona. Since 1987, the Arizona Thoroughbred Breeders Association has had an influence on almost all aspects of racing laws and regulations that benefit horsemen running in the State of Arizona. We are always looking out for the best interests of horsemen and everyone else in the state. We support the Fair Gaming Act because it has the most to offer for Arizona. First, the Fair Gaming Act continues Indian gaming in Arizona. Not only does it continue Indian gaming, but it also treats the rural tribes fairly and gives more benefits to the state.

The Fair Gaming Act is the only gaming initiative that includes full disclosure of gaming revenues. Disclosure is important to make sure that the State gets the percentage that it was promised. Disclosure also will let citizens of Arizona know how much Arizona Indian gaming money is being sent to the Las Vegas Corporation that manages the casinos. Disclosure is an essential part of making sure that the gaming industry is regulated effectively.

The Fair Gaming Act is the only initiative that gives over \$200 million dollars to the state. By allowing racing enclosures to operate a limited number of gaming machines, the state will generate much needed revenue and save over 6000 jobs. Localizing gaming machines at some racetracks, will allow the racing industry which has been in Arizona since the 1940's to compete with the tribal casino monopoly. The Arizona Thoroughbred Breeders Association encourages everyone to vote Yes on the Fair Gaming Act. It gives the most money to the state and helps protect Arizona's 80 years of racing tradition.

Vote YES on the Fair Gaming Act.

Frank W. Corvado, President, Arizona Thoroughbred Breeders Association, Phoenix

I support the Fair Gaming Act because it ensures a positive change in gaming operations within the State of Arizona. Under Proposition 201, Indian gaming is continued in Arizona while allowing racetrack enclosures a small number of gaming devices.

The racetracks get a fair deal and give 40% of gross revenue will be directed toward a general fund. Currently, six states allow casino-style gambling at racetracks. Each State has experienced financial prosperity with revenues generating more than \$2.1 billion last year.

The American Gaming Association reported that \$7.8 billion went to host states. These figures show one reason to support this ballot proposal. Financial prosperity is a positive reinforcement to change Arizona's gaming industry.

The Fair Gaming Act provides the most money to the state. It exceeds where the other gaming initiatives fail. In addition, it generates over \$200 million dollars to the state without any expense to the taxpayer. These new sources of funding will help transport the state to financial prosperity.

Vote yes on Proposition 201.

William S. Champney, Chandler

I am the past president of both the Arizona Horsemen's Benevolence Association and the Arizona Thoroughbred Breeders Association. I have been involved in the horse industry for a long time. I support the Fair Gaming Act because it helps the entire state of Arizona. This act provides money that will be used for things like the debt reduction, kindergarten through third grade reading programs, scholarships, prescription drug benefits, and business promotion. It also helps to keep horse owners and horse breeders in Arizona. When you compare this to the other initiatives that are being considered, you will find that the Fair Gaming Act brings the most benefits to the largest group of people.

Ray Odom, Former President, Arizona Horsemen's Benevolence Association, Former President, Arizona Thoroughbred Breeders Association, San City

Horse racing depends on the confidence the public has in the integrity of the industry. Horse racing is funded via legal wagering. State racing commissions are authorized by statute to enforce the rules of racing. Racing is a highly regulated industry.

Casino gaming on tracks will follow these already established policies of extreme security, full disclosure and regulatory standards are daily methods of business on present day tracks.

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I support proposition 201 because it provides equitable competition for race tracks and Indian Casinos, greatly increases tax revenues and economic benefits for the state of Arizona, requires full financial disclosure and presents a win-win solution for all parties involved.

Tom W. Baird, Race horse owner and breeder, Avondale

Dear Arizona Voters,

You can help all of the citizens of Arizona by voting yes for the Fair Gaming Act, proposition 201. Our system works beautifully. It is based on the principles of competition and economic opportunity for all Americans. A "yes" vote for proposition 201 says that you believe in the principles of fairness and free enterprise.

It only makes sense to support this proposal because everybody wins. The current casino operators receive exactly what they are asking for in their own initiative. The racetracks, which have been established, regulated, gaming venues in the state for over 80 years will see a tremendous revival and the citizens of the state will benefit from a projected \$300-\$330 million dollar annual windfall. The money benefits education, senior citizens, police and fire departments and will provide desperately needed funding for countless government services and programs.

Cast the vote that makes sense for all the citizens of this state. With the passing of Proposition 201, everyone wins up being a winner!

W. Kip Keeler, Tucson

The mission of the Arizona Quarter Racing Association is to represent the best interests of racing quarter horse owners, breeders, colt-lion owners, and trainers participating in the state of Arizona. Not only do we serve the best interests of our membership, but we also look out for the best interests of the state. That is why the AQRA supports the Fair Gaming Act.

The Fair Gaming Act is a well-constructed initiative that benefits everyone in Arizona. It continues Indian gaming, while giving the racing industry a chance to survive in Arizona's competitive gaming environment. This is not an expansion of gaming, but rather a way to limit gaming to venues where it already occurs. It also ensures that the rural Indian Tribes receive a fair share of the gaming revenues.

The Fair Gaming Act provides the citizens of the state with many benefits. The state will gain over \$200 million dollars that will be used for programs like K-12 grade reading programs, college scholarships, prescription drug benefits for seniors, rural healthcare, police and fire protection, tourism promotion, and debt reduction. These are the kind of programs that benefit everyone in Arizona.

The racing industry has almost a 60-year tradition of operating regulated gaming in Arizona. The Arizona Quarter Racing Association is only one of many groups that makes its livelihood from racing.

There are over 6000 jobs at stake. We encourage everyone to support the Fair Gaming Act because it will save racing in Arizona and guarantee that Arizona prospers.

J. Lloyd Yoder, President, Arizona Quarter Racing Association, Chandler

Dear Arizona Voters,

I encourage everyone to vote YES on Proposition 201. Saying yes to Prop 201 is saying yes to a lot of positive things for Arizona.

- Saying yes to Fair Gaming is saying yes to injecting \$200 million dollars into the state.
- Saying yes to Fair Gaming is saying yes to saving 6000 Arizona jobs.
- Saying yes to Fair Gaming is saying yes to improve Arizona education.
- Saying yes to Fair Gaming is saying yes to police and fire protection.
- Saying yes to Fair Gaming is saying yes to debt reduction.
- Saying yes to Fair Gaming is saying yes to senior prescription benefits.
- Saying yes to Fair Gaming is saying yes to rural healthcare.
- Saying yes to Fair Gaming is saying yes to the fair treatment of all tribes.
- Saying yes to Fair Gaming is saying yes to full financial disclosure.
- By saying yes, you are helping to create a brighter future for Arizona. Please join me in voting yes on Prop 201.

Kerriann E. Todd, Chandler

Dear Arizona Voters,

In recent days, I have heard several false claims about gaming expansion in this State. I am writing to set Proposition 201 straight. First, there will not be slot machines in every convenience store, on every street corner. The truth is Proposition 201 will not expand gaming beyond places where it already exists.

Next, Proposition 201 ensures continued Tribal gaming in this State. This proposition does not eliminate or reduce Tribal gaming. The fact is Proposition 201 increases the State's competitiveness in the gaming industry.

Racetracks have regulated forms of gaming through pari-mutual wagering. Adding gaming devices to these locations will simply increase attendance and revenue.

The State will benefit immeasurably and the Tribes will continue to prosper. Look past the false claims and understand everyone benefits with this change. Vote yes on Prop. 201.

Darrel Champney, Apache Junction

I believe the Fair Gaming Act will provide the necessary revenue needed to sustain many important programs. The Fair Gaming Act supplies a substantial amount of revenue to the general fund, which will help Arizona with future budget priorities. It also provides much needed money that will help keep smaller county fairs across the state alive. In addition, the Fair Gaming Act also provides money for programs like rural healthcare, senior prescription drug benefits, and tourism promotion. All of these funds are provided without any financial burden on the Arizona taxpayer. I encourage everyone to support the Fair Gaming Act and its positive impact on Arizona's future.

Marilyn Parker, Office Manager, Santa Cruz County Fair and Radio Association, Sonora

Dear Arizona Voters,

I support the Fair Gaming Act because it promotes fair gaming for everyone in Arizona. Proposition 201 is the only fair and legal solution.

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to the gaming problem. Proposition 201 allows voters and competition in Arizona's gaming industry. Consumer choice and competition are the only ways to make the gaming industry fair. No single group should be allowed to monopolize the market. Proposition 201 is the only gaming initiative that makes the decision of gaming revenues. Decision is the only way to make sure that everyone is following the law. It also the only way to make sure that the state receives the money it deserves. Proposition 201, the Fair Gaming Act is the only fair and legal solution to the gaming question. It is the only one that promotes competition and rights the gaming monopoly. Vote yes on Proposition 201! Pam Peterson, Tucson

Dear Arizona Voters, I know the best of multiple gaming initiatives can be confusing. It can seem like they all say the same thing about finances and regulation. However, I am here to tell you that there is a difference. Proposition 201 goes above and beyond any other gaming initiative. Proposition 201 continues Tribal gaming in Arizona. It discloses revenues and regulates gaming operations. Most importantly, Proposition 201 generates the most money for Arizona. Proposition 201 generates over \$200 million for the State. This is money that can be used for programs like K-3rd grade reading, college scholarship, rural healthcare, and senior prescription benefits. I know that these competing initiatives can be confusing, but I think the answer is simple. Proposition 201 is the only solution that enhances gaming, promotes disclosure, and generates more money for the State. Harold Silver, Scottsdale

We support the Fair Gaming Act because it continues Indian gaming in Arizona while providing a way to help other non-tribal Arizona industries. In addition, it also benefits the rural tribes by allowing them to receive a fair share of gaming revenues. The state gets a much-needed boost by the 40% of all non-tribal gaming device revenues paying for things like officer education, rural healthcare, tourism promotion, and K-3 reading programs. The Fair Gaming Act treats everyone equitably and allows Arizona to prosper. We encourage everyone to research the gaming question. When they find one held out on the table, you will see that the Fair Gaming Initiative is the best deal for Arizona. Lewis and Margaret Paul, Chino Valley

Dear Voter, I am encouraging everyone in Arizona to show his or her concern for gaming by making your vote count. This November, we will face a vote on the Fair Gaming Act. There are different gaming options on the ballot and they all seem to sound the same. Let me clear away the fog and get to the truth. The Fair Gaming Act is the only proposed initiative that will truly allow the State to prosper.

- It is the only initiative that increases government regulation of gaming.
• It is the only initiative that requires an increased share of Indian Tribe revenues going to the state.
• It is the only initiative that requires disclosure of gaming revenues.
• It is the only initiative that gives a limited number of non-tribal gaming operators.
• It is the only initiative that gives \$200 million dollars to the state.
As you can see, the Fair Gaming Act is the best deal for the state. The economic benefits are substantial and concrete. The fair and legal choice for the State's gaming problem is the Fair Gaming Act. Douglas D Barlow, Greenlee County Fair & Racing Director, Duncan

Dear Arizona Voters, I support the Fair Gaming Act because it gives the most money to the state. With 6% of the tribal and 40% of the non-tribal gross gaming revenues going to the state, Arizona stands to make well over \$200 million dollars a year. This is very important money that the state needs. In addition, these are new dollars that do not come at the expense of the Arizona taxpayer. This money will be used for important programs like deficit reduction, K-3 reading education, college scholarships, senior prescription drug benefits, police and the probation, and rural healthcare. It also provides money to the general fund that will help the state fund other programs. With our continuing budget shortfalls, we need to find ways to generate more money for the state. Prop 201 will generate more money than the other initiatives and allows for more government regulation. Please join me in supporting Prop 201 because it gives the most money to the state. Mr. & Mrs. Hugh R. Southern, Retired farm owner, Phoenix

Mr. & Mrs. Hugh R. Southern, Retired farm owner, Phoenix. I helped establish and maintain portions of the new, Venetian casino facility in Prescott Valley. I am very proud of the new facility and I volunteer as much as possible to make sure it stays open. I feel that the Fair Gaming Act is the only way to ensure a promising future for Venetian and other facilities like it across the state. The Fair Gaming Act is the only initiative that gives a reasonable deal to Arizona. It also improves public disclosure of gaming revenues so we know exactly how much of the tribal revenues should be going to the state. Joe Payne, Prescott Valley

Dear Arizona Voter, I own and operate a local feed store in Arizona. Arizona ranchers and horse owners make up the large portion of my clientele. The Spelling, grammar, and punctuation were reproduced as submitted in the "for" and "against" arguments. General Election November 5, 2002

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impact of the horse industry and horse racing goes far beyond the people who own the horses or the people who work in the racing facilities. There is an extensive support structure that depends on the horse industry. Racing encompasses many facets of the horse industry in Arizona for over 80 years. However, as the tribal casinos grow, it has become increasingly more difficult to stay in business. Many horse owners are on the verge of packing up their ranches and leaving the state. If my clients are chased out of Arizona, the expensive support structure, including my feed store, disappears. I support the Fair Gaming Act because it will save over \$200 million dollars in lost tax revenue. The Fair Gaming Act allows the horse industry to prosper, while providing added benefits to the state. The Fair Gaming Act would require that 40% of the gross revenue of gaming devices at a racetrack enclosure go to the state. That is an added \$200 million dollars to be used for K-3 reading programs, college scholarships, prescription drug benefits for seniors, rural healthcare, police and fire protection, tourism promotion, and debt reduction. I encourage everyone to support the Fair Gaming Act. It saves Arizona jobs while giving more money to the state. Please join me in voting YES on 201. Karl Kutz, Phoenix

Dear Arizona Voters, There are a few reasons why you should vote yes on Proposition 201:

- The Fair Gaming Act continues tribal gaming while granting a limited number of gaming devices to racetrack enclosures. The Fair Gaming Act successfully limits gaming in Arizona to the traditional locations where it already takes place. Remember that racetracks have been operating sanctioned and regulated gaming for almost 80 years.
• The Fair Gaming Act requires the tribes to pay 6% of their gross revenue and the racetracks will pay 40% of their gross gaming machine revenue to the state. This money, more than \$200 million dollars, will go to programs like K-3 reading programs, college scholarships, senior prescription benefits, rural healthcare, police and fire protection, tourism promotion, and debt reduction.
• The Fair Gaming Act ensures a fair deal for the Rural Indian tribes through minimum machine transfer fees. These minimum transfer fees guarantee that the Rural Tribes get their fair share of the gaming revenues for transferring their machine allocations to urban locations.
• The Fair Gaming Act requires improved public disclosure and increased regulation of gaming. The state will know how much money is involved with Indian Gaming and that will guarantee that Arizona receives its fair percentage.
Proposition 201 is far superior to the other gaming initiatives. It gives the most money to the state and provides the best regulation. It is the best solution to the gaming question. Vote Yes on Proposition 201. Thomas C Dink, Apache Junction

I am a dedicated volunteer and lifetime member of the Santa Cruz County Fair and Rodeo Association. I spend a lot of time helping out all the fairgrounds in Sonora. Every year, there is a question about if we are going to be able to hold our annual racing event. I have and continue to devote a lot of time to supporting the association to make sure we will be able to continue our traditions. I support the Fair Gaming Act because it should help out the county fair associations. With the proposed increased support of the Fair Gaming Act, we may be able to continue our regular calendar of events including our annual horse races. Harold Hagg, Sonora

My name is Gill Snyder and I am writing to announce my full support for the Fair Gaming Act. The positive financial impact of this initiative will benefit all of Arizona. The money generated from the Fair Gaming Act will stay in Arizona and help with important things like education, healthcare, debt reduction, police and the probation, and tourism promotion. In addition, the initiative helps people keep their jobs and provides additional employment opportunities. Encouraging financial stability and maintaining a strong work force are important for the state's ability to grow successfully. Gill Snyder, Maricopa

Dear Arizona voters, I am writing to support the Fair Gaming Act. We are senior citizens that have witnessed the State's gaming tradition grow and mature during the last 80 years. We all have witnessed how Casino gaming has benefited the Tribal community, and that is why we believe Indian gaming should be continued. However, I also believe that a certain amount of the revenue should be used to benefit the people of Arizona. That is why I support Proposition 201, the Fair Gaming Act. It continues Indian gaming while providing money for the state that will help all of Arizona, including its senior citizens. Furthermore, it uses additional funds created by gaming at racing facilities to increase police and fire protection and rural health care. The Fair Gaming Act harnesses a very useful source of revenue and benefits the entire state. We encourage all senior citizens and the rest of Arizona to vote yes on Proposition 201 and help these necessary programs receive the funding they deserve. We support the Fair Gaming Act. Vote yes on Proposition 201. Mr. & Mrs. Robert Anderson, Tucson

Dear Arizona voters, After researching the gaming issue in this State, I believe it is safe to say the Fair Gaming Act is truly a fair solution to all gaming concerns. First, it addresses a solution for regulation. For the first time, gaming will be regulated by the State. This will enable public disclosure of gaming revenues. The Self-Reserve Initiative allows limited, regulated gaming to continue only on Arizona Indian lands. No State regulation. Next, the Fair Gaming Act is the only proposed measure to expand gaming to non-tribal locations. This will provide an opportunity to direct 40 percent of gross revenues earned toward a general fund.

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With one billion dollars a year, 3 percent contribution, the State will see more of the benefits. The Fair Gaming Act proposes an increased amount contributed to assist with State budget needs. A balanced, fair, and legal solution to the State's gaming question is Proposition 201. I am voting for the fresh idea of gaming that leads to prosperity. Vote yes on the Fair Gaming Act. Robb Sheest, Scottsdale

ARGUMENTS "AGAINST" PROPOSITION 201

Where's the Fairness? The measure was not a referendum and their motto is going to be "fairness," but don't believe them for a second. By their own admission, Arizona dog tracks added only 500 greyhounds each year, but they hit 20,000. Where's the fairness? Some of you remember the dozens of greyhounds shot and dumped in a Chandler garbage incinerator several years ago. Ancient history? An Alachua man, Robert Proctor, is right now facing cruel charges for shooting two to three thousand greyhounds for live bucks. Florida tracks, it appears, wanted to dispose of the dogs but not pay for a more humane death. The out-of-state corporations that own Arizona dog tracks report millions of dollars in revenue every year, yet they're saying they need additional revenue to survive. They reportedly have \$2.5 million to contribute to you, even though two of the dog tracks haven't paid the state any per-minute taxes in years. Where's the fairness? Arizona's Native Americans are finally enjoying some pride and hope in their future, and now some fat cats want to take a big slice of it. Once again, where's the fairness? If we don't mind gambling spreading throughout our culture, then add machines should first go to our needy schools and our underfunded county parks. Wouldn't that be better than handing them to some out-of-state corporations? When you're at the polls on election day, please ask yourself: Where's the fairness really is. Vote NO on Prop. 201. James Massey, Chieftain, Edinburg, Reddick, Tucson

Field for by "Tulaneville Reddick"

I opposed Proposition 201 and I hope you will join me in voting "NO" on this proposition. I opposed, I strongly urge you to vote "YES" on Proposition 202. The "177th" initiative, Proposition 202 keeps casinos linked to Indian reservations and limits the number of casinos on reservations. It also provides for strong regulation of Indian casinos by both the State and tribes.

Voting "Yes" on Proposition 202 ensures that no new casinos will be built in the Phoenix metropolitan area and only one in the Tucson area for at least 23 years. Proposition 202 keeps gaming on Indian Reservations and does not allow it to move into our neighborhoods. Voting "Yes" on Proposition 202 also allows poor rural tribes the option to transfer their gaming machines to tribes in urban areas thus giving them the ability to utilize in revenue for services they desperately need.

When you vote on Proposition 202, you are voting on the State's regulatory role in Indian Casinos, ensuring safe, clean operations. Proposition 202 is the only initiative on the ballot that will provide legally enforceable limits on class 2 "hook" slot and dice machines — those not yet like a regular slot machine but escape regulation because of a technicality. It is also the only initiative on the ballot that has the support of the vast majority of Arizona Indian tribes. Proposition 202 is the only alternative that limits gaming, offers fair revenue sharing and ensures strong regulation. Plain and simple, this is the best gaming proposal for all Arizona citizens. Please vote "NO" on Proposition 201 and "YES" on Proposition 202. Alan Deer Hall, Governor, Phoenix

Prop. 201, the "Fair Gaming Act," seeks to restore some balance to the competition between the part-manual horse racing and dog racing industries and Indian casinos gaming operations. Unfortunately, because it implicitly continues to acknowledge and recognize the legitimacy, existence and expansion of Indian casinos, like the other gaming ballot propositions, it too is strictly misguided and flawed. As noted in my statement opposing Prop. 200, the Term Amendment to the U.S. Constitution forbids, as a violation of state sovereignty, the imposition of the precise mechanism used by the Indian Gaming Regulatory Act (IGRA), the "regulator" document called a compact.

This device coerces a state to "reverse engineer" an agreement to allow Indian tribes to demand, among other things, that states implement a federal regulatory program — purported "lawful" gaming on Indian reservations — in forms which, if concluded by anyone else of reservation, would be subject to federal prosecutors. And these we should gladly perpetuate? Surely, the only consistent principle that has guided debates on this topic has been expediency. Reluctant to strictly adhere to democratic-kally-enacted laws, but deferring to "total sovereignty" at every opportunity, Arizona's leaders have dealt both present and future generations a losing hand. The "end-justifies-the-means" mentality that has dominated the process merely underscores the fact that, if flawed information is repeated long enough, it starts to sound like the truth.

Prop. 201, while deficient, at least recognizes that if Arizona voters wish to enhance equatorial gaming "opportunities," there is no principled basis upon which to do so other than by allowing full competition. At least a leveling of the playing field would tend to curtail the dramatically tilted gaming session that has been foisted on Arizona by IGRA. Prop. 201 is not a good idea, but it's the least objectionable of three evils.

Ian A. Macpherson, Phoenix

Proposition 201 equates gambling in Arizona and should be defeated. Gambling often brings addiction, despair, even death. Although largely unrecognized, gambling-related suicides are becoming increasingly common. The largest gambling cities experience some of the highest suicide rates in the nation. Las Vegas leads with the highest levels of suicide in the nation, for both residents and visitors to the city. In Atlantic City, another gambling mecca, research shows that "abnormally high suicide levels for visitors and residents appeared once gambling casinos were opened."

The danger of gambling is reflected universally in every area that has legalized the activity. The National Council on Problem Gambling reported that one in five biological gamblers attempts suicide, a rate higher than for any other type of addictive disorder. A survey of spelling, grammar, and punctuation were reproduced as submitted in the "for" and "against" arguments. GENERAL ELECTION NOVEMBER 5, 2002

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200 Gamblers Anonymous members in Illinois found that 79 percent had wanted to do, 86 percent had contemplated suicide and 45 percent had a definite plan to kill themselves. More than 200 Illinois residents have killed themselves as a result of gambling addiction since the arrival of roulette gaming.

There is a direct correlation between gambling availability and gambling addiction. The number of Gamblers Anonymous chapters in the United States has more than doubled in the last eight years. Expansion of gambling brought a 74 percent increase in problem gambling in New York and a 76 percent increase in Oregon. The introduction of video poker games in Oregon brought a 1,000 percent increase in Gamblers Anonymous chapters in just the last year.

With more gambling comes more compulsive gamblers. And with that, comes more despair, and even death. How many families must suffer so that gamblers may feed their habit?

Vote no on Proposition 201.

Gary McCaleb, Esq., Legislative Counsel, The Center for Arizona Policy, Scottsdale

Field for by "Center for Arizona Policy, Inc."

The Arizona Humane Society urges you to vote "NO" on Proposition 201, the "Fair Gaming Act." Citizens concerned with animal welfare must be aware of a little-publicized but very harmful aspect of Proposition 201 that separates it from the other two Indian gaming initiatives on the ballot. Proposition 201 would allow slot machines in dog racing tracks. As the largest non-profit animal welfare organization in the State, we at The Arizona Humane Society are concerned about any measure that might further the greyhound racing industry.

Countless greyhounds are bred, and die, in Arizona each year because they are not "fast enough" and are not "winnable." To maximize its profits, the dog racing industry leases many greyhounds in cramped conditions, devoid of human contact. If Proposition 201 passes, many people who enjoy gambling will find new breeds more attractive if they are also able to pay slots while betting on dogs. Permitting slots in racetracks will further the racing industry, and create a greatly increased demand for racing greyhounds. Increasing the demand for racing greyhounds will worsen the conditions for the dogs. They are better.

By voting "NO" on Proposition 201, you ensure a brighter future for these proud, dignified, loving animals. With your "NO" vote, you will tell the greyhound racing industry that their estimate deserves a better life, and you will help some thousands of greyhounds from suffering and dying a needless death.

Cheryl Neumann, President and CEO, The Arizona Humane Society, Phoenix

James Burgess, Esq., Chairman and Vice Chairman, Government and Strategic Relations, The Arizona Humane Society Board of Directors, Phoenix

Field for by "The Arizona Humane Society"

As I left the public library one afternoon in July I heard a man soliciting signatures for a ballot initiative. "Sign a petition for senior citizens' health care," he called to me.

"What does it do?" I asked.

"Force casinos to pay 40% of their gross revenue to the State," he said proudly.

"Why should we tax a business like that?" I asked.

"Because they're built by out-of-staters who come to Arizona and take our money out of the State," he said, as if that would satisfy the most stubborn scoffer.

That's an irrational argument. Out-of-state corporations? Can you say McDonald's (headquartered in Illinois)? Burger King (Florida)? Pizza Hut (owned by New York's PepsiCo)? Stuart Anderson's (Washington)? How about retailers like Target, which owns Menard's, and is headquartered in Minnesota? Sears is headquartered in Illinois. Wal-Mart is headquartered in Arkansas. JC Penney is headquartered in Texas. Almost every multi-state business you can think of is an out-of-state company. The argument is irrational.

"What's your problem?" I asked. "They're entrepreneurs. They take risks so that other people can have jobs. Casinos help people."

"Job?" he scoffed. "Sure, at low pay! You call that a job?"

Yes.

Should we discriminate against a company because it pays low wages to some employees? Should Arizona tax Denny's (headquartered in South Carolina) 40% of its gross because it pays burrito minimum wages? Had honest people treat like things alike. That tax would not be like treatment.

This Measure is therefore irrational and dishonest, both.

Laws are ultimately enforced by gun and badge. If you don't pay taxes, eventually someone with a gun and badge will arrest you. It's neither honest nor rational to force, with gun and badge, a 40% tax against one and only one type of out-of-state company that pays low wages.

Scott MacPherson, M.S., J.D., Phoenix

Three of the year's propositions — Propositions 200, 201 and 202 — deal with Indian gaming. Of the three, Proposition 200 is the best and easiest to administer and deserves your vote.

As for fairness, Proposition 200 requires Indian tribes to (a) share 5% of net casino profits and (b) pay \$500 per machine to the State for compact enforcement and gaming enterprise certification. Proposition 200 will make \$32-\$40 million available for tribal education and scholarships for all Arizona students and for programs benefiting all Arizona better citizens, tribal education and tribal elderly care and \$10-\$11 million for the State, when the State has no money.

By requiring Indian tribes to pay even more to the State, Propositions 201 and 202 will separate tribes of "well-revenue" needed for health care, housing and education. While Proposition 200 requires tribes to share tens of millions of dollars, it does not redistribute income from our poorest citizens to the general population. Both Propositions 201 and 202 do.

Propositions 201 and 202 would require Indian tribes to pay for a program designed to solve the State's short-term budget problems caused by tax preferences and the alternative fuels issue. At best, they are equity gaming, at worst, they are payoffs.

As for ease of administration, Proposition 200 does not require signing to race tracks (as does Proposition 201) and does not demand money to a dizzying array of bureaucratic programs without adequate oversight (as does Proposition 202). Proposition 200 is straightforward.

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knowed. The bulk of the money paid by tribes will go for education - some 18,000 children each year; the bulk of the remainder will go for programs for seniors.

If you believe that Indian gaming will help tribes become self-sufficient, I urge you to vote for Proposition 200 and against Propositions 201 and 202.

Paul F. Edelstein, Phoenix

Arguments "Against" Proposition 201

NO on Proposition 201: The Department of Gaming Proposition

Proposition 201, which would turn dog and horse races into pari-mutuel betting, is about private gain versus public good.

FACT: Race tracks are private industries, primarily run by a few out-of-state owners.

FACT: Off-track betting sales and the revenues they generate have skyrocketed since 1992. There are now more than 70 OTB sales in our state.

FACT: Not satisfied with the millions they already are making, the out-of-state race-track owners now want to turn their tracks into casinos. And, they want to increase their gains by having Indian gaming.

The race-track Proposition 201 is about one thing: Turning race-track into casinos for private gain, not public good.

We urge you to help defeat the Race-track Casino Gambling Proposition by voting NO on Prop 201.

Governor Donald R. Arizon, Sr., Gila River Indian Community, Chairperson Louise Benson, Maricopa Tribe, Peach Springs Section

Chairperson Carmen Bradley, Maricopa-Pinal Tribe, Fredonia

Chairperson Sherry Cardona, Coconino Tribe, Sonoran

Chairperson Norm Hutton, Ft. Mojave Indian Tribe, Needles, California

President Ivan Mead, Salt River Pima-Maricopa Indian Community, Scottsdale

Chairman Dallas Messing, White Mountain Apache Tribe, Wickenburg

Chairman Arvon Russell, Yavapai-Apache Indian Camp Verde

Chairman Robert Valencia, Pima Yavapai Tribe, Tucson

Paid for by "Arizonans for Fair Gaming and Indian Self-Determination"

ATTENTION DOG LOVERS

VOTE NO ON 201

If you count yourself among the millions of Americans who love dogs, vote no on Proposition 201.

The proposal is brought to you by Arizona's race-tracks. It would open gambling in our state to allow slot machines and other "gambling devices" at dog and horse tracks.

We formed our committee to oppose permitting slot machines at dog tracks because we believe it will cause dogs to suffer.

Arizona has too many dogs. Tens of thousands of healthy, beautiful dogs are killed at Arizona animal shelters each year because they have nowhere to go. Yet the greyhound industry contributes to dog overpopulation by over breeding greyhounds. If 201 passes, more dogs will be bred, and what-if not nowhere to go. Unneeded greyhounds will either be euthanized for the limited number of homes with other dogs, or they'll be killed.

Over the years there have been cases of abuse and neglect of greyhounds both in Arizona and other states. This proposal will result in, at least, two track openings. We suspect that means more dogs will suffer abuse and neglect in the future.

Stephanie Nichols Young, Chair, Arizona Greyhound Protection Alliance, Phoenix

Paid for by Karen Mitchell

The Animal Defense League of Arizona urges you to vote No on Proposition 201.

Over the years, our organization has helped uncover neglect, severe abuse and the plight of greyhounds who have nowhere to go when their racing life is over. Proposition 201 would reward the dog racing industry by allowing it to put slot machines at tracks, and encourage it to breed more dogs to suffer the same fate in the future.

Greyhound racing is a multimillion-dollar industry. Although Arizona is one of only 15 states that have dog tracks, greyhound breeding and training farms exist in every state. Greyhounds are culled from the system at regular intervals from birth to 12 or 18 months, the age at which greyhound racing begins a racing career. The average age of a dog that makes it to an adoption program is 2.5 to 3 years old. It is a dog's survival the early culling process. He will be sent to a training farm at about one year of age. If he survives the training process, he will be sent to one of 15 racing states to begin his racing career at an official racetrack.

A successful racing dog will probably race in several states during his brief career. When he slows down or fails to show promise, he will be transferred to "low-end" tracks. Odds are better that he will be killed than adopted from these tracks. As evidenced by the bodies of between 2,000-3,000 greyhounds found on an Alabama farm, less than ten miles from the Pensacola track.

About 20,000 greyhounds are killed annually, including approximately 7,000 puppies and young dogs. Millions of greyhounds have died in the 77-year history of dog racing in the United States, thousands of them in Arizona.

Don't reward cruelty. Vote no on 201.

Stephanie Nichols Young, President, Phoenix

Paid for by "Animal Defense League of AZ"

Karen Mitchell, Secretary, Peoria

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The Humane Society of Southern Arizona, Inc. (HSSSA), has served Arizona's poor and sick animals since 1964.

We strongly oppose the expansion of dog racing in Arizona. This "race", stripped of its marshall-circuit glamour and extensive PR efforts, is an inhumane and unjustified exploitation of animals for profit.

The race of catastrophic injury to racing greyhounds is of great concern, as is the general lack of care given by owners and trainers who are not a part of the winners circle. HSSSA has cared for countless ex-racers. Greyhounds whose deplorable condition was clearly the result of routine neglect, not "broken track" claimed by industry spokesmen. Greyhounds may indeed love to run, but human greed has exploited this trait until over-breeding and the resultant cruelty are unavoidable by-products of dog racing.

Industry supporters claim that a portion of revenues from slot machines at Arizona dog tracks will go towards the care and adoption of ex-racers. However, this initiative, if passed, will also open the door for default tracks to re-open and new tracks to be built - ultimately resulting in thousands more greyhounds being produced to keep each track operational.

Greyhound adoption programs, though successful at saving the lives of some ex-racers, are frequently used as pawns of the racing industry, providing it with undeserved good publicity and positive images. While we applaud the efforts of these overfunded programs, we are opposed to enabling the dog-racing industry to produce more animals for the sake of profit, while so many other dogs and cats are destroyed each year in Arizona for lack of responsible owners and loving homes.

There is no excuse for dog racing in a humane world. Please help us join other more progressive states in saying NO to the expansion of dog racing.

Susan Wilson, Executive Director, Humane Society of Southern Arizona, Tucson

Paid for by "The Humane Society of Southern Arizona, Inc."

Pat Hubbard, Assistant Executive Director, Humane Society of Southern Arizona, Tucson

The American Society for the Prevention of Cruelty to Animals, and its 700,000 nationwide supporters, oppose ballot initiative 201 which will help subsidize the industry by authorizing slot machines at the greyhound tracks.

Although the ASPCA does not believe that racing greyhounds is in and of itself cruel, current industry practices and standards are especially problematic and inhumane in the treatment of the animals. Many greyhounds have been the subject of abuse, with some resulting in death. One particular problem inherent in the industry is its direct contribution to pet overpopulation. In order to produce a sufficient number of successful racing animals, the racing industry produces more dogs than can be adopted in the country. Many of the excess animals that are healthy but cannot find good homes must be euthanized, or meet a less humane death by gunshot, as we recently learned in Alabama.

The abuse of greyhound dogs by the greyhound racing industry is well established and ongoing. Dogs are required to run regardless of the extreme temperatures in Arizona. Many greyhounds have incurred severe injuries, including broken legs, kidney guidelines permit and dogs are usually fed "4-D" meat, which is obtained from "by-product" diseased, debilitated or dead livestock, as in its commercial version. When not racing greyhounds live in small crates, often with up to twenty-two hours a day and provide little, if any, human interaction. Approximately 20,000 dogs annually are "retired" at two years of age when they are no longer deemed successful racers.

Industry vets prescribe breeding thousands of animals annually to turn a profit, document the exploitation of dogs, and the subsequent euthanasia and inhumane killings of healthy animals name current greyhound racing industry CEO, White Plains, New York.

Dr. Larry Frank, President and CEO, Melbourn, Michigan

Stephen Eudene, Senior Vice President and CFO, White Plains, New York

Paid for by "The American Society for the Prevention of Cruelty to Animals"

More Tracks Mean More Homeless Dogs

Arizona Greyhound Rescue is a non-profit greyhound adoption organization that has found homes for over 600 rescued greyhound dogs in the last 10 years in Arizona. We are opposed to the legalization of slot machines at Arizona dog tracks because of the racing industry's continued lack of concern for the very animals who make dog racing possible.

If this proposition passes, the racing industry will receive two long-desired dog tracks in Arizona and leaves the door open for the construction of even more. What will happen to all of the dogs bred to race at these new tracks? The greyhound adoption effort in Arizona already struggles to adopt out hundreds of dogs each year while the state, hundreds more must be transported to other "Western" states each year because there are simply not enough homes locally for the dogs bred and raised here now. Where will all the new dogs go?

The racing industry claims that the proposition provides for ex-racing greyhounds by awarding money for adoption. Yet a maximum of only one tenth of one percent of the money raised would go to the adoption effort. And even that minuscule amount must be shared by both greyhound and racehorse adoption groups. In comparison, over four million dollars is guaranteed to promote Arizona's racing farms. This highly targeted emphasis on producing potential racing dogs over the support of ex-racers who need to find homes is a graphic illustration of the racing industry's priorities.

The discovery of 3000 dead racing greyhounds at one farm in Alabama just this last May demonstrates what happens when the breeding of race dogs overrides adoption efforts. If this proposition passes, more tracks will open, more dogs will be bred, and once again it will be the greyhounds who lose.

Linda Koenigs, Secretary, Arizona Greyhound Rescue, Tucson

Paid for by "Arizona Greyhound and Animal Rescue Fund"

Suzanne Waldenberger, President, Arizona Greyhound Rescue, Tucson

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Arguments "Against" Proposition 201

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That makes no sense.

Prop 202, the 17-Tribe Indian Self-Reliance Initiative, offers a balanced approach to preserving the benefits of tribal gaming without sacrificing needed regulation. That is an approach I do support. I hope you'd carefully consider these three propositions. After you do, I ask you to join me in voting NO on Prop 200 and 201 and YES on Prop 202.

Lee Arpaia, Sheriff, Maricopa County, Phoenix
Paid for by: Arizona's Fair Gaming and Indian Self-Reliance

Vote NO on Prop 201, the RaceTrack Casino Gambling Proposition. Turning Arizona racetracks into giant Las Vegas-style casinos is bad for our state and bad for our communities. That's why I am strongly opposed to Proposition 201.

Out-of-state racetrack owners want to turn their dog and horse racing tracks into giant casinos. This would forever change the character of our state and turn Tucson's Race Track into the largest casino in Arizona. Our neighborhoods will face year-round operations, extended hours with increased noise well into the night, more traffic congestion and the potential for increased crime. It's a bad deal for Arizona's neighborhoods.

Vote NO on Prop 201.

Patricia Bistoni, Phoenix City Councilwoman, Phoenix

Law Enforcement Opposes RaceTrack's Bid to Turn Arizona Into Nevada

Prop 201 would allow casino gambling outside of Arizona Indian reservations for the first time, giving dog and horse racing tracks a green light to turn their facilities into Las Vegas-style casinos.

If the race track industry gets its way, local law enforcement resources would be stretched. And, the negative impacts would be felt by our citizens and the communities they now serve and protect.

As sheriffs and police officers, we want to stop the out-of-state owners in their tracks before the race to create casinos across Arizona begins. That's why we say NO to Prop 201.

Tony Estrada, Sheriff, Santa Cruz County, Nogales

Thomas H. McElwain, Mayor (Ret.), Arizona Department of Public Safety, Phoenix

Paid for by: Arizona's Fair Gaming and Indian Self-Reliance

The RaceTrack Casino Gambling Proposition is a Deceptive Attempt to Shut Down Indian Gaming

Arizona voters beware! Political maneuverers to confuse the vote on limited Indian gaming could result in a shutdown of Indian gaming on tribal land.

Score tactics, lawsuits and power politics. The out-of-state dog and horse race track owners lodged a three-prong attack to turn tracks into casinos while equipping opposition from existing Indian gaming.

1. Negative ads making false claims about Indian gaming.

2. Political lobbying and misuse of dollars to put Prop 201 on the ballot, a measure that would allow slot machines at horse and dog racing tracks while limiting tribal gaming.

3. Political lobbying and misuse of dollars to put Prop 201 on the ballot, a measure that would allow slot machines at horse and dog racing tracks while limiting tribal gaming.

Despite these maneuvers, poll after poll clearly shows that the majority of Arizonans oppose turning tracks into casinos. And, these games voters overwhelmingly support limited, regulated gaming on Indian lands.

Carroll and company. The tracks may be betting on voter confusion. There are three gaming initiatives on the ballot. Prop 200 is a proposal by one tribe with its own agenda. Prop 201 would turn tracks into giant, Nevada-style casinos. Prop 202, the 17-Tribe Indian Self-Reliance Initiative, is the only balanced approach to preserving fair gaming and the only one that meets a YES vote.

Phyllis Janus, Chair of the Arizona Department of Public Safety, Phoenix

Senator Elaine Richardson, District 11, Tucson

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Arguments "Against" Proposition 201

Tourism Leaders say NO to Prop 201
 Proposition 201 takes Arizona in the wrong direction. Prop 201 will turn the dog and horse tracks into casinos. Unlike Prop 200--The 17 Tribes Initiative, Prop 201 expands gaming in Arizona into our communities, and will place additional burden on law enforcement and other governmental services. Simply put, Prop 201 will send Arizona down the slippery slope of state-wide gambling, negatively affecting the quality of life we all enjoy.

Who you need to vote NO on Prop 201

- Kathy Bantz, White Mountain Tourism Solutions, President, Phoenix
- Bradley King, Account Executive, The Arizona Republic, Phoenix
- Jaewon Wadiphal, Physician
- Francisco Ariza, Phoenix
- Gina Figue, Phoenix
- Kelasa Vasquez, Tourism Development Manager, Avendale
- Urbid M. Velazco, AZ Office of Tourism, Phoenix
- Paul Ter by, "McCombs for Fair Gaming and Indian Self-Determination"
- Community Groups Say NO to Prop 201 the Race-track Casino Gambling Proposition
- For business, dog and horse-racing tracks have operated in our neighborhoods. Then, the out-of-state race-track owners brought in Off Track Betting. Now, they want us to allow them to turn their dog- and horse-racing tracks into casinos.
- Now is the time to say NO to turning Arizona race-tracks into giant Las Vegas-style casinos.
- Please help us protect our communities by voting NO on Prop 201.
- B. Paul Barnes, President, Neighborhood Coalition of Greater Phoenix, Phoenix
- Dorine Neff, Director & Co-Founder, NALLEEM, Phoenix
- Paul Ter by, Deborah A. Johnson
- Monie Dabink, Mechos Group Inc., Executive Assistant, Phoenix
- Danise Marlett, CEO, DMCJ, Phoenix
- Beth Daisy, Negotiator
- Beravis S. Marz, Phoenix
- Nancy Kravus, Phoenix
- Nancy Woodrum, Director of Research, Arizona Office of Tourism, Phoenix

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Ballot Format for Proposition 201

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BALLOT FORMAT

PROPOSITION 201

PROPOSED BY INITIATIVE PETITION

OFFICIAL TITLE
 AN ACT AMENDING SECTIONS 5-101, 5-110, 5-111, 5-112, 5-113 AND 5-601, ARIZONA REVISED STATUTES; REPEALING SECTION 5-601.01, ARIZONA REVISED STATUTES MAKING AN APPROPRIATION; RELATING TO GAMING

DESCRIPTIVE TITLE
 AUTHORIZES HORSE AND DOG RACETRACKS TO OPERATE SLOT MACHINES; PERMITS GOVERNOR TO APPROVE NEW TRIBAL GAMING COMPACTS; ALLOCATES RACETRACKS 10 FACILITIES STATEWIDE WITH 550-950 MACHINES EACH, EACH TRIBE 1-3 FACILITIES, 600-2400 MACHINES, 50-75 CARD TABLES; 40% OF TRACKS' GROSS AND 8% OF TRIBES' GROSS FUND STATEWIDE PROGRAMS SPECIFIED IN MEASURE

PROPOSITION 201

| | |
|---|------------------------------|
| A "yes" vote shall have the effect of permitting horse and dog racetracks to operate slot machines and the Governor to approve new tribal gaming compacts; allocate racetracks 10 facilities statewide with 550-950 machines per facility and each tribe 1-3 facilities, 600-2400 slot machines and 50-75 card tables, 40% of tracks' gross and 8% of tribes' gross go to the state general fund and to programs including K-3 reading; prescription medication for seniors; rural health care; city and town police, fire and emergency services; college scholarships; tourism; and problem gambling. | YES <input type="checkbox"/> |
| A "no" vote shall have the effect of not authorizing slot machines at racetracks, not authorizing the Governor to approve new tribal gaming compacts and not authorizing removal of the current compacts when they expire. | NO <input type="checkbox"/> |

On the ballot for the voters to consider are these propositions dealing with the question of gambling, both on Indian reservations and elsewhere. We have separately voted opposition to propositions 200 and 202, dealing with casino gambling on Indian reservations. Proposition 201 requires a separate comment.

First, since Prop. 201 would allow the continuation and expansion of gambling at tribal casinos, our comments as to Propositions 200 and 202 apply here as well.

Second, while Propositions 200 and 202 provide the idea that it makes sense to "lift" gambling to Indian reservations, so that the activity is contained and doesn't seep into Arizona as a whole, this is nonsense. As one columnist recently observed in a major newspaper, Indian reservations are already everywhere. Scarcely any person in Arizona is more than a 45-minute drive from a reservation slot machine. Prop. 201 might cut the drive time in half.

Third, the idea that a "leveling of the playing field" to promote fair competition (a national idea, standing alone) does not necessarily mean that the national enforces existing slot machines or "gambling devices" in Prop. 201 should get them. Fairness and justice could also be achieved by allowing the existing Indian casino agreements to expire and requiring the removal of such devices altogether.

Since a federal court has already held that the agreements under which the present reservation casinos operate were not authorized, a persuasive argument can be made that now is the best time to return Arizona to a course which will prevent its conversion into another Las Vegas. Prop. 201 does not promote this objective.

As stated in our other comments, for those who cannot find enough ways to wedge their money against terrific odds, Nevada is close enough.

- Jan Kik, U.S. Senator, Phoenix
- Jeff Flake, U.S. Congressman, Mesa
- John Shadegg, U.S. Congressman, Phoenix
- Paul Ter by, "John Shadegg for Congress"

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Spelling, grammar, and punctuation were reproduced as submitted in the "for" and "against" arguments. 72

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Proposition 202

PROPOSITION 202
OFFICIAL TITLE
AN INITIATIVE MEASURE

PROPOSING AMENDMENTS TO TITLE 5, CHAPTER 6, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 5-601.02; REPEALING SECTION 5-601.01; ARIZONA REVISED STATUTES; AMENDING SECTION 13-3301, ARIZONA REVISED STATUTES; PROPOSING AMENDMENTS TO TITLE 15, CHAPTER 2, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-779; PROPOSING AMENDMENTS TO TITLE 17, CHAPTER 2, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 1; PROPOSING AMENDMENTS TO TITLE 36, CHAPTER 28, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 36-2803.07; PROPOSING AMENDMENTS TO TITLE 41, CHAPTER 10, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-1505.12; AMENDING SECTION 41-2308, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2000, CHAPTER 373, SECTION 3; REPEALING SECTION 41-2308, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2000, CHAPTER 372, SECTION 3; RELATING TO TRIBAL-STATE COMPACTS.

TEXT OF THE PROPOSED AMENDMENT

Be it enacted by the People of the State of Arizona:

Sec. 1. Title.

This measure shall be known as the "Indian Gaming Preservation and Self-Help Act."

Sec. 2. Declaration of Purpose.

For most of the past century, Indians on reservations in Arizona lived in extreme poverty, western dependency, and economic despair. The situation began to improve in 1980, when federal law confirmed the right of Indian tribes to conduct tribal, regulated gaming on their own land for the purposes of, among other things, providing jobs and funding services for tribal members.

This federal law requires that state governments and tribes negotiate agreements, called tribal-state compacts, to establish the terms and conditions of Indian gaming in each state. Since 1982, Arizona law has authorized the governor of the state to negotiate tribal-state compacts on the state's behalf. Since that time, 17 Indian tribes in Arizona have entered into compacts with the state and processed in good faith to make major investments in gaming facilities on their tribal lands.

Today, these gaming facilities provide tribes with vitally needed funds for education, housing, health care, clean water, and other basic services on the tribal reservations. Indian gaming also supports thousands of jobs in the state, and annually generates hundreds of millions of dollars of economic activity, and millions of dollars of taxes, which benefit local communities and the state economy.

With the compacts due to being expiring in 2003, and with the state and the tribes desiring to continue and enhance the benefits of tribal gaming in the state, the parties began in 2000 to negotiate new compacts that provide for the continuation of Indian gaming.

While the governor and the tribes have agreed on a framework for the new compacts, a legal roadblock now precludes the governor from executing new compacts. The laws and dog research industry filed a lawsuit claiming that the lengthening state law authorizing the governor to negotiate and enter into compacts on the state's behalf was invalid because of legal technicalities. Because of the lawsuit, the state can not enter into new compacts with the tribes unless a new law corrects the technical deficiencies in existing law or if new compacts are approved by the legislature or the people of the State of Arizona.

Under the impending expiration of the existing compacts, it is critical to promptly resolve any technical deficiencies in current state law and provide a means for the state to enter into new or amended tribal-state gaming compacts. Without the action, Indian tribes in Arizona face the risk that tribal casinos could be shut down, and plans to share Indian gaming revenues with the state and to create opportunities for non-gaming tribes to benefit from Indian gaming will go unrealized.

The Indian Gaming Preservation and Self-Help Act is designed to address this situation. The Act resolves any technical deficiencies in current state law and authorizes the governor to enter into new tribal-state compacts, in accordance with specified parameters, so that Indian casinos can continue to operate. The Act maintains responsible Indian on Indian gaming and creates the Spelling, grammar, and punctuation were reproduced as submitted in the "for" and "against" arguments.

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Proposition 202

SMALLEST OR GREATER THAN THE LARGEST POSSIBLE ADDITIONAL DEVICES ALLOCATION PROVIDED TO AN INDIAN TRIBE WITH AN EQUAL NUMBER OF DEVICES IN THE CURRENT TRIBE DEVICE ALLOCATION COLUMN SET FORTH IN THE NEW COMPACT, AT THE OPTION OF THE INDIAN TRIBE, THE POSSIBLE ADDITIONAL DEVICES ALLOCATION SHALL BE INCLUDED IN EITHER THE INDIAN TRIBES' NEW COMPACT OR AN AMENDMENT TO SUCH NEW COMPACT.

G. THE AUTHORITY AND OBLIGATIONS OF THE STATE, THROUGH THE GOVERNOR, TO NEGOTIATE ADDITIONAL COMPACT TERMS PURSUANT TO SUBSECTION E AND F ARE INDEPENDENT OF AND SEPARATE FROM THE OBLIGATIONS OF THE STATE PURSUANT TO SUBSECTION A, AND SHALL NOT CONSTITUTE GROUNDS FOR ANY DELAY BY THE STATE IN CARRYING OUT ITS OBLIGATIONS TO EXECUTE AND FORWARD NEW COMPACTS TO THE UNITED STATES DEPARTMENT OF THE INTERIOR AS REQUIRED IN SUBSECTION A.

H. THE ARIZONA BENEFITS FUND IS ESTABLISHED CONSISTING OF MONIES PAID TO THE STATE BY INDIAN TRIBES PURSUANT TO SECTION 12(i) OF NEW COMPACTS AND INTEREST EARNED ON THOSE MONIES. AN INDIAN TRIBE WITH A NEW COMPACT SATISFIES THE REQUIREMENTS OF SUBSECTION F OF SECTION 5-601, TRIBAL CONTRIBUTIONS PAID TO THE STATE PURSUANT TO A NEW COMPACT SHALL BE DEPOSITED IN THE ARIZONA BENEFITS FUND, NOT THE PERMANENT TRIBAL-STATE COMPACT FUND PURSUANT TO SUBSECTION G OF SECTION 5-601.

1. THE DEPARTMENT OF GAMING SHALL ADMINISTER THE ARIZONA BENEFITS FUND. THE DEPARTMENT OF GAMING SHALL MAKE AN ANNUAL REPORT TO THE GOVERNOR, THE PRESIDENT OF THE SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND EACH INDIAN TRIBE WITH A NEW COMPACT WITHIN 90 DAYS AFTER THE END OF THE STATES FISCAL YEAR. THIS REPORT SHALL BE SEPARATE FROM ANY OTHER REPORT OF THE DEPARTMENT OF GAMING. THE REPORT SHALL INCLUDE A STATEMENT OF AGGREGATE GROSS GAMING REVENUE FOR ALL INDIAN TRIBES, AGGREGATE REVENUES DEPOSITED IN THE ARIZONA BENEFITS FUND, INCLUDING INTEREST THEREON, EXPENDITURES MADE FROM THE ARIZONA BENEFITS FUND AND AGGREGATE AMOUNTS CONTRIBUTED BY ALL INDIAN TRIBES TO CITIES, TOWNS, AND COUNTIES PURSUANT TO PARAGRAPH 4 OF THIS SUBSECTION. THE DEPARTMENT OF GAMING SHALL PROVIDE A COPY OF THE REPORT TO THE SECRETARY OF STATE AND THE DIRECTOR OF THE ARIZONA STATE LIBRARY, ARCHIVES AND PUBLIC RECORDS.

I. EXCEPT FOR MONIES EXPENDED BY THE DEPARTMENT OF GAMING AS PROVIDED IN SUBSECTION (I) OF PARAGRAPH 5 OF THIS SUBSECTION, THE ARIZONA BENEFITS FUND IS NOT SUBJECT TO APPROPRIATION AND EXPENDITURES FROM THE FUND ARE NOT SUBJECT TO OUTSIDE APPROVAL. NOTWITHSTANDING ANY STATUTORY PROVISION TO THE CONTRARY, MONIES PAID TO THE STATE BY INDIAN TRIBES PURSUANT TO A NEW COMPACT SHALL BE DEPOSITED DIRECTLY WITH THE ARIZONA BENEFITS FUND, ON NOTICE FROM THE DEPARTMENT OF GAMING. THE STATE TREASURER SHALL INVEST AND DIVEST MONIES IN THE ARIZONA BENEFITS FUND AS PROVIDED IN SECTION 35-313, AND MONIES EARNED FROM INVESTMENT SHALL BE CREDITED TO THE FUND. MONIES IN THE ARIZONA BENEFITS FUND SHALL BE EXPENDED ONLY AS PROVIDED IN PARAGRAPH 3 OF THIS SUBSECTION, AND SHALL NOT REVERT TO ANY OTHER FUND, INCLUDING

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THE STATE GENERAL FUND. MONIES IN THE ARIZONA BENEFITS FUND ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190 RELATING TO THE LYSING OF APPROPRIATIONS.

3. MONIES IN THE ARIZONA BENEFITS FUND, INCLUDING ALL INVESTMENT EARNINGS, SHALL BE ALLOCATED AS FOLLOWS:

(A) EIGHT MILLION DOLLARS OR NINE PERCENT, WHICHEVER IS GREATER, SHALL BE USED FOR REIMBURSEMENT OF ADMINISTRATIVE AND REGULATORY EXPENSES, INCLUDING EXPENSES FOR DEVELOPMENT OF AND ACCESS TO ANY ONLINE ELECTRONIC GAME MANAGEMENT SYSTEMS AND FOR LAW ENFORCEMENT ACTIVITIES INCURRED BY THE DEPARTMENT OF GAMING PURSUANT TO THIS CHAPTER. ANY MONIES THAT ARE ALLOCATED PURSUANT TO THIS SUBSECTION (A) THAT ARE NOT APPROPRIATED TO THE DEPARTMENT OF GAMING SHALL BE DEPOSITED IN THE INSTRUCTIONAL IMPROVEMENT FUND ESTABLISHED BY SECTION 15-679.

(B) TWO PERCENT SHALL BE USED BY THE DEPARTMENT OF GAMING TO FUND STATE AND LOCAL PROGRAMS FOR THE PREVENTION AND TREATMENT OF AND EDUCATION CONCERNING PROBLEM GAMBLING.

(C) OF THE MONIES IN THE ARIZONA BENEFITS FUND THAT ARE NOT ALLOCATED PURSUANT TO SUBSECTION (A), FIFTY-FIVE PERCENT SHALL BE DEPOSITED IN THE INSTRUCTIONAL IMPROVEMENT FUND ESTABLISHED BY SECTION 15-679 FOR USE BY SCHOOL DISTRICTS FOR CLASSROOM SIZE REDUCTION, TEACHER SALARY INCREASES, DISTRICT PREPARATION PROGRAMS, AND INSTRUCTIONAL IMPROVEMENT PROGRAMS.

(D) THIRTY-EIGHT PERCENT SHALL BE DEPOSITED IN THE TRINOMA AND EMERGENCY SERVICES FUND ESTABLISHED BY SECTION 36-2803.07.

(E) EIGHT PERCENT SHALL BE DEPOSITED IN THE ARIZONA WILDLIFE CONSERVATION FUND ESTABLISHED BY SECTION 17-269.

(F) EIGHT PERCENT SHALL BE DEPOSITED IN THE TOURISM FUND ACCOUNT ESTABLISHED BY PARAGRAPH 4 OF SUBSECTION 4 OF SECTION 41-2308 FOR STATEWIDE TOURISM PROMOTION.

4. IN ADDITION TO MONIES CONTRIBUTED TO THE ARIZONA BENEFITS FUND, TWELVE PERCENT OF TRIBAL CONTRIBUTIONS PURSUANT TO NEW COMPACTS SHALL BE CONTRIBUTED BY INDIAN TRIBES TO CITIES, TOWNS AND COUNTIES AS DENIED IN TITLE 11, ARIZONA REVISED STATUTES, FOR GOVERNMENT SERVICES THAT BENEFIT THE GENERAL PUBLIC, INCLUDING PUBLIC SAFETY, MITIGATION OF IMPACTS OF GAMING, AND PROMOTION OF COMMERCE AND ECONOMIC DEVELOPMENT.

(A) AN INDIAN TRIBE MAY DISTRIBUTE SUCH FUNDS DIRECTLY TO CITIES, TOWNS AND COUNTIES FOR THESE PURPOSES. THE AMOUNT OF MONIES SO DISTRIBUTED BY EACH INDIAN TRIBE SHALL BE REPORTED TO THE DEPARTMENT OF GAMING IN THE QUARTERLY REPORT REQUIRED BY THE NEW COMPACT.

(B) ANY MONIES COMPRISING THE TWELVE PERCENT NOT SO DISTRIBUTED BY AN INDIAN TRIBE SHALL BE DEPOSITED IN THE COMMERCE AND ECONOMIC DEVELOPMENT COMMISSION

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LOCAL COMMITTEES FUND ESTABLISHED BY SECTION 14-106.12 FOR GRANTS TO CITIES, TOWNS AND COUNTIES.

5. THE DEPOSIT OF MONIES REQUIRED BY SUBDIVISION (B) OF PARAGRAPH 3 OF THIS SUBSECTION SHALL BE MADE ON A QUARTERLY BASIS, OR MORE FREQUENTLY IF PRACTICABLE.

1. FOR THE PURPOSES OF THIS SECTION:
1. "GAMING DEVICES" MEANS GAMING DEVICES AS DEFINED IN SUBDIVISION (B)(1) OF PARAGRAPH 6 OF THIS SECTION.
2. "INDIAN GAMING REGULATORY ACT" MEANS THE INDIAN GAMING REGULATORY ACT OF 1988 (P.L. 100-49), 702 STAT. 2487, 25 UNITED STATES CODE SECTIONS 2701 THROUGH 2721 AND 18 UNITED STATES CODE SECTIONS 1189 THROUGH 1193.
3. "INDIAN LANDS" MEANS LANDS AS DEFINED IN 25 UNITED STATES CODE SECTION 2703(A)(1) AND (2) SUBJECT TO THE PROVISIONS OF 25 UNITED STATES CODE SECTION 2718.

- 4. "INDIAN TRIBE" MEANS:
(A) THE COCOONIA INDIAN TRIBE
(B) THE PORT MOLAVE INDIAN TRIBE
(C) THE QUCHEAN TRIBE
(D) THE TONTO APACHE TRIBE
(E) THE YAVAPAI-APACHE NATION
(F) THE YAVAPAI-PRESOTT INDIAN TRIBE
(G) THE COLONADO RIVER INDIAN TRIBE
(H) THE SAN CARLOS APACHE TRIBE
(I) THE WHITE MOUNTAIN APACHE TRIBE
(J) THE AC-CHIN INDIAN COMMUNITY
(K) THE FORT MCDOWELL YAVAPAI NATION
(L) THE SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY
(M) THE GALA RIVER INDIAN COMMUNITY
(N) THE PASOULA YUVAI TRIBE
(O) THE THONHO COOCHAI NATION
(P) THE HUALAPYAN TRIBE
(Q) THE HUALAPYAN TRIBE
(R) THE KARABAPUTE TRIBE
(S) THE HOPI TRIBE
(T) THE NAVALO NATION
(U) THE SAN JUAN SOUTHERN PAUTE TRIBE
(V) ANY INDIAN TRIBE, AS DEFINED IN 25 UNITED STATES CODE SECTION 2703(G), WITH INDIAN LANDS IN THIS STATE.

5. "PRE-EXISTING COMPACT" MEANS AN INDIAN TRIBES TRIBAL-STATE GAMING COMPACT AND AMENDMENTS THERETO AS APPROVED BY THE UNITED STATES DEPARTMENT OF THE INTERIOR AND ALL APPENDICES THERETO, AS OF THE EFFECTIVE DATE OF THIS SECTION.
6. "NEW STANDARD FORM OF TRIBAL-STATE GAMING COMPACT OR NEW COMPACT MEANS:
(A) FOR AN INDIAN TRIBE WITHOUT A PRE-EXISTING COMPACT A TRIBAL-STATE GAMING COMPACT THAT CONTAINS THE PROVISIONS OF THE MOST RECENT TRIBAL-STATE GAMING COMPACT ENTERED INTO BY THE STATE AND AN INDIAN TRIBE AND APPROVED BY THE UNITED STATES SECRETARY OF THE INTERIOR AND ITS APPENDICES, PRIOR TO THE EFFECTIVE DATE OF THIS SECTION, MODIFIED TO INCLUDE THE PROVISIONS DESCRIBED IN SUBDIVISION (B)(1) THROUGH (D) OF THIS PARAGRAPH.
(B) FOR AN INDIAN TRIBE WITH A PRE-EXISTING COMPACT A TRIBAL-STATE GAMING COMPACT THAT CONTAINS THE PROVISIONS OF THE INDIAN TRIBES PRE-EXISTING COMPACT MODIFIED AS FOLLOWS WITH ANY CROSS RE-

ferences in a pre-existing compact to be conformable accordingly:
(1) THE FOLLOWING DEFINITION SHALL REPLACE THE CORRESPONDING DEFINITION IN SECTION 2 OF THE PRE-EXISTING COMPACT:
"GAMING DEVICE" MEANS A MECHANICAL DEVICE, AN ELECTRO-MECHANICAL DEVICE OR A DEVICE CONTROLLED BY AN ELECTRONIC MICROPROCESSOR OR ANOTHER MECHANISM, WHETHER THAT DEVICE CONTROLS CLASS II GAMING, CLASS III GAMING, THAT ALLOWS A PLAYER OR PLAYER TO PLAY GAMES OF CHANCE, WHETHER OR NOT THE OUTCOME ALSO IS AFFECTED IN SOME PART BY SKILL, AND WHETHER THE DEVICE ACCEPTS COINS, TOKENS, BILLS, COUPONS, TICKET VOUCHERS, PULL TABS, SMART CARDS, ELECTRONIC IN-HOUSE ACCOUNTING SYSTEM CREDITS OR OTHER SIMILAR FORMS OF CONSIDERATION AND THROUGH THE APPLICATION OF CHANCE, ALLOWS A PLAYER TO BECOME ENTITLED TO A PRIZE, WHICH MAY BE COLLECTED THROUGH THE DISPENSING OF COINS, TOKENS, BILLS, COUPONS, TICKET VOUCHERS, SMART CARDS, ELECTRONIC IN-HOUSE ACCOUNTING SYSTEM CREDITS OR OTHER SIMILAR FORMS OF VALUE. GAMING DEVICE DOES NOT INCLUDE ANY OF THE FOLLOWING:
(1) THOSE TECHNOLOGICAL AIDS FOR BINGO GAMES THAT FUNCTION ONLY AS ELECTRONIC SLIST-LUTES FOR BINGO CARDS.
(2) DEVICES THAT ISSUE AND VALIDATE PAPER LOTTERY PRODUCTS AND THAT ARE DIRECTLY OPERATED ONLY BY ARIZONA STATE LOTTERY LICENSED RETAILERS AND THEIR EMPLOYEES.
(3) DEVICES THAT ARE OPERATED DIRECTLY BY A LOTTERY PLAYER AND THAT DISPENSE PAPER LOTTERY TICKETS, IF THE DEVICES DO NOT IDENTIFY WINNING OR LOSING LOTTERY TICKETS, DISPLAY LOTTERY WINNINGS OR DISBURSE LOTTERY WINNINGS.
(4) DEVICES THAT ARE OPERATED DIRECTLY BY A LOTTERY PLAYER AND THAT VALIDATE PAPER LOTTERY TICKETS FOR A GAME THAT DOES NOT HAVE A PRE-DETERMINED NUMBER OF WINNING TICKETS, IF:
(A) THE DEVICES DO NOT ALLOW INTERACTIVE GAMING;
(B) THE DEVICES DO NOT ALLOW A LOTTERY PLAYER TO PLAY THE LOTTERY FOR IMMEDIATE PAYMENT OR REWARD;
(C) THE DEVICES DO NOT DISBURSE LOTTERY WINNINGS; AND
(D) THE DEVICES ARE NOT VIDEO LOTTERY TERMINALS.
(5) PLAYER ACTIVATED LOTTERY TERMINALS:
(A) THE FOLLOWING DEFINITIONS SHALL BE ADDED TO SECTION 2 OF THE PRE-EXISTING COMPACT:
(I) "ADDITIONAL GAMING DEVICES" MEANS THE NUMBER OF ADDITIONAL GAMING DEVICES ALLOCATED TO THE TRIBE IN COLUMN (2) OF THE TRIBES ROW IN THE TABLE.
(II) "CARD GAME TABLE" MEANS A SINGLE TABLE AT WHICH THE TRIBE CONDUCTS THE CARD GAME OF POKER OR BLACKJACK.
(III) "CLASS II GAMING DEVICE" MEANS A GAMING DEVICE WHICH, IF OPERATED ON INDIAN LANDS BY AN INDIAN TRIBE, WOULD BE CLASS II GAMING.
(IV) "CLASS III GAMING DEVICE" MEANS A GAMING DEVICE WHICH, IF OPERATED ON INDIAN LANDS BY AN INDIAN TRIBE, WOULD BE CLASS III GAMING.

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(20) "CLASS III NET WIN" MEANS GROSS GAMING REVENUE, LESS THE DIFFERENCE BETWEEN GAMING WINS AND LOSSES, BEFORE DEDUCTING COSTS AND EXPENSES.
(21) "CR ADJUSTMENT RATE" SHALL MEAN THE QUOTIENT OBTAINED AS FOLLOWS: THE CR INDEX FOR THE EXPIRETH (20TH) CALENDAR MONTH OF THE APPLICABLE FIVE-YEAR PERIOD FOR WHICH THE WAGER LIMITATIONS ARE BEING ADJUSTED SHALL BE DIVIDED BY THE CR INDEX FOR THE CALENDAR MONTH IN WHICH THE EFFECTIVE DATE OCCURS. THE CR INDEX FOR THE NUMERATOR AND THE DENOMINATOR SHALL HAVE THE SAME BASE YEAR. IF THE CR INDEX IS NO LONGER PUBLISHED, OR IF THE FORMAT OF THE CR INDEX HAS CHANGED SO THAT THIS CALCULATION IS NO LONGER POSSIBLE, THEN ANOTHER SUBSTANTIALLY COMPARABLE INDEX SHALL BE SUBSTITUTED IN THE FORMULA BY AGREEMENT OF THE TRIBE AND THE STATE SO THAT THE ECONOMIC EFFECT OF THIS CALCULATION IS PRESERVED. IF THE PARTIES CANNOT AGREE ON THE SUBSTITUTE INDEX, THE SUBSTITUTE INDEX SHALL BE DETERMINED BY ARBITRATION IN ACCORDANCE WITH SECTION 15.
(22) "CPI INDEX" MEANS THE UNITED STATES CITY AVERAGE (ALL URBAN CONSUMERS) - ALL ITEMS (1982-1984 = 100) INDEX OF THE CONSUMER PRICE INDEX PUBLISHED BY THE BUREAU OF LABOR STATISTICS, UNITED STATES DEPARTMENT OF LABOR.
(23) "CPR" MEANS THE CPR INSTITUTE FOR DISPUTE RESOLUTION.
(24) "CURRENT GAMING DEVICE ALLOCATION" MEANS THE NUMBER OF CLASS II GAMING DEVICES ALLOCATED TO THE TRIBE AS ADJUSTED UNDER SECTION 2(V).
(25) "EFFECTIVE DATE" MEANS THE DAY THIS COMPACT GOES INTO EFFECT AFTER ALL OF THE FOLLOWING EVENTS HAVE OCCURRED:
(1) IT IS ENACTED ON BEHALF OF THE STATE AND THE TRIBE.
(2) IT IS APPROVED BY THE SECRETARY OF THE INTERIOR.
(3) NOTICE OF THE SECRETARY OF THE INTERIOR'S APPROVAL IS PUBLISHED IN THE FEDERAL REGISTER PURSUANT TO THE ACT, AND
(4) EACH INDIAN TRIBE WITH A GAMING FACILITY IN MARICOPA, PIMA OR PINAL COUNTIES HAS ENTERED INTO A NEW COMPACT AS DEFINED IN A.R.S. SECTION 5-507(A)(1), EACH OF WHICH HAS BEEN APPROVED BY THE SECRETARY OF THE INTERIOR, AND NOTICE OF THE SECRETARY OF THE INTERIOR'S APPROVAL HAS BEEN PUBLISHED IN THE FEDERAL REGISTER PURSUANT TO THE ACT, UNLESS THE GOVERNOR OF THE STATE WAIVES THE REQUIREMENTS OF THIS SECTION 2(V)(4).
(26) "FORBEARANCE AGREEMENT" MEANS AN AGREEMENT BETWEEN THE STATE AND AN INDIAN TRIBE IN WHICH THE INDIAN TRIBE THAT IS TRANSFERRING SOME OR ALL OF ITS GAMING DEVICE OPERATING RIGHTS WAIVES ITS RIGHTS TO PUT SUCH GAMING DEVICE OPERATING RIGHTS INTO PLAY DURING THE TERM OF A TRANSFER AGREEMENT.
(27) "GAMING DEVICE OPERATING RIGHT" MEANS THE AUTHORIZATION OF AN INDIAN TRIBE TO OPERATE CLASS III GAMING DEVICES PURSUANT TO THE TERMS OF A NEW COMPACT AS DEFINED IN A.R.S. SECTION 5-501 (2)(D)(10).

(28) "MULTI-STATION DEVICE" MEANS AN ELECTRONIC CLASS II GAMING DEVICE THAT INCORPORATES MORE THAN ONE PLAYER STATION AND CONTAINS ONE CENTRAL PROCESSING UNIT WHICH OPERATES THE GAME SOFTWARE, INCLUDING A SINGLE RANDOM NUMBER GENERATOR THAT DETERMINES THE OUTCOME OF ALL GAMES AT ALL PLAYER STATIONS FOR THAT CLASS II GAMING DEVICE.
(29) "PLAYER ACTIVATED LOTTERY TERMINAL" MEANS AN ON-LINE COMPUTER SYSTEM THAT IS PLAYER ACTIVATED BUT THAT DOES NOT PRODUCE THE TERMINAL FOR DISPENSING PURPOSES ONLY, IN WHICH:
(1) THE TERMINAL ALGORITHM IS USED FOR THE RANDOM GENERATION OF NUMBERS.
(2) THE TICKETS DISPENSED BY THE TERMINAL DO NOT ALLOW THE PLAYER THE MEANS TO PLAY DIRECTLY AGAINST THE TERMINAL.
(3) THE PLAYER USES THE DISPENSED TICKET TO PARTICIPATE IN AN OFF-SITE RANDOM DRAWING, AND
(4) THE PLAYER'S ABILITY TO PLAY AGAINST THE TERMINAL FOR IMMEDIATE PAYMENT OR REWARD IS ELIMINATED.
(30) "PLAYER STATION" MEANS A TERMINAL OF A MULTI-STATION DEVICE THROUGH WHICH THE PLAYER PLAYS AN ELECTRONIC GAME OF CHANCE SIMILAR TO THAT OF OTHER PLAYER STATIONS AT OTHER STATIONS OF THAT MULTI-STATION DEVICE, AND WHICH:
(1) HAS NO MEANS TO INDIVIDUALLY DETERMINE GAME OUTCOME;
(2) CANNOT BE DISCONNECTED FROM THE GAMING DEVICE CENTRAL PROCESSING UNIT THAT DETERMINES THE GAME OUTCOMES FOR ALL PLAYER STATIONS WITHOUT REORDERING THAT TERMINAL, IMPERMISSIBLE; AND
(3) DOES NOT SEPARATELY CONTAIN A RANDOM NUMBER GENERATOR OR OTHER MEANS TO INDIVIDUALLY DETERMINE THE GAME OUTCOME.
(31) "POPULATION ADJUSTMENT RATE" MEANS THE QUOTIENT OBTAINED AS FOLLOWS: THE STATE POPULATION FOR THE CALENDAR YEAR IMMEDIATELY PRECEDING THE CALENDAR YEAR IN WHICH THE SIXTEENTH (60TH) CALENDAR MONTH OF THE APPLICABLE FIVE-YEAR PERIOD FOR WHICH THE APPLICABLE FIGURE OR AMOUNT IS BEING ADJUSTED OCCURS DIVIDED BY THE STATE POPULATION FOR THE CALENDAR YEAR IMMEDIATELY PRECEDING THE CALENDAR YEAR IN WHICH THE EFFECTIVE DATE OCCURS. IF THE STATE POPULATION IS NO LONGER PUBLISHED OR CALCULATED BY THE ARIZONA DEPARTMENT OF ECONOMIC SECURITY, THEN ANOTHER SUBSTANTIALLY COMPARABLE AGENCY OF THE STATE SHALL BE SUBSTITUTED BY AGREEMENT OF THE TRIBE AND THE STATE SO THAT THE EFFECT OF THIS CALCULATION IS PRESERVED. IF THE PARTIES CANNOT AGREE ON THE SUBSTITUTE AGENCY OF THE STATE TO PROVIDE THE STATE POPULATION, THE SUBSTITUTE AGENCY OR PERSON SHALL BE DETERMINED BY ARBITRATION IN ACCORDANCE WITH SECTION 15.
(32) "SPENDING GAMING FACILITY ALLOCATION" MEANS THE NUMBER OF FACILITIES ALLOCATED TO THE TRIBE IN COLUMN (2) OF THE TRIBES ROW IN THE TABLE.

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(33) "MULTI-STATION DEVICE" MEANS AN ELECTRONIC CLASS II GAMING DEVICE THAT INCORPORATES MORE THAN ONE PLAYER STATION AND CONTAINS ONE CENTRAL PROCESSING UNIT WHICH OPERATES THE GAME SOFTWARE, INCLUDING A SINGLE RANDOM NUMBER GENERATOR THAT DETERMINES THE OUTCOME OF ALL GAMES AT ALL PLAYER STATIONS FOR THAT CLASS II GAMING DEVICE.
(34) "PLAYER ACTIVATED LOTTERY TERMINAL" MEANS AN ON-LINE COMPUTER SYSTEM THAT IS PLAYER ACTIVATED BUT THAT DOES NOT PRODUCE THE TERMINAL FOR DISPENSING PURPOSES ONLY, IN WHICH:
(1) THE TERMINAL ALGORITHM IS USED FOR THE RANDOM GENERATION OF NUMBERS.
(2) THE TICKETS DISPENSED BY THE TERMINAL DO NOT ALLOW THE PLAYER THE MEANS TO PLAY DIRECTLY AGAINST THE TERMINAL.
(3) THE PLAYER USES THE DISPENSED TICKET TO PARTICIPATE IN AN OFF-SITE RANDOM DRAWING, AND
(4) THE PLAYER'S ABILITY TO PLAY AGAINST THE TERMINAL FOR IMMEDIATE PAYMENT OR REWARD IS ELIMINATED.
(35) "PLAYER STATION" MEANS A TERMINAL OF A MULTI-STATION DEVICE THROUGH WHICH THE PLAYER PLAYS AN ELECTRONIC GAME OF CHANCE SIMILAR TO THAT OF OTHER PLAYER STATIONS AT OTHER STATIONS OF THAT MULTI-STATION DEVICE, AND WHICH:
(1) HAS NO MEANS TO INDIVIDUALLY DETERMINE GAME OUTCOME;
(2) CANNOT BE DISCONNECTED FROM THE GAMING DEVICE CENTRAL PROCESSING UNIT THAT DETERMINES THE GAME OUTCOMES FOR ALL PLAYER STATIONS WITHOUT REORDERING THAT TERMINAL, IMPERMISSIBLE; AND
(3) DOES NOT SEPARATELY CONTAIN A RANDOM NUMBER GENERATOR OR OTHER MEANS TO INDIVIDUALLY DETERMINE THE GAME OUTCOME.
(36) "POPULATION ADJUSTMENT RATE" MEANS THE QUOTIENT OBTAINED AS FOLLOWS: THE STATE POPULATION FOR THE CALENDAR YEAR IMMEDIATELY PRECEDING THE CALENDAR YEAR IN WHICH THE SIXTEENTH (60TH) CALENDAR MONTH OF THE APPLICABLE FIVE-YEAR PERIOD FOR WHICH THE APPLICABLE FIGURE OR AMOUNT IS BEING ADJUSTED OCCURS DIVIDED BY THE STATE POPULATION FOR THE CALENDAR YEAR IMMEDIATELY PRECEDING THE CALENDAR YEAR IN WHICH THE EFFECTIVE DATE OCCURS. IF THE STATE POPULATION IS NO LONGER PUBLISHED OR CALCULATED BY THE ARIZONA DEPARTMENT OF ECONOMIC SECURITY, THEN ANOTHER SUBSTANTIALLY COMPARABLE AGENCY OF THE STATE SHALL BE SUBSTITUTED BY AGREEMENT OF THE TRIBE AND THE STATE SO THAT THE EFFECT OF THIS CALCULATION IS PRESERVED. IF THE PARTIES CANNOT AGREE ON THE SUBSTITUTE AGENCY OF THE STATE TO PROVIDE THE STATE POPULATION, THE SUBSTITUTE AGENCY OR PERSON SHALL BE DETERMINED BY ARBITRATION IN ACCORDANCE WITH SECTION 15.
(37) "SPENDING GAMING FACILITY ALLOCATION" MEANS THE NUMBER OF FACILITIES ALLOCATED TO THE TRIBE IN COLUMN (2) OF THE TRIBES ROW IN THE TABLE.

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(EE) REVENUE GAMING FACILITY ALLOCATION MEANS THE NUMBER OF FACILITIES ALLOCATED TO THE TRIBE IN COLUMN (4) OF THE TRIBES' ROW IN THE TABLE OR BY SECTION 30(C)(6).

(FF) RULES MEANS THE CR RULES FOR NON-ADMINISTERED ARBITRATION (2000 REV.).

(GG) STATE POPULATION MEANS THE POPULATION OF THE STATE AS DETERMINED USING THE MOST RECENT ESTIMATES PUBLISHED BY THE ARIZONA DEPARTMENT OF ECONOMIC SECURITY.

(HH) TABLE MEANS THE GAMING DEVICE ALLOCATION TABLE SET OUT AT SECTION 30(D).

(II) TRANSFER AGREEMENT MEANS A WRITTEN AGREEMENT AUTHORIZING THE TRANSFER OF GAMING DEVICES OPERATING RIGHTS BETWEEN THE TRIBE AND ANOTHER INDIAN TRIBE.

(JJ) TRANSFER NOTICE MEANS A WRITTEN NOTICE THAT THE TRIBE MUST PROVIDE TO THE STATE GAMING AGENCY OR ITS INTENT TO ACQUIRE OR TRANSFER GAMING DEVICES OPERATING RIGHTS PURSUANT TO A TRANSFER AGREEMENT.

(KK) WAGER MEANS

(1) IN THE CASE OF A GAMING DEVICE, THE SUM OF MONEY PLACED INTO THE GAMING DEVICE IN CASH, OR CASH EQUIVALENT, BY THE PLAYER WHICH WILL ALLOW ACTION OF THE NEXT RANDOM PLAY OF THE GAMING DEVICE.

(2) IN THE CASE OF POKER, THE SUM OF MONEY PLACED INTO THE POT AND ONTO THE CARD GAME TABLE BY THE PLAYER IN CASH, OR CASH EQUIVALENT, WHICH ENTITLES THE PLAYER TO AN INITIAL DEAL OF CARDS, A SUBSEQUENT DEAL OF A CARD OR CARDS, OR WHICH IS REQUIRED TO BE PLACED INTO THE POT AND ONTO THE CARD GAME TABLE BY THE PLAYER ENTITLING THE PLAYER TO CONTINUE IN THE GAME.

(3) IN THE CASE OF BLACKJACK, THE SUM OF MONEY IN CASH, OR CASH EQUIVALENT, PLACED ONTO THE CARD GAME TABLE BY THE PLAYER ENTITLING THE PLAYER TO AN INITIAL DEAL OF CARDS AND TO ALL SUBSEQUENT CARDS REQUESTED BY THE PLAYER.

(II) SECTION 3 OF THE PRE-EXISTING COMPACT SHALL BE REPLACED WITH THE FOLLOWING:

SECTION 3. NATURE, SIZE, AND CONDUCT OF CLASS III GAMING.

(A) AUTHORIZED CLASS III GAMING ACTIVITIES SUBJECT TO THE TERMS AND CONDITIONS OF THIS COMPACT THE TRIBE IS AUTHORIZED TO OPERATE THE FOLLOWING GAMING ACTIVITIES: (1) CLASS III GAMING DEVICES, (2) BLACKJACK, (3) JACKPOT POKER, (4) KENO, (5) LOTTERY, (6) OFF-TRACK PARIMUTUEL WAGERING, (7) PARIMUTUEL WAGERING ON HORSE RACING, AND (8) PARIMUTUEL WAGERING ON DOG RACING.

(B) APPENDICES GOVERNING GAMING.

(1) TECHNICAL STANDARDS FOR GAMING DEVICES. THE TRIBE MAY ONLY OPERATE CLASS III GAMING DEVICES, INCLUDING MULTI-STATION DEVICES, WHICH COMPLY WITH THE TECHNICAL STANDARDS SET FORTH IN APPENDIX A TO THIS COMPACT. THE TRIBAL GAMING OFFICE SHALL REQUIRE EACH LICENSED AND CERTIFIED MANUFACTURER AND DISTRIBUTOR TO VERIFY UNDER OATH, ON FORMS PROVIDED BY THE TRIBAL GAMING OFFICE, THAT THE CLASS III GAMING DEVICES MANUFACTURED OR DISTRIBUTED BY THEM FOR USE OR PLAY AT THE GAMING FACILITIES MEET THE REQUIREMENTS OF THIS SECTION 3(B)(1) AND APPENDIX A. THE TRIBAL GAMING OFFICE AND THE STATE GAMING AGENCY BY MUTUAL AGREEMENT MAY REQUIRE THE TESTING OF ANY CLASS GAMING DEVICES TO ENSURE COMPLIANCE WITH THE REQUIREMENTS OF THIS SECTION 3(B)(1) AND APPENDIX A. ANY SUCH TESTING SHALL BE AT THE EXPENSE OF THE LICENSED MANUFACTURER OR DISTRIBUTOR.

(2) OPERATIONAL STANDARDS FOR BLACKJACK AND JACKPOT POKER. THE TRIBE SHALL CONDUCT BLACKJACK AND JACKPOT POKER IN ACCORDANCE WITH AN APPENDIX WHICH SHALL CONSIST OF THE MINIMUM INTERNAL CONTROL STANDARDS OF THE COMMISSION AS SET FORTH IN 25 C.F.R. PART 542 AS PUBLISHED IN 64 FED. REG. 598 (JAN. 5, 1999) AS MAY BE AMENDED FROM TIME TO TIME, WITHOUT REGARD TO THE COMMISSION'S AUTHORITY TO PROMULGATE THE STANDARDS, UNTIL AN APPENDIX SETTING FORTH THE OPERATIONAL STANDARDS, SPECIFICATIONS, REGULATIONS AND ANY LIMITATIONS GOVERNING SUCH GAMING ACTIVITIES IS AGREED TO BY THE TRIBE AND THE STATE.

(3) ADDITIONAL APPENDICES.

(A) EXCEPT AS PROVIDED IN SECTIONS 3(B)(1) AND (2), THE TRIBE MAY NOT CONDUCT ANY GAMING ACTIVITIES AUTHORIZED IN THIS COMPACT WITHOUT A MUTUALLY AGREED-UPOON APPENDIX SETTING FORTH THE OPERATIONAL STANDARDS, SPECIFICATIONS, REGULATIONS AND ANY LIMITATIONS GOVERNING SUCH GAMING ACTIVITIES. FOR PURPOSES OF THIS SUBSECTION, PROMOTIONAL ACTIVITY CONDUCTED AS A LOTTERY IS A GAMING ACTIVITY FOR WHICH AN APPENDIX SHALL BE REQUIRED. ANY DISPUTES REGARDING THE CONTENTS OF SUCH APPENDICES SHALL BE RESOLVED IN THE MANNER SET FORTH IN SECTION 15.

(B) THE GAMING FACILITY OPERATOR SHALL CONDUCT ITS GAMING ACTIVITIES UNDER AN INTERNAL CONTROL SYSTEM THAT IMPLEMENTS THE MINIMUM INTERNAL CONTROL STANDARDS OF THE COMMISSION AS SET FORTH IN 25 C.F.R. PART 542 AS PUBLISHED IN 64 FED. REG. 598 (JAN. 5, 1999) AS MAY BE AMENDED FROM TIME TO TIME, WITHOUT REGARD TO THE COMMISSION'S AUTHORITY TO PROMULGATE THE STANDARDS.

(C) THE TRIBAL GAMING OFFICE AND THE STATE GAMING AGENCY MAY AGREE TO AMEND APPENDICES TO THIS COMPACT IN ORDER TO CONTINUE EFFICIENT REGULATION AND ADDRESS FUTURE CIRCUMSTANCES. A CHANGE IN AN APPENDIX OR THE ADDITION OF A NEW APPENDIX SHALL NOT BE CONSIDERED AN AMENDMENT TO THIS COMPACT.

(4) SECURITY AND SURVEILLANCE REQUIREMENTS. THE TRIBE SHALL COMPLY WITH THE SECURITY AND SURVEILLANCE REQUIREMENTS SET FORTH IN APPENDIX C TO THIS COMPACT.

(A) IF THE GAMING FACILITY OPERATOR OPERATES THE SURVEILLANCE SYSTEM, THE MANAGER OF THE SURVEILLANCE DEPARTMENT MAY REPORT TO MANAGEMENT OF THE GAMING FACILITY OPERATOR REGARDING ADMINISTRATIVE AND DAILY MATTERS, BUT MUST REPORT TO A PERSON OR PERSONS INDEPENDENT OF THE MANAGEMENT OF THE GAMING FACILITY OPERATOR (E.G., THE GAMING FACILITY OPERATORS MANAGEMENT BOARD OR A COMMITTEE THEREOF, THE TRIBE'S COUNCIL, OR A COMMITTEE THEREOF, OR THE TRIBE'S CHAIRPERSON, PRESIDENT, OR GOVERNOR) REGARDING MATTERS OF POLICY, PURPOSE, RESPONSIBILITY, AUTHORITY, AND INTEGRITY OF CASINO MANAGEMENT.

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(B) IF THE TRIBAL GAMING OFFICE OPERATES THE SURVEILLANCE SYSTEM, THE MANAGER OF ITS SURVEILLANCE DEPARTMENT MUST REPORT DIRECTLY TO THE EXECUTIVE DIRECTOR OF THE TRIBAL GAMING OFFICE.

(C) ONLINE ELECTRONIC GAME MANAGEMENT SYSTEM. EACH GAMING FACILITY MUST HAVE AN ONLINE ELECTRONIC GAME MANAGEMENT SYSTEM THAT MEETS THE REQUIREMENTS OF APPENDIX A.

(A) IF THE TRIBE IS AN CHIN INDIAN COMMUNITY, FT. McDowell, YAVAPAI NATION, GILA RIVER INDIAN COMMUNITY, PASCUA YACUI TRIBE, SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY, OR THONON OODHAM NATION, THEN THE GAMING FACILITY OPERATOR SHALL PROVIDE THE STATE GAMING AGENCY WITH REAL TIME READ-ONLY ELECTRONIC ACCESS TO THE ONLINE ELECTRONIC GAME MANAGEMENT SYSTEM FOR EACH GAMING FACILITY OF THE TRIBE THAT IS LOCATED WITHIN FORTY (40) MILES OF A MUNICIPALITY WITH A POPULATION OF MORE THAN FOUR HUNDRED THOUSAND (400,000). TO PROVIDE THE STATE GAMING AGENCY A MORE EFFECTIVE AND EFFICIENT MEANS OF REGULATING GAMING DEVICES AND TRACKING REVENUES.

1. THE STATE GAMING AGENCY'S REAL TIME READ-ONLY ELECTRONIC ACCESS SHALL BE LIMITED TO THE FOLLOWING DATA MAINTAINED BY THE ONLINE ELECTRONIC GAME MANAGEMENT SYSTEM PROVIDED THAT THE DATA IS AVAILABLE IN REAL TIME AND PROVIDING REAL TIME ACCESS DOES NOT RESULT IN THE LOSS OF ACCUMULATION OF DATA ELEMENTS: COIN IN; COIN OUT; DROP (BILLS AND COINS); INDIVIDUAL, BILLS DENOMINATION; VOLUChERS; THEORETICAL HOLD; VARIANCES; JACKPOTS; MACHINE FILLS; TICKET IN; TICKET OUT; SLOT DOOR OPENING; DROP DOOR OPENING; CASH BOX OPENING; TICKET IN OPENING; TICKET OUT OPENING; AND NO-COMMUNICATION. IF PROVIDING THIS DATA IN REAL TIME WOULD RESULT IN THE LOSS OF ACCUMULATION OF DATA ELEMENTS, THE GAMING FACILITY OPERATOR MUST PROVIDE THE STATE GAMING AGENCY WITH ACCESS TO THE DATA VIA END-OF-DAY REPORTS CONTAINING THE REQUIRED DATA.

2. THE STATE GAMING AGENCY SHALL PHASE IN THE SYSTEM TO PROVIDE IT WITHIN REAL TIME READ-ONLY ACCESS TO THE ONLINE ELECTRONIC GAME MANAGEMENT SYSTEM OVER A THREE YEAR PERIOD. THE STATE GAMING AGENCY SHALL PAY THE COST OF:

A. CONSTRUCTION AND MAINTAINING A DEDICATED TELECOMMUNICATIONS CONNECTION BETWEEN THE GAMING FACILITY OPERATORS' SERVER ROOM AND THE STATE GAMING AGENCY'S OFFICE;

B. OBTAINING, INSTALLING, AND MAINTAINING ANY HARDWARE OR SOFTWARE NECESSARY TO INTERFACE BETWEEN THE GAMING FACILITY OPERATOR'S ONLINE ELECTRONIC GAME MANAGEMENT SYSTEM AND THE DEDICATED TELECOMMUNICATIONS CONNECTION; AND

C. OBTAINING, INSTALLING, AND MAINTAINING ANY HARDWARE OR SOFTWARE REQUIRED IN THE STATE GAMING AGENCY'S OFFICE.

3. THE STATE GAMING AGENCY'S DEDICATED TELECOMMUNICATIONS CONNECTION FROM ITS OFFICES TO EACH GAMING FACILITY MUST MEET ACCEPTED INDUSTRY STANDARDS FOR SECURITY. SUFFICIENT TO MINIMIZE THE POSSIBILITY OF ANY THIRD-PARTY INTERCEPTING ANY DATA TRANSMITTED FROM THE GAMING FACILITY OPERATOR'S ONLINE ELECTRONIC GAME MANAGEMENT SYSTEM OVER THE CONNECTION. THE STATE GAMING AGENCY'S SYSTEM SECURITY POLICY MUST MEET ACCEPTED INDUSTRY STANDARDS TO ASSURE THAT DATA RECEIVED FROM THE GAMING FACILITY OPERATOR'S ONLINE ELECTRONIC GAME MANAGEMENT SYSTEM WILL NOT BE ACCESSIBLE TO UNAUTHORIZED PERSONS OR ENTITIES.

(B) THE STATE GAMING AGENCY (AND ITS OFFICERS, EMPLOYEES, AND AGENTS) ARE PROHIBITED FROM:

1. USING ANY INFORMATION OBTAINED FROM THE GAMING FACILITY OPERATOR'S ONLINE ELECTRONIC GAME MANAGEMENT SYSTEM FOR ANY PURPOSE OTHER THAN TO CARRY OUT ITS DUTIES UNDER THIS COMPACT; AND

2. DISCLOSURING ANY INFORMATION OBTAINED FROM THE GAMING FACILITY OPERATOR'S ONLINE ELECTRONIC GAME MANAGEMENT SYSTEM TO ANY PERSON OUTSIDE THE STATE GAMING AGENCY, EXCEPT AS PROVIDED IN SECTION 7(B) AND SECTION 12(C).

(C) NUMBER OF GAMING DEVICES OPERATING RIGHTS AND NUMBER OF GAMING FACILITIES.

(1) NUMBER OF GAMING DEVICES. THE TRIBES' GAMING DEVICES OPERATING RIGHTS ARE EQUAL TO THE SUM OF ITS CURRENT GAMING DEVICE ALLOCATION, PLUS ANY RIGHTS TO OPERATE ADDITIONAL GAMING DEVICES ACQUIRED BY THE TRIBE IN ACCORDANCE WITH AND SUBJECT TO THE PROVISIONS OF SECTION 3(D). THE TRIBE MAY OPERATE ONE CLASS III GAMING DEVICE FOR EACH OF THE TRIBES' GAMING DEVICES OPERATING RIGHTS.

(2) CLASS III GAMING DEVICES. THE TRIBE MAY OPERATE UP TO FORTY (40) CLASS III GAMING DEVICES IN A GAMING FACILITY WITHOUT ACQUIRING DEVICES OPERATING RIGHTS UNDER SECTION 3(D), BUT SUCH CLASS III GAMING DEVICES SHALL BE COUNTED AGAINST THE TRIBES' NUMBER OF ADDITIONAL GAMING DEVICES EACH CLASS III GAMING DEVICES IN EXCESS OF FORTY (40) THAT THE TRIBE OPERATES WITHIN ITS INDIAN LANDS SHALL BE COUNTED AGAINST THE TRIBES' CURRENT GAMING DEVICE ALLOCATION.

(3) NUMBER OF GAMING FACILITIES AND MAXIMUM DAILY GAMING DEVICES. THE TRIBE MAY OPERATE ONE GAMING FACILITY. THE NUMBER OF GAMING FACILITIES IN COLUMN (3) OR (4) OF THE TRIBES' ROW IN THE TABLE, WHEN ITS MAXIMUM DEVICES PER GAMING FACILITY IN ANY ONE GAMING FACILITY, THE MAXIMUM DEVICES PER GAMING FACILITY FOR THE TRIBE IS THE SUM OF THE TRIBES' CURRENT GAMING DEVICES (INCLUDING AUTOMATIC PERIODIC PROMOSSES UNDER SECTION 30(C)(4)), PLUS THE TRIBES' ADDITIONAL GAMING DEVICES, EXCEPT IF THE TRIBE IS SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY, GILA RIVER INDIAN COMMUNITY, PASCUA YACUI TRIBE, THONON OODHAM NATION, OR NAJAO NATION, THEN THE MAXIMUM DEVICES PER GAMING FACILITY IS THE SAME NUMBER AS THE MAXIMUM DEVICES PER GAMING FACILITY FOR NAJAO INDIAN COMMUNITY AND FT. McDowell, YAVAPAI NATION, AND IF THE TRIBE IS THONON OODHAM NATION, AND IF THE TRIBE OPERATES FOUR (4) GAMING FACILITIES, THEN AT LEAST ONE OF THE FOUR (4) GAMING FACILITIES SHALL: (1) BE AT LEAST FIFTY (50) MILES FROM THE EXISTING GAMING FACILITIES OF THE TRIBE IN THE TUCSON METROPOLITAN AREA AS OF THE EFFECTIVE DATE; (II) HAVE NO MORE THAN SIX HUNDRED FORTY-FIVE (645) GAMING DEVICES; AND (III) HAVE NO MORE THAN SEVENTY-FIVE (75) CARD GAME TABLES.

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(4) PERIODIC INCREASE DURING THE TERM OF THIS COMPACT, THE TRIBES' CURRENT GAMING DEVICE ALLOCATION SHALL BE AUTOMATICALLY INCREASED (BUT NOT DECREASED) WITHOUT THE NEED TO AMEND THIS COMPACT ON EACH FIVE-YEAR ANNIVERSARY OF THE EFFECTIVE DATE, TO THE NUMBER EQUAL TO THE GAMING DEVICE ALLOCATION TABLE

(5) GAMING DEVICE ALLOCATION TABLE

| LISTED TRIBE | (1) CURRENT GAMING DEVICE ALLOCATION TABLE | (2) ADDITIONAL GAMING DEVICES | (3) PREVIOUS GAMING FACILITY ALLOCATION | (4) REVISED GAMING FACILITY ALLOCATION |
|---|--|-------------------------------|---|--|
| THE COCHOPAH INDIAN TRIBE | 475 | 170 | 2 | 2 |
| FORT MOHAVE INDIAN TRIBE | 475 | 370 | 2 | 2 |
| QUELECHAN TRIBE | 475 | 370 | 2 | 2 |
| TONTO APACHE TRIBE | 475 | 170 | 2 | 2 |
| YAVAPAI-APACHE NATION | 475 | 370 | 2 | 1 |
| YAVAPAI-PRESICOTT TRIBE | 475 | 370 | 2 | 2 |
| COLORADO RIVER INDIAN TRIBES | 475 | 370 | 2 | 2 |
| SAN CARLOS APACHE TRIBE | 800 | 230 | 3 | 2 |
| WHITE MOUNTAIN APACHE TRIBE | 800 | 40 | 3 | 2 |
| AC-CHIN INDIAN COMMUNITY | 475 | 523 | 2 | 1 |
| FT. MCDOWELL YAVAPAI NATION | 475 | 523 | 2 | 1 |
| SAUT RIVER PIMA-MARICOPA INDIAN COMMUNITY | 700 | 630 | 3 | 2 |
| GILA RIVER INDIAN COMMUNITY | 1400 | 1020 | 4 | 3 |
| PASQUA VALLEY TRIBE | 800 | 670 | 3 | 2 |
| TOHONO OODHAM NATION | 1400 | 1020 | 4 | 4 |
| SUBTOTAL | 10,475 | | 38 | 28 |

(6) IF THE TRIBE IS NOT LISTED ON THE TABLE, THE TRIBES' CURRENT GAMING DEVICE ALLOCATION SHALL BE FOUR TIMES THE NUMBER UNDER COLUMN (4) OF THE TABLE IS LOWER THAN THE TRIBES' NUMBER UNDER COLUMN (3), THEN THE TRIBE SHALL BE CREDITED FOR THE REDUCTION, IF THE TRIBE ENTERS INTO A TRANSFER AGREEMENT.

(7) THE NUMBER IN THE COLUMN UNDER NUMBER OF TRANSFERRED GAMING DEVICES OPERATING RIGHTS SHALL BE INCREASED ON EACH FIVE-YEAR ANNIVERSARY OF THE AGREEMENT.

| NON-GAMING TRIBES (AS OF 5/1/02) | 475 | 2 | 2 | 2 |
|----------------------------------|--------|----|----|----|
| HAWAIIAN TRIBE | 475 | 2 | 2 | 2 |
| HUALAPAI TRIBE | 475 | 2 | 2 | 2 |
| KARLE-PAUTE TRIBE | 475 | 2 | 2 | 2 |
| HOPAI TRIBE | 800 | 3 | 3 | 3 |
| MAWALO NATION | 2400 | 4 | 4 | 4 |
| SAN JUAN SOUTHERN PAUTE TRIBE | 475 | 2 | 2 | 2 |
| SUBTOTAL | 5,200 | 15 | 15 | 15 |
| STATE TOTAL | 15,675 | 53 | 53 | 53 |

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HUNDRED SEVENTY-FIVE (475) GAMING DEVICES AND THE TRIBES' REVISED GAMING FACILITY ALLOCATION SHALL BE TWO (2) GAMING FACILITIES.

(7) MULTI-STATION DEVICES, NO MORE THAN TWO AND ONE-HALF PERCENT (2.5%) OF THE GAMING DEVICES IN A GAMING FACILITY (ROUNDED OFF TO THE NEAREST WHOLE NUMBER) MAY BE MULTI-STATION DEVICES.

(8) TRANSFER OF GAMING DEVICE OPERATING RIGHTS.

(9) TRANSFER REQUIREMENTS, DURING THE TERM OF THIS COMPACT, THE TRIBE MAY ENTER INTO A TRANSFER AGREEMENT WITH ONE OR MORE INDIAN TRIBES TO ACQUIRE GAMING DEVICE OPERATING RIGHTS UP TO THE TRIBES' NUMBER OF ADDITIONAL GAMING DEVICES OR TO TRANSFER SOME OR ALL THE TRIBES' CURRENT GAMING DEVICES ALLOCATION EXCEPT THAT IF THE TRIBE IS MAWALO NATION, THEN THE TRIBE MAY TRANSFER ONLY UP TO 1400 GAMING DEVICES OF ITS CURRENT GAMING DEVICE ALLOCATION. THE TRIBES' ACQUISITION OR TRANSFER OF GAMING DEVICE OPERATING RIGHTS IS SUBJECT TO THE FOLLOWING CONDITIONS:

(A) GAMING COMPACT EACH INDIAN TRIBE THAT IS A PARTY TO A TRANSFER AGREEMENT MUST HAVE A VALID AND EFFECTIVE NEW COMPACT AS DEFINED IN A.R.S. SECTION 11-101(D) THAT CONTAINS A PROVISION SUBSTANTIALLY SIMILAR TO THIS SECTION (10) PERMITTING TRANSFERS OF THE INDIAN TRIBES' GAMING DEVICE OPERATING RIGHTS.

(B) FORBEARANCE AGREEMENT. IF THE TRIBE ENTERS INTO A TRANSFER AGREEMENT TO TRANSFER SOME OR ALL OF ITS GAMING DEVICE OPERATING RIGHTS THE TRIBE SHALL ALSO EXECUTE A FORBEARANCE AGREEMENT WITH THE STATE. THE FORBEARANCE AGREEMENT SHALL INCLUDE:

1. A WAIVER OF ALL RIGHTS OF THE TRIBE TO PUT INTO PLAY OR OPERATE THE NUMBER OF GAMING DEVICES OPERATING RIGHTS TRANSFERRED DURING THE TERM OF THE TRANSFER AGREEMENT.
2. AN AGREEMENT BY THE TRIBE TO REDUCE ITS GAMING FACILITY ALLOCATION DURING THE TERM OF THE TRANSFER AGREEMENT AS FOLLOWS:

| NUMBER OF TRANSFERRED GAMING DEVICES OPERATING RIGHTS | REDUCTIONS IN GAMING FACILITY ALLOCATION |
|---|--|
| 1 - 475 | 1 |
| 476 - 1020 | 2 |
| 1021 - 1400 | 3 |

(C) CONSIDERATION. THE CONSIDERATION TO BE PAID BY THE INDIAN TRIBE ACQUIRING THE GAMING DEVICE OPERATING RIGHTS TO THE INDIAN TRIBE TRANSFERRING THE GAMING DEVICE OPERATING RIGHTS AND THE METHOD OF PAYMENT.

(D) DISPUTE RESOLUTION. THE DISPUTE RESOLUTION AND ENFORCEMENT PROCEDURES, INCLUDING A PROMOTION FOR THE STATE TO RECEIVE NOTICE OF ANY SUCH PROCEEDING.

(E) NOTICE. A PROCEDURE TO PROVIDE QUARTERLY NOTICE TO THE STATE GAMING AGENCY OF PAYMENTS MADE AND RECEIVED, AND TO PROVIDE TIMELY NOTICE OF DISPUTES, REVOCATION, AMENDMENT, AND TERMINATION.

(F) TRANSFER NOTICE. AT LEAST THIRTY (30) DAYS PRIOR TO THE EXECUTION OF A TRANSFER AGREEMENT, THE TRIBE MUST SEND TO THE STATE GAMING AGENCY A TRANSFER NOTICE OF ITS INTENT TO ACQUIRE OR TRANSFER GAMING DEVICES OPERATING RIGHTS. THE TRANSFER NOTICE SHALL INCLUDE A COPY OF THE PROPOSED TRANSFER AGREEMENT AND A COPY OF THE TRIBAL RESOLUTION AUTHORIZING THE ACQUISITION OR TRANSFER.

(G) STATE GAMING AGENCY DENIAL OF TRANSFER. THE STATE GAMING AGENCY MAY DENY A TRANSFER AS SET FORTH IN A TRANSFER NOTICE ONLY IF: (I) THE PROPOSED TRANSFER VIOLATES THE CONDITIONS SET FORTH IN SECTION 300(1), OR (II) THE PROPOSED TRANSFER AGREEMENT DOES NOT CONTAIN THE MINIMUM REQUIREMENTS LISTED IN SECTION 300(2). THE STATE GAMING AGENCY'S DENIAL OF A PROPOSED TRANSFER MUST BE IN WRITING, MUST

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INCLUDE THE SPECIFIC REASONS FOR THE DENIAL (INCLUDING COPIES OF ALL DOCUMENTATION HELD UPON BY THE STATE GAMING AGENCY...)

(9) USE OF BROKERS. THE TRIBE SHALL NOT CONTRACT WITH ANY PERSON TO ACT AS A BROKER IN CONNECTION WITH A TRANSFER AGREEMENT...

(7) REVENUE FROM TRANSFER AGREEMENTS. THE TRIBE AGREES THAT: (A) ALL PROCEEDS RECEIVED BY THE TRIBE AS A TRANSFEROR UNDER A TRANSFER AGREEMENT...

(6) AGREED UPON PROCEDURES REPORT. THE TRIBE AGREES TO PROVIDE TO THE STATE GAMING AGENCY, EITHER SEPARATELY OR WITH THE OTHER PARTY TO THE TRANSFER AGREEMENT...

(5) STATE PAYMENT. PROCEEDS RECEIVED BY THE TRIBE AS A TRANSFEROR UNDER A TRANSFER AGREEMENT FROM THE TRANSFEREE OF GAMING DEVICE OPERATING RIGHTS ARE NOT SUBJECT TO ANY PAYMENT TO THE STATE UNDER THIS COMPACT OR OTHERWISE.

(4) COMPACT ENFORCEMENT. EFFECT ON TRANSFER AGREEMENTS. IF THE TRIBE ACQUIRES GAMING DEVICE OPERATING RIGHTS UNDER A TRANSFER AGREEMENT, NO DISPUTE BETWEEN THE STATE AND THE OTHER PARTY TO THE TRANSFER AGREEMENT SHALL AFFECT THE TRIBE'S RIGHTS UNDER THE TRANSFER AGREEMENT...

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REQUIRED UNDER THE TRANSFER AGREEMENT. THESE PROVISIONS SHALL NOT APPLY TO A DISPUTE AMONG THE STATE AND BOTH PARTIES TO A TRANSFER AGREEMENT...

(1) ACCESS TO RECORDS REGARDING TRANSFER AGREEMENT. THE STATE GAMING AGENCY SHALL HAVE ACCESS TO ALL RECORDS OF THE TRIBE DIRECTLY RELATING TO TRANSFER AGREEMENTS AND FOREWAIVE AGREEMENTS UNDER SECTION 7(B).

(2) TRANSFER AND ACQUISITION OF POOLED GAMING DEVICES. (A) THE TRIBE IS AUTHORIZED TO JOIN WITH OTHER INDIAN TRIBES TO PERIODICALLY ESTABLISH A POOL TO COLLECT GAMING DEVICE OPERATING RIGHTS FROM INDIAN TRIBES THAT DESIRE TO TRANSFER GAMING DEVICE OPERATING RIGHTS AND TRANSFER THEM TO INDIAN TRIBES THAT DESIRE TO ACQUIRE GAMING DEVICE OPERATING RIGHTS...

(B) THE TRIBE AND THE STATE ARE AUTHORIZED TO ESTABLISH A POOLING MECHANISM, UNDER PROCEDURES AGREED TO BY THE TRIBE AND THE STATE, BY WHICH THE RIGHTS TO OPERATE GAMING DEVICES THAT ARE NOT IN OPERATION MAY BE ACQUIRED BY AN INDIAN TRIBE THROUGH AN AGREEMENT WITH THE STATE...

(C) PRIOR TO AGREEING TO ANY PROCEDURES WITH ANY INDIAN TRIBE PURSUANT TO SECTIONS 30D(12)(A) OR (B), THE STATE SHALL PROVIDE NOTICE TO THE TRIBE OF THE PROPOSED PROCEDURES.

(E) NUMBER OF CARD GAME TABLES. NUMBER OF PLAYERS PER GAME. SUBJECT TO THE TERMS AND CONDITIONS OF THIS COMPACT, THE TRIBE IS AUTHORIZED TO OPERATE UP TO SEVENTY-FIVE (75) CARD GAME TABLES WITHIN EACH GAMING FACILITY THAT IS LOCATED MORE THAN FORTY (40) MILES FROM ANY MUNICIPALITY WITH A POPULATION OF MORE THAN FOUR HUNDRED THOUSAND (400,000) PERSONS...

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CONDITIONS OF THIS COMPACT, THE TRIBE IS AUTHORIZED TO OPERATE UP TO SEVENTY-FIVE (75) CARD GAME TABLES WITHIN EACH GAMING FACILITY THAT IS LOCATED MORE THAN FORTY (40) MILES FROM ANY MUNICIPALITY WITH A POPULATION OF MORE THAN FOUR HUNDRED THOUSAND (400,000) PERSONS...

(2) PERIODIC INCREASES IN THE NUMBER OF CARD GAME TABLES. THE NUMBER OF CARD GAME TABLES THAT THE TRIBE IS AUTHORIZED TO OPERATE IN EACH GAMING FACILITY SHALL BE AUTOMATICALLY INCREASED (BUT NOT DECREASED), WITHOUT THE NEED TO AMEND THIS COMPACT ON EACH FIVE-YEAR ANNIVERSARY OF THE EFFECTIVE DATE TO THE NUMBER THAT IS EQUAL TO THE NUMBER OF CARD GAME TABLES THE TRIBE IS AUTHORIZED TO OPERATE IN EACH GAMING FACILITY SET FORTH IN SECTION 30E(1) MULTIPLIED BY THE APPLICABLE POPULATION ADJUSTMENT RATE WITH ANY FRACTION ROUNDED UP TO THE NEXT WHOLE NUMBER.

(F) NUMBER OF KENO GAMES. SUBJECT TO THE TERMS AND CONDITIONS OF THIS COMPACT, THE TRIBE IS AUTHORIZED TO OPERATE NO MORE THAN TWO (2) KENO GAMES PER GAMING FACILITY.

(G) INTER-TRIBAL PACTS. (1) GAMING DEVICES, EXCEPT AS PROVIDED IN SECTION 30G(1), IF DURING THE TERM OF THIS COMPACT. (A) AN INDIAN TRIBE LISTED TO OPERATE IN THE STATE IS AUTHORIZED TO OPERATE IN THE STATE...

(B) ANY INDIAN TRIBE NOT LISTED ON THE TABLE IS AUTHORIZED TO OPERATE IN THE STATE MORE THAN FOUR HUNDRED SEVENTY-FIVE (475) CLASSES OF GAMING DEVICES, OF MORE THAN FIVE HUNDRED TWENTY-THREE (523) ADDITIONAL GAMING DEVICES UNDER TERMS OTHER THAN SECTION 30D THEN AMEND THIS COMPACT.

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1. THE TRIBE SHALL AUTOMATICALLY BE ENTITLED TO A GREATER NUMBER OF GAMING DEVICE OPERATING RIGHTS, WITHOUT THE NEED TO AMEND THIS COMPACT AND WITHOUT THE NEED TO ACQUIRE ANY GAMING DEVICE OPERATING RIGHTS UNDER SECTION 30D) THE GREATER NUMBER OF GAMING DEVICE OPERATING RIGHTS IS THE PRODUCT OF A RATIO (WHICH IS THE TOTAL NUMBER OF CLASS III GAMING DEVICES THE OTHER INDIAN TRIBE IS IN FACT AUTHORIZED OR PERMITTED TO OPERATE FOLLOWING THE OCCURRENCE OF ANY OF THE EVENTS SPECIFIED IN SUBSECTIONS (A) OR (B) OF THIS SECTION 30G(1) DIVIDED BY THE TOTAL NUMBER ASSIGNED TO THE OTHER INDIAN TRIBE UNDER COLUMN (1) PLUS COLUMN (2) OF THE TABLE MULTIPLIED BY (1) PLUS COLUMN (2) OF THE TABLE, IF THE TRIBE IS NOT LISTED ON THE TABLE, THEN THE RATIO DESCRIBED IN THE PREVIOUS SENTENCE IS MULTIPLIED BY THE TRIBE'S TOTAL NUMBER OF GAMING DEVICES AUTHORIZED IN THE COMPACT AND

2. THE TRIBE SHALL AUTOMATICALLY BE ENTITLED TO IMMEDIATELY REDUCE ITS OBLIGATIONS TO MAKE CONTRIBUTIONS TO THE STATE UNDER SECTION 12 INSTEAD OF THE AMOUNTS PAYABLE UNDER SECTION 12(B), THE TRIBE SHALL MAKE QUARTERLY CONTRIBUTIONS TO THE STATE EQUAL TO SEVENTY-FIVE HUNDREDS OF ONE PERCENT (75%) OF ITS CLASS III NET WIN FOR THE PRIOR QUARTER. THIS REMOVAL WILL NOT BE AVAILABLE AFTER ANY INDIAN TRIBE WITH A NEW COMPACT AS FINAL RENEWAL PERIOD AS DESCRIBED IN SECTION 20B(3).

(2) CONTRIBUTION TERMS. IF DURING THE TERM OF THIS COMPACT ANY OTHER INDIAN TRIBE IS AUTHORIZED OR PERMITTED TO OPERATE GAMING DEVICES IN THE STATE AND THE TERMS OF THE OTHER INDIAN TRIBE'S OBLIGATION TO MAKE CONTRIBUTIONS TO THE STATE ARE MORE FAVORABLE TO THE OTHER INDIAN TRIBE THAN THE OBLIGATION OF THE TRIBE TO MAKE CONTRIBUTIONS TO THE STATE UNDER THE TERMS OF SECTION 12, THEN THE TRIBE MAY ELECT TO HAVE SECTION 12, THEN THE TRIBE MAY ELECT TO CONFORM TO THOSE MORE FAVORABLE TERMS.

(3) ADDITIONAL CLASS III GAMING EXCEPT AS PROVIDED IN SECTION 30G(1), IF DURING THE TERM OF THIS COMPACT, ANY INDIAN TRIBE IS AUTHORIZED TO OPERATE. (A) A FORM OF CLASS III GAMING IN THE STATE THAT IS NOT LISTED IN SECTION 30A, THEN THE TRIBE SHALL BE ENTITLED TO OPERATE THE ADDITIONAL FORM OF GAMING THAT THE OTHER INDIAN TRIBE IS AUTHORIZED TO OPERATE, WITHOUT THE NEED TO AMEND THIS COMPACT.

(B) BLACKJACK ON MORE CARD TABLES PER GAMING FACILITY THAN AUTHORIZED UNDER THIS COMPACT, THEN THE TRIBE SHALL BE ENTITLED TO OPERATE BLACKJACK ON THE ADDITIONAL NUMBER OF CARD GAME TABLES THAT THE OTHER INDIAN TRIBE IS AUTHORIZED TO OPERATE, WITHOUT THE NEED TO AMEND THIS COMPACT.

(4) WAGER LIMITS. EXCEPT AS PROVIDED IN SECTION 30G(1), IF DURING THE TERM OF THIS COMPACT, ANY INDIAN TRIBE IS AUTHORIZED OR PERMITTED TO OPERATE IN THE STATE ANY CLASS III GAMING DEVICES OR CARD GAME TABLES WITH HIGHER WAGER LIMITS THAN THE WAGER LIMITS SPECIFIED IN SECTION 3, THEN THE TRIBE IS ALSO AUTHORIZED TO OPERATE ITS

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GAMING DEVICES AND/OR CARD GAME TABLES WITH THE SAME HIGHER WAGER LIMITS WITHOUT THE NEED TO AMEND THIS COMPACT.

(3) EXCEPTIONS. THE PROVISIONS OF SECTION 30(G) SHALL NOT BE TRIGGERED:

(a) BY THE AUTOMATIC PERIODIC INCREASES IN (i) THE CURRENT GAMING DEVICE ALLOCATION PROVIDED IN SECTION 30(A), OR THE RESULTING INCREASE IN THE MAXIMUM DEVICE PER GAMING FACILITY; (ii) THE NUMBER OF AUTHORIZED CARD GAME TABLES PROVIDED IN SECTION 30(2) OR (3); (iii) THE AUTHORIZED WAGER LIMITS FOR GAMING DEVICES OR CARD GAME TABLES PROVIDED IN SECTION 30(A);

(b) IF THE STATE ENTERS INTO A COMPACT WITH AN INDIAN TRIBE LISTED AS A NON-GAMING TRIBE ON THE TABLE THAT PROVIDES A NUMBER OF ADDITIONAL GAMING DEVICES THAT IS NO GREATER THAN THE LARGEST NUMBER OF ADDITIONAL GAMING DEVICES SHOWN ON THE TABLE FOR ANOTHER INDIAN TRIBE WITH THE SAME CURRENT GAMING DEVICE ALLOCATION AS SHOWN ON THE TABLE FOR SUCH NON-GAMING TRIBE; AND

(c) BY THE PROVISIONS OF A PRE-EXISTING COMPACT AS DEFINED IN A.R.S. SECTION 5-601 (2)(9).

(d) ADDITIONAL GAMING DUE TO CHANGES IN STATE LAW WITH RESPECT TO PERSONS OTHER THAN INDIAN TRIBES.

(1) IF, ON OR AFTER MAY 1, 2002, STATE LAW CHANGES OR IS INTERPRETED IN A FINAL JUDGMENT OF A COURT OF COMPETENT JURISDICTION OR IN A FINAL ORDER OF A STATE ADMINISTRATIVE AGENCY TO PERMIT EITHER A PERSON OR ENTITY OTHER THAN AN INDIAN TRIBE TO OPERATE GAMING DEVICES; ANY FORM OF CLASS III GAMING INCLUDING VIDEO LOTTERY TERMINALS; THAT IS NOT AUTHORIZED UNDER THIS COMPACT; OTHER THAN GAMING THAT IS LAWFUL ON MAY 1, 2002 PURSUANT TO A.R.S. SECTION 13-3302; OR POKER OTHER THAN POKER THAT IS LAWFUL ON MAY 1, 2002 PURSUANT TO A.R.S. SECTION 13-3302 THEN, UPON THE EFFECTIVE DATE OF SUCH STATE LAW FINAL JUDGMENT OR FINAL ORDER:

(a) THE TRIBE SHALL BE AUTHORIZED UNDER THIS COMPACT TO OPERATE CLASS III GAMING DEVICES WITHOUT LIMITATIONS ON THE NUMBER OF GAMING DEVICES, THE NUMBER OF GAMING FACILITIES OR THE MAXIMUM GAMING DEVICES PER GAMING FACILITY; AND WITHOUT THE NEED TO AMEND THIS COMPACT;

(b) THE TRIBE SHALL BE AUTHORIZED UNDER THIS COMPACT TO OPERATE TABLE GAMES, WITHOUT LIMITATIONS ON THE NUMBER OF GAMES, AND WITHOUT THE NEED TO AMEND THIS COMPACT; SUBJECT TO THE PROVISIONS OF 30(G); AND

(c) IN ADDITION TO SECTIONS 30(H)(1)(A) AND (B), THE TRIBES OBLIGATION UNDER SECTION 12 TO MAKE CONTRIBUTIONS TO THE STATE SHALL BE IMMEDIATELY REDUCED, INSTEAD OF THE AMOUNTS PROVIDED UNDER SECTION 12(B), THE TRIBE SHALL MAKE QUARTERLY CONTRIBUTIONS TO THE STATE EQUAL TO SEVENTY-FIVE HUNDRETHS (0.75%) OF ITS CLASS III NET WIN FOR THE PRIOR QUARTER.

INCLUDING TICKET DISPENSING DEVICES OF THE NATURE USED PRIOR TO MAY 1, 2002, BY THE ARIZONA LOTTERY; OR TO LOW-WAGER, NON-BANKED RECREATIONAL POOLS OR SMALL-WAGER OPERATED BY AND ON THE PREMISES OF RETAILERS LICENSED UNDER TITLE 4, ARIZONA REVISED STATUTES, AS MAY BE AUTHORIZED BY STATE LAW.

(i) NOTICE. PRIOR TO THE TRIBE OBTAINING RIGHTS UNDER SECTIONS 3(G) OR (4), EITHER THE TRIBE OR THE STATE MUST FIRST GIVE WRITTEN NOTICE TO THE OTHER DESCRIBING THE FACTS WHICH THE TRIBE OR THE STATE COUNTED EITHER DO OR MAY SATISFY THE ELEMENTS OF SECTIONS 3(G) OR (4). THE RECEIVING PARTY SHALL SERVE A WRITTEN RESPONSE ON THE OTHER PARTY WITHIN THIRTY (30) DAYS OF RECEIPT OF THE NOTICE. IF THE PARTIES DO NOT AGREE ON WHETHER SECTIONS 3(G) OR (4) HAVE BEEN TRIGGERED, THE DISPUTE MAY BE SUBMITTED TO DISPUTE RESOLUTION UNDER SECTION 15 BY EITHER THE TRIBE OR THE STATE.

(1) LOCATION OF GAMING FACILITY. (a) ALL GAMING FACILITIES SHALL BE LOCATED ON THE INDIAN LANDS OF THE TRIBE. ALL GAMING FACILITIES OF THE TRIBE SHALL BE LOCATED NOT LESS THAN ONE AND ONE-HALF (1 1/2) MILES APART UNLESS THE CONFIGURATION OF THE INDIAN LANDS OF AN INDIAN TRIBE MAKES THIS REQUIREMENT IMPRACTICABLE. THE TRIBE SHALL NOTIFY THE STATE GAMING AGENCY OF THE PHYSICAL LOCATION OF ANY GAMING FACILITY A MINIMUM OF THIRTY (30) DAYS PRIOR TO COMMENCING GAMING ACTIVITIES AT SUCH LOCATION. GAMING ACTIVITY ON LANDS ACQUIRED AFTER THE ENACTMENT OF THE ACT ON OCTOBER 17, 1989 SHALL BE AUTHORIZED ONLY IN ACCORDANCE WITH 25 U.S.C. § 2718.

(2) NOTICE TO SUPERVISING COMMISSIONERS. THE TRIBE SHALL NOTIFY SUPERVISING COMMISSIONERS REGARDING NEW OR SUBSTANTIAL MODIFICATIONS TO GAMING FACILITIES AND SHALL DEVELOP PROCDURES FOR CONSULTATION WITH SUPERVISING COMMISSIONERS REGARDING NEW OR SUBSTANTIAL MODIFICATIONS TO GAMING FACILITIES.

(3) FINANCIAL SERVICES IN GAMING FACILITIES. THE TRIBE SHALL ENACT A TRIBAL ORDINANCE ESTABLISHING RESPONSIBLE RESTRICTIONS ON THE PROVISION OF FINANCIAL SERVICES AT GAMING FACILITIES. AT A MINIMUM, THE ORDINANCE SHALL PROHIBIT: (1) LOCATING AN AUTOMATIC TELLER MACHINE (ATM) ADVANCING TO, OR IN CLOSE PROXIMITY TO, ANY GAMING DEVICE;

(2) LOCATING IN A GAMING FACILITY AN ATM THAT ACCEPTS ELECTRONIC BENEFIT TRANSFER CARDS ISSUED PURSUANT TO A STATE OR FEDERAL PROGRAM THAT IS INTENDED TO PROVIDE FOR NEEDY FAMILIES OR INDIVIDUALS;

(3) ACCEPTING CHECKS OR OTHER NON-CASH ITEMS ISSUED PURSUANT TO A STATE OR FEDERAL PROGRAM THAT IS INTENDED TO PROVIDE FOR NEEDY FAMILIES OR INDIVIDUALS; AND

(4) THE GAMING FACILITY OPERATOR FROM EXTENDING CREDIT TO ANY PATRON OF A GAMING FACILITY FOR GAMING ACTIVITIES.

(4) FORMS OF PAYMENT FOR WAGERS. ALL PAYMENT FOR WAGERS MADE FOR GAMING ACTIVITIES CONDUCTED BY THE TRIBE ON ITS INDIAN LANDS, INCLUDING THE PURCHASE OF TOKENS FOR USE IN WAGERING, SHALL BE MADE BY CASH, CASH EQUIVA-

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LENT, CREDIT CARD OR PERSONAL CHECK AUTOMATIC TELLER MACHINES (ATMs) MAY BE INSTALLED AT A GAMING FACILITY.

(1) FOR GAMING DEVICES, THE MAXIMUM WAGER AUTHORIZED FOR ANY SINGLE PLAY OF A GAMING DEVICE IS TWENTY FIVE DOLLARS (\$25.00).

(2) FOR BLACKJACK, THE MAXIMUM WAGER AUTHORIZED FOR ANY SINGLE INITIAL WAGER ON A HAND OR BLACKJACK BY EACH INDIVIDUAL PLAYER SHALL BE (A) FIVE HUNDRED DOLLARS (\$500.00) AT UP TO TEN (10) CARD GAME TABLES PER GAMING FACILITY; AND (B) TWO HUNDRED AND FIFTY DOLLARS (\$250.00) FOR ALL OTHER CARD GAME TABLES IN A GAMING FACILITY. THE FOREGOING MAXIMUM WAGER LIMITS SHALL APPLY TO EACH SUBSEQUENT WAGER THAT AN INDIVIDUAL PLAYER SHALL BE ENTITLED TO MAKE ON THE SAME HAND AS THE RESULT OF SUCH WAGER DOUBLING DOWN DURING THE PLAY OF SUCH HAND.

(3) FOR POKER, THE WAGER LIMITS FOR A HAND OF POKER SHALL BE (A) \$100,000.00 AT UP TO TEN (10) CARD GAME TABLES PER GAMING FACILITY; AND (B) \$20,000.00 FOR ALL OTHER CARD GAME TABLES IN A GAMING FACILITY.

(4) PERIODIC INCREASES IN WAGER LIMITATIONS. DURING THE TERM OF THIS COMPACT, THE WAGER LIMITATIONS SET FORTH IN THIS SECTION 3(M) SHALL EACH BE AUTOMATICALLY INCREASED (BUT NOT DECREASED) WITHOUT THE NEED TO AMEND THIS COMPACT ON EACH FIVE-YEAR ANNIVERSARY OF THE EFFECTIVE DATE TO AN AMOUNT EQUAL TO THE WAGER LIMITATIONS SPECIFIED IN SECTIONS 3(M)(1), (2) AND (3) MULTIPLIED BY THE CR ADJUSTMENT RATE (WITH ALL AMOUNTS ROUNDED UP TO THE NEXT WHOLE DOLLAR). THE TRIBE WILL NOTIFY THE STATE GAMING AGENCY OF SUCH WAGER LIMITATION ADJUSTMENTS AS SOON AS REASONABLY POSSIBLE AFTER THE CR ADJUSTMENT RATE HAS BEEN DETERMINED.

(5) HOURS OF OPERATION. THE TRIBE MAY ESTABLISH BY ORDINANCE OR REGULATION THE PERMISSIBLE HOURS AND DAYS OF OPERATION OF GAMING ACTIVITIES. PROVIDED, HOWEVER, THAT WITH RESPECT TO THE SALE OF LIQUOR THE TRIBE SHALL COMPLY WITH ALL APPLICABLE STATE LIQUOR LAWS AT ALL GAMING FACILITIES.

(6) OWNERSHIP OF GAMING FACILITIES AND GAMING ACTIVITIES. THE TRIBE SHALL HAVE THE SOLE PROPRIETARY INTEREST IN THE GAMING FACILITIES AND GAMING ACTIVITIES. THIS PROVISION SHALL NOT BE CONSTRUED TO PREVENT THE TRIBE FROM GRANTING SECURITY INTERESTS OR OTHER FINANCIAL ACCOMMODATIONS TO SECURED PARTIES, LENDERS, OR OTHERS, OR TO PREVENT THE TRIBE FROM ENTERING INTO LEASES OR FINANCING ARRANGEMENTS.

(7) PROHIBITED ACTIVITIES. ANY CLASS III GAMING NOT SPECIFICALLY AUTHORIZED IN THIS SECTION 3 IS PROHIBITED EXCEPT AS PROVIDED HEREIN. NOTHING IN THIS COMPACT IS INTENDED TO PROHIBIT OTHER WAGER, LAWFUL AND AUTHORIZED CLASS II GAMING UPON THE TRIBES INDIAN LANDS OR WITHIN THE GAMING FACILITIES.

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ENTERED INTO TRIBAL-STATE GAMING COMPACTS WITH THE STATE, OR

(2) BEYOND THE STATE PURSUANT TO AN AUTOMATICALLY AGREED APPROPRIATE NETWORKS.

(3) PROHIBITION ON REBARRING. THE POSSESSION OF REBARRS BY ANY PERSON WITHIN A GAMING FACILITY SHALL BE STRICTLY PROHIBITED. THIS PROHIBITION SHALL NOT APPLY TO CERTIFIED LAW ENFORCEMENT OFFICERS AUTHORIZED TO BE ON THE PREMISES AS WELL AS ANY PRIVATE SECURITY SERVICE RETAINED TO PROVIDE SECURITY AT A GAMING FACILITY, OR AMBULANCE SERVICES.

(4) FINANCING. ANY THIRD-PARTY FINANCING EXTENDED OR GUARANTEED FOR THE GAMING OPERATION AND GAMING FACILITIES SHALL BE DISCLOSED TO THE STATE GAMING AGENCY, AND ANY PERSON EXTENDING SUCH FINANCING SHALL BE REQUIRED TO BE LICENSED BY THE TRIBE AND ANNUALLY CERTIFIED BY THE STATE GAMING AGENCY, UNLESS SAID PERSON IS AN AGENCY OF THE UNITED STATES OR A LENDING INSTITUTION LICENSED AND REGULATED BY THE STATE OR THE UNITED STATES.

(5) RECORD-KEEPING. THE GAMING FACILITY OPERATOR OR THE TRIBAL GAMING OFFICE, WHICH, EVEN CONDUCTS SURVEILLANCE, SHALL MAINTAIN THE FOLLOWING LOGS AS WRITTEN OR COMPUTERIZED RECORDS WHICH SHALL BE AVAILABLE FOR INSPECTION BY THE STATE GAMING AGENCY IN ACCORDANCE WITH SECTION 709: (A) SURVEILLANCE LOG RECORDING ALL MATERIAL SURVEILLANCE ACTIVITIES IN THE MONITORING ROOM OF THE GAMING FACILITIES; (A) A SECURITY LOG RECORDING ALL UNUSUAL OCCURRING INVESTIGATED BY THE TRIBAL GAMING OFFICE; THE GAMING FACILITY OPERATOR OR THE TRIBAL GAMING OFFICE, WHICHEVER CONDUCTS SURVEILLANCE SHALL RETAIN VIDEO RECORDINGS MADE IN ACCORDANCE WITH APPENDIX C FOR AT LEAST SEVEN (7) DAYS FROM THE DATE OF ORIGINAL RECORDING.

(6) BARRED PERSONS. THE TRIBAL GAMING OFFICE SHALL ESTABLISH A LIST OF PERSONS BARRED FROM THE GAMING FACILITIES BECAUSE THEIR CRIMINAL HISTORY OR ASSOCIATION WITH CAREER OFFENDERS OR CAREER OFFENDER ORGANIZATIONS POSES A THREAT TO THE INTEGRITY OF THE GAMING ACTIVITIES OF THE TRIBE. THE TRIBAL GAMING OFFICE SHALL EMPLOY ITS BEST EFFORTS TO EXCLUDE PERSONS ON SUCH LIST FROM ENTRY INTO ITS GAMING FACILITIES. TO THE EXTENT NOT PREVIOUSLY PROVIDED, THE TRIBAL GAMING OFFICE SHALL SEND A COPY OF ITS LIST ON A MONTHLY BASIS TO THE STATE GAMING AGENCY, ALONG WITH DETAILED INFORMATION REGARDING WHY THE PERSON HAS BEEN BARRED AND, TO THE EXTENT AVAILABLE, THE BARRED PERSON'S PHOTOGRAPH, DRIVERS LICENSE INFORMATION, AND/OR FINGERPRINTS. TO THE EXTENT THESE ITEMS ARE IN THE POSSESSION OF THE TRIBAL GAMING OFFICE, THE STATE GAMING AGENCY WILL ESTABLISH A LIST WHICH WILL CONTAIN THE NAMES, AND TO THE EXTENT AVAILABLE, PHOTOGRAPHS OF, AND OTHER RELEVANT INFORMATION REGARDING PERSONS WHOSE REPUTATIONS, CONDUCT OR CRIMINAL HISTORY IS SUCH THAT THEIR PRESENCE WITHIN A GAMING FACILITY MAY POSE A THREAT TO THE PUBLIC HEALTH, SAFETY, OR WELFARE. SUCH PERSONS WILL BE BARRED FROM ALL TRIBAL GAMING FACILITIES WITHIN THE STATE. THE TRIBE AGREES THAT THE

(7) BARRED PERSONS. THE TRIBAL GAMING OFFICE SHALL ESTABLISH A LIST OF PERSONS BARRED FROM THE GAMING FACILITIES BECAUSE THEIR CRIMINAL HISTORY OR ASSOCIATION WITH CAREER OFFENDERS OR CAREER OFFENDER ORGANIZATIONS POSES A THREAT TO THE INTEGRITY OF THE GAMING ACTIVITIES OF THE TRIBE. THE TRIBAL GAMING OFFICE SHALL EMPLOY ITS BEST EFFORTS TO EXCLUDE PERSONS ON SUCH LIST FROM ENTRY INTO ITS GAMING FACILITIES. TO THE EXTENT NOT PREVIOUSLY PROVIDED, THE TRIBAL GAMING OFFICE SHALL SEND A COPY OF ITS LIST ON A MONTHLY BASIS TO THE STATE GAMING AGENCY, ALONG WITH DETAILED INFORMATION REGARDING WHY THE PERSON HAS BEEN BARRED AND, TO THE EXTENT AVAILABLE, THE BARRED PERSON'S PHOTOGRAPH, DRIVERS LICENSE INFORMATION, AND/OR FINGERPRINTS. TO THE EXTENT THESE ITEMS ARE IN THE POSSESSION OF THE TRIBAL GAMING OFFICE, THE STATE GAMING AGENCY WILL ESTABLISH A LIST WHICH WILL CONTAIN THE NAMES, AND TO THE EXTENT AVAILABLE, PHOTOGRAPHS OF, AND OTHER RELEVANT INFORMATION REGARDING PERSONS WHOSE REPUTATIONS, CONDUCT OR CRIMINAL HISTORY IS SUCH THAT THEIR PRESENCE WITHIN A GAMING FACILITY MAY POSE A THREAT TO THE PUBLIC HEALTH, SAFETY, OR WELFARE. SUCH PERSONS WILL BE BARRED FROM ALL TRIBAL GAMING FACILITIES WITHIN THE STATE. THE TRIBE AGREES THAT THE

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STATE GAMING AGENCY MAY DISSEMINATE THIS LIST WHICH SHALL CONTAIN DETAILED INFORMATION ABOUT WHY EACH PERSON IS BARRED, TO ALL OTHER TRIBAL GAMING OFFICES.

(1) PROPER GAMING.

(1) SIGNAGE AT ALL PUBLIC ENTRANCES AND EXITS OF EACH GAMING FACILITY. THE GAMING FACILITY OPERATOR SHALL POST SIGNS STATING THAT HELP IS AVAILABLE AT A MINIMUM, PROVIDE THE STRIKEWIDE TOLL FREE CROSS COUNTRY TELEPHONE NUMBER ESTABLISHED BY THE ARIZONA STATE LOTTERY COMMISSION.

(2) SELF-EXCLUSION. THE STATE GAMING AGENCY AND THE TRIBE SHALL COMPLY WITH THE FOLLOWING PROVISIONS:

(1) THE STATE GAMING AGENCY SHALL ESTABLISH A LIST OF PERSONS WHO, BY ACKNOWLEDGING IN A MANNER TO BE ESTABLISHED BY THE STATE GAMING AGENCY THAT THEY ARE PROBLEM GAMBLERS, VOLUNTARILY SEEK TO EXCLUDE THEMSELVES FROM GAMING FACILITIES. THE STATE GAMING AGENCY SHALL ESTABLISH PROCEDURES FOR THE PLACEMENT ON AND REMOVAL FROM THE LIST OF SELF-EXCLUDED PERSONS. NO PERSON OTHER THAN THE PERSON SEEKING VOLUNTARY SELF-EXCLUSION SHALL BE ALLOWED TO INCLUDE ANY PERSONS NAME ON THE SELF-EXCLUSION LIST OF THE STATE GAMING AGENCY.

(2) THE TRIBE SHALL ESTABLISH PROCEDURES FOR ADVISING PERSONS WHO INQUIRE ABOUT SELF-EXCLUSION ABOUT THE STATE GAMING AGENCY'S PROCEDURES.

(3) THE STATE GAMING AGENCY SHALL COMPLETE IDENTIFYING INFORMATION CONCERNING SELF-EXCLUDED PERSONS. SUCH INFORMATION SHALL COM- PAIN, AT A MINIMUM, THE FULL NAME AND ANY ALIASES OF THE PERSON, A PHOTOGRAPH OF THE PERSON, THE SOCIAL SECURITY OR DRIVER'S LICENSE NUMBER OF THE PERSON, AND THE MAILING ADDRESS OF THE PERSON.

(4) THE STATE GAMING AGENCY SHALL, ON A MONTHLY BASIS, PROVIDE THE COMPLETED INFORMATION TO THE TRIBAL GAMING OFFICE. THE TRIBE SHALL TREAT THE INFORMATION RECEIVED FROM THE STATE GAMING AGENCY UNDER THIS SECTION AS CONFIDENTIAL, AND SUCH INFORMATION SHALL NOT BE DISCLOSED EXCEPT TO OTHER TRIBAL GAMING OFFICES FOR CLOSED ON THEIR LISTS, OR TO APPROPRIATE LAW ENFORCEMENT AGENCIES IF NEEDED IN THE CONDUCT OF AN OFFICIAL INVESTIGATION OR UNLESS ORDERED BY A COURT OF COMPETENT JURISDICTION.

(5) THE TRIBAL GAMING OFFICE SHALL ADD THE SELF-EXCLUDED PERSONS FROM THE LIST PROVIDED BY THE STATE GAMING AGENCY TO THEIR OWN LIST OF SELF-EXCLUDED PERSONS.

(6) THE TRIBAL GAMING OFFICE SHALL REQUIRE THE GAMING FACILITY OPERATOR TO REMOVE ALL SELF-EXCLUDED PERSONS FROM ALL MAILING LISTS AND TO REMOVE ANY SLOT OR PLAYER'S CARDS. THE TRIBAL GAMING OFFICE SHALL REQUIRE THE GAMING FACILITY OPERATOR TO TAKE REASONABLE STEPS TO ENSURE THAT GAGE PERSONNEL CHECK A PERSONS IDENTIFICATION AGAINST THE STATE GAMING AGENCY'S LIST OF SELF-EXCLUDED PERSONS BEFORE ALLOWING THE PERSON TO CASH A CHECK OR COM- PLETE A CREDIT CARD CASH ADVANCE TRANSACTION.

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(9) THE TRIBAL GAMING OFFICE SHALL REQUIRE THE GAMING FACILITY OPERATOR TO TAKE REASON- ABLE STEPS TO IDENTIFY SELF-EXCLUDED PERSONS WHO MAY BE IN A GAMING FACILITY AND, ONCE IDENTI- FIED, PROMPTLY EXCEPT THE SELF-EXCLUDED PER- SON FROM THE GAMING FACILITY.

(10) NEITHER THE TRIBE, THE GAMING FACILITY OPERATOR, THE TRIBAL GAMING OFFICE, NOR ANY EMPLOYEE THEREOF SHALL BE LIABLE TO ANY SELF- EXCLUDED PERSON OR TO ANY OTHER PARTY IN ANY PROCEEDING AND NEITHER THE TRIBE, THE GAMING FACILITY OPERATOR, NOR THE TRIBAL GAMING OFFICE SHALL BE DEEMED TO HAVE WAIVED ITS SOVEREIGN IMMUNITY WITH RESPECT TO ANY PERSON FOR ANY HARM, MONETARY OR OTHERWISE, WHICH MAY ARISE AS A RESULT OF:

- 1. THE FAILURE OF THE GAMING FACILITY OPERA- TOR OR THE TRIBAL GAMING OFFICE TO WITHHOLD OR RESTORE GAMING PRIVILEGES FROM OR TO A SELF- EXCLUDED PERSON; OR
2. OTHERWISE PERMITTING A SELF-EXCLUDED PERSON TO ENGAGE IN GAMING ACTIVITY IN A GAMING FACILITY WHILE ON THE LIST OF SELF-EXCLUDED PER- SONS.

(1) NEITHER THE TRIBE, THE GAMING FACILITY OPERATOR, THE TRIBAL GAMING OFFICE, NOR ANY EMPLOYEE THEREOF SHALL BE LIABLE TO ANY SELF- EXCLUDED PERSON OR TO ANY OTHER PARTY IN ANY PROCEEDING AND NEITHER THE TRIBE, THE GAMING FACILITY OPERATOR, NOR THE TRIBAL GAMING OFFICE SHALL BE DEEMED TO HAVE WAIVED ITS SOVEREIGN IMMUNITY WITH RESPECT TO ANY PERSON FOR ANY HARM, MONETARY OR OTHERWISE, WHICH MAY ARISE AS A RESULT OF:

- (M) RESTRICTION ON MINORS.
(1) UNTIL MAY 31, 2003, NO PERSON UNDER 18 YEARS OF AGE SHALL BE PERMITTED TO PLACE ANY WAGER, DIRECTLY OR INDIRECTLY, IN ANY GAMING ACTIVITY.
(2) PRIOR TO MAY 31, 2003, THE TRIBE SHALL ENACT, AS TRIBAL LAW, A REQUIREMENT THAT BEGIN- NING JUNE 1, 2003, NO PERSON UNDER 21 YEARS OF AGE SHALL BE PERMITTED TO PLACE ANY WAGER, DIRECTLY OR INDIRECTLY, IN ANY GAMING ACTIVITY.

(2) F. DURING THE TERM OF THE COMPACT, THE STATE AGENCIES SHALL BE PERMITTED TO VOUCHER FOR PERSONS UNDER 21 YEARS OF AGE IN ANY GAMING ACTI- VITY BY A PERSON OR ENTITY OTHER THAN AN INDIAN TRIBE. THE TRIBE MAY AMEND TRIBAL LAW TO REDUCE THE LAWFUL GAMING AGE UNDER THIS COMPACT TO CORRESPOND TO THE LAWFUL GAMING AGE UNDER STATE LAW.

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(4) NO PERSON UNDER 18 YEARS OF AGE SHALL BE EMPLOYED AS A GAMING EMPLOYEE. NO PERSON UNDER 21 YEARS OF AGE SHALL BE EMPLOYED IN THE SERVICE OF ALCOHOLIC BEVERAGES AT ANY GAMING FACILITY, UNLESS SUCH EMPLOYMENT WOULD BE OTH- ERWISE PERMITTED UNDER STATE LAW.

(1) RIGHT TO ADVERTISE. THE STATE AND THE TRIBE RECOGNIZE THE TRIBES' CONSTITUTIONAL RIGHT TO ENGAGE IN ADVERTISING OF LAWFUL GAM- ING ACTIVITIES AND NOTHING IN THIS COMPACT SHALL BE DEEMED TO ABOARD OR DIMINISH THAT RIGHT.

(2) PROHIBITION ON ADVERTISING DIRECTED TO MINORS. THE GAMING FACILITY OPERATOR SHALL NOT ADVERTISE OR MARKET GAMING ACTIVITIES IN A MAM- NER THAT SPECIFICALLY APPEALS TO MINORS.
(3) ADVERTISING GUIDELINES. WITHIN THIRTY DAYS AFTER THE EFFECTIVE DATE, THE GAMING FAC- LITY OPERATOR SHALL ADOPT GUIDELINES FOR THE ADVERTISING AND MARKETING OF GAMING ACTIVITIES THAT ARE NO LESS STRINGENT THAN THOSE COM- TAINED IN THE AMERICAN GAMING ASSOCIATIONS GENERAL ADVERTISING GUIDELINES.

(4) CONTENT OF ADVERTISING. IN RECOGNITION OF THE TRIBES' CONSTITUTIONAL RIGHT TO ADVERTISE GAMING ACTIVITIES, THE SPECIFIC CONTENT OF ADVERTISING AND MARKETING MATERIALS SHALL NOT BE SUBJECT TO THE PROVISIONS OF SECTION 15 OF THIS COMPACT.

(5) INTERNET GAMING. THE TRIBE SHALL NOT BE PERMITTED TO CONDUCT GAMING ON THE INTERNET UNLESS PERSONS OTHER THAN INDIAN TRIBES WITHIN THE STATE OR THE STATE ARE AUTHORIZED BY STATE LAW TO CONDUCT GAMING ON THE INTERNET.

(6) LOTTERY PRODUCTS. THE TRIBE WILL NOT OFFER PAPER LOTTERY PRODUCTS IN COMPETITION WITH THE ARIZONA LOTTERY'S PICK OR POWERBALL GAMES.

(7) ANNUAL STATEMENT. THE TRIBE SHALL SUB- MIT TO THE STATE GAMING AGENCY EITHER AN ANNUAL STATEMENT OF COMPLIANCE WITH THE ACT REGARD- ING THE USE OF NET GAMING REVENUES OR A COPY OF ITS CURRENT GAMING ORDINANCE REQUIRING THAT NET GAMING REVENUES BE USED ACCORDING TO THE ACT.

(8) THE FOLLOWING PROVISIONS SHALL REPLACE THE CORRESPONDING PROVISIONS IN SECTION 4 OF THE PRE-EXISTING COMPACT:

(A) GAMING EMPLOYEES. EVERY GAMING EMPLOYEE SHALL BE LICENSED BY THE TRIBAL GAM- ING OFFICE AND EVERY EMPLOYEE OF THE TRIBAL GAMING OFFICE SHALL BE LICENSED BY THE TRIBE. ANY GAMING EMPLOYEE OR TRIBAL GAMING OFFICE EMPLOYEE THAT IS NOT A LICENSED TRIBAL MEMBER SHALL ALSO BE CERTIFIED BY THE STATE GAMING AGENCY PRIOR TO COMMENCEMENT OF EMPLOYMENT, AND ANNUALLY THEREAFTER SUBJECT TO THE TRIBAL GAMING FACILITY PROVIDED IN SECTION 5(B). EMPLOYEES OF THE STATE ARE NOT REQUIRED TO BE CERTIFIED BY THE STATE AS A CONDITION OF EMPLOYMENT. GAMING EMPLOYEES THAT HOLD THE FOLLOWING POSITIONS ARE ALSO NOT REQUIRED TO BE CERTIFIED BY THE STATE, SO LONG AS THEY DO NOT HAVE UNRESTRICTED ACCESS TO SECURE AREAS SUCH AS GAMING DEVICE STORAGE AND REPAIR BOOTHS, CHANGE ROOMS, VAULTS, CAGES, CHANGE BOOTHS, CHANGE BANKS/CAMETERS, SECURITY OFFICES, AND SURVEILLANCE ROOMS. REVENUE

ACCOUNTING OFFICES, AND ROOMS CONTAINING INFORMATION SYSTEMS THAT MONITOR OR CONTROL GAMING ACTIVITIES OR AS MAY BE AGREED TO BY THE STATE GAMING AGENCY AND THE TRIBAL GAMING OFFICE IN A SEPARATE AGREEMENT DELINEATING THE SECURE AREAS IN THE TRIBES GAMING FACILITIES:
(1) FOOD AND BEVERAGE SERVICE PERSONNEL, SUCH AS CHEFS, COOKS, WAITERS, WAITRESSES, BUS CASHIERS, AND HOSTS.
(2) GIFT SHOP MANAGERS, ASSISTANT MANAGERS, CASHIERS, AND CLERKS.
(3) GREETERS.
(4) LANDSCAPERS, GARDENERS, AND GROUND- KEEPERS.
(5) MAINTENANCE, CLEANING, AND JANITORIAL PERSONNEL.
(6) STEWARDS AND VALETS.
(7) WARDROBE PERSONNEL.
(8) WAREHOUSE PERSONNEL, AND
(9) HOTEL PERSONNEL.

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REQUEST OF EITHER PARTY, ENDEAVOR TO SETTLE THE DISPUTE IN AN AMicable MANNER BY NON-BINDING MEDIATION ADMINISTERED BY THE CPR UNDER ITS MEDIATION PROCEDURE. DATED APRIL 1, 1999 (UNLESS OTHERWISE AGREED TO BY THE PARTIES) AND THE PROCEDURES SET FORTH BELOW. ALTHOUGH THE PARTIES SHALL BE REQUIRED TO PARTICIPATE IN THE MEDIATION PROCESS IF REQUESTED, A REQUEST FOR MEDIATION DOES NOT PRECLUDE EITHER PARTY FROM PURSUING ANY OTHER AVAILABLE REMEDY.

SELECT A THIRD (3RD) ARBITRATOR FROM THE PANEL OF DESIGNATED NEUTRALS WHO SHALL CHAIR THE TRIBUNAL. HOWEVER, IF THE PARTIES HAVE AGREED UPON A LIST OF ARBITRATORS ACCEPTABLE TO BOTH PARTIES, THE CPR SHALL SELECT THE THIRD (3RD) ARBITRATOR FROM THAT LIST. UNLESS THE PARTIES AGREE OTHERWISE, AT LEAST ONE (1) OF THE ARBITRATORS ON THE TRIBUNAL SHALL BE AN ATTORNEY OR RETIRED JUDGE KNOWLEDGEABLE ABOUT THE NOT FEDERAL, FEDERAL LAW, AND JURISDICTION WITHIN ARIZONA. IF THE PARTIES DO NOT APPOINT AN ARBITRATOR WITHIN THOSE QUALIFICATIONS, THE PARTY-APPOINTED ARBITRATORS OR THE CPR SHALL DO SO. ONCE THE TRIBUNAL IS IMpaneLED, THERE SHALL BE NO EX PARTE CONTACT WITH THE ARBITRATORS, EXCEPT FOR CONTACT WITH THE OFFICE OF THE TRIBUNAL CHAIR REGARDING SCHEDULING OR OTHER PURELY ADMINISTRATIVE MATTERS THAT DO NOT DEAL WITH SUBSTANTIVE MATTERS OR THE MERITS OF THE ISSUES.

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CLAIM OR COUNTERCLAIM OR ON WHICH THE PRODUCTION PARTY MAY RELY IN SUPPORT OF OR IN OPPOSITION TO ANY CLAIM OR DEFENSE. EXCEPT AS PERMITTED BY THE TRIBUNAL, ALL WRITTEN DISCOVERY SHALL BE COMPLETED WITHIN NINETY (90) DAYS FOLLOWING THE INITIAL PRE-HEARING CONFERENCE. ANY DISPUTE REGARDING DISCOVERY OR THE RELIANCE OR SCORE THEREOF SHALL BE DETERMINED BY THE TRIBUNAL, WHOSE DETERMINATION SHALL BE CONCLUSIVE.

TRIBUNAL FOR DECISION. IF ORAL HEARINGS HAVE BEEN WAIVED, EACH PARTY SHALL SUBMIT TO THE TRIBUNAL AND THE OTHER PARTY OR PARTIES TO THE ARBITRATION ITS PRE-HEARING LAST, BEST OFFER FOR THOSE ISSUES THAT WILL BE DECIDED USING THE LAST, BEST OFFER FORMAT.

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four (4) dollars or coupons which are redeemable only at the place of play and only for a merchandise prize which has a fair market value of less than four (4) dollars and, regardless of the number of wins, no aggregate of coupons may be redeemed for a merchandise prize with a wholesale fair market value of greater than thirty-five (35) dollars.

2. "Conducted as a business" means gambling that is engaged in for the purpose of gain, benefit or advantage, either direct or indirect, realized or unrealized, but not when conducted to a bona fide social relationship.

3. "Crane game" means an amusement machine which is operated by player controlled buttons, control sticks or other means, or a combination of the buttons or controls, which is activated by coin insertion and the machine and where the player attempts to successfully retrieve prizes with a mechanical or electromechanical claw or device by positioning the claw or device over a prize.

4. "Gambling" or "gamble" means one act of making or giving something of value for the opportunity to obtain a benefit from a game or contest of chance or skill or a future contingent event but does not include bona fide business transactions which are valid under the law of contracts including contracts for the purchase or sale of a future date of securities or commodities, contracts of indemnity or guarantee and life, health or accident insurance.

5. "Player" means a natural person who participates in gambling.

6. "Regulated gambling" means EITHER:
 (A) GAMBLING CONDUCTED IN ACCORDANCE WITH A TRIBAL-STATE GAMING COMPACT OR OTHERWISE IN ACCORDANCE WITH THE REQUIREMENTS OF THE INDIAN GAMING REGULATORY ACT OF 1988 (P.L. 100-487, 102 STAT. 2467, 25 UNITED STATES CODE SECTIONS 2701 THROUGH 2721 AND 18 UNITED STATES CODE SECTIONS 1168 THROUGH 1183); OR
 (B) gambling to which all of the following apply:
 (a)-(1) It is operated and controlled in accordance with a statute, rule or order of the state or of the United States;
 (a)-(2) All federal, state or local laws, rules and changes in law of states have been paid by the authorized person or entity on any activity arising out of or in connection with the gambling;
 (a)-(3) If conducted by an organization which is exempt from taxation of income under section 45-1201, the organization's records are open to public inspection;
 (a)-(4) Beginning on June 1, 2009, none of the players to under twenty-one years of age.
 7. "Social gambling" means gambling that is not conducted as a business and that involves players who compete on equal terms with each other in a gamble if all of the following apply:
 (a) No player receives, or becomes entitled to receive, any benefit, directly or indirectly, other than the player's winnings from the gamble;
 (b) No other person receives or becomes entitled to receive any benefit, directly or indirectly, from the gambling activity, including benefits of proprietorship, partnership or unequal advantages or odds in a series of gambles;
 (c) Until June 1, 2003, none of the players is below the age of majority. Beginning on June 1, 2003, none of the players is under twenty-one years of age.

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(d) Players' accounts on equal terms with each other in a gamble when no player enjoys an advantage over any other player in the gamble under the conditions or rules of the game or contest.

Sec. 6, Title 15, Chapter 8, Article 5, Arizona Revised Statutes, is amended by adding a new section 15-979 as follows:

15-979. INSTITUTIONAL IMPROVEMENT FUND

A. THE INSTITUTIONAL IMPROVEMENT FUND IS ESTABLISHED CONSISTING OF MONIES DEPOSITED PURSUANT TO SECTIONS 5-801.02(H)(3)(A) AND 5-801.02(H)(3)(B), AND INTEREST EARNED ON THOSE MONIES. THE DEPARTMENT OF EDUCATION SHALL ADMINISTER THE FUND. THE FUND IS NOT SUBJECT TO APPROPRIATION, AND EXPENDITURES FROM THE FUND ARE NOT SUBJECT TO OUTSIDE APPROVAL, NOTWITHSTANDING ANY STATUTORY PROVISION TO THE CONTRARY.

B. MONIES RECEIVED PURSUANT TO SECTION 5-801.02 SHALL BE DEPOSITED DIRECTLY WITH THE INSTITUTIONAL IMPROVEMENT FUND. ON NOTICE FROM THE DEPARTMENT OF EDUCATION, THE STATE TREASURER SHALL INVEST AND DVEST MONIES IN THE FUND AS PROVIDED BY SECTION 35-313, AND MONIES EARNED FROM INVESTMENT SHALL BE CREDITED TO THE FUND. NO MONIES IN THE INSTITUTIONAL IMPROVEMENT FUND SHALL REVERT TO OR BE DEPOSITED IN ANY OTHER FUND, INCLUDING THE STATE GENERAL FUND. MONIES IN THE INSTITUTIONAL IMPROVEMENT FUND ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-180 RELATING TO THE LAPSING OF APPROPRIATIONS. MONIES PROVIDED FROM THE INSTITUTIONAL IMPROVEMENT FUND SHALL SUPPLEMENT, NOT SUPPLANT, EXISTING STATE AND LOCAL MONIES.

C. THE DEPARTMENT OF EDUCATION SHALL PAY THE MONIES IN THE FUND TO SCHOOL DISTRICTS AND CHAPTER SCHOOLS. THE DEPARTMENT OF EDUCATION SHALL DETERMINE THE AMOUNT OF MONIES FROM THE FUND TO BE PAID TO EACH SCHOOL DISTRICT AND CHAPTER SCHOOL AS FOLLOWS:

1. DETERMINE THE STUDENT COUNT FOR EACH SCHOOL DISTRICT AND CHAPTER SCHOOL, AS PROVIDED IN SECTION 15-944.
2. DETERMINE THE STUDENT COUNT FOR ALL SCHOOL DISTRICTS AND CHAPTER SCHOOLS AS PROVIDED IN SECTION 15-944.
3. DIVIDE THE AMOUNT DETERMINED IN PARAGRAPH 1 OF THIS SUBSECTION BY THE TOTAL AMOUNT DETERMINED IN PARAGRAPH 2 OF THIS SUBSECTION.
4. MULTIPLY THE QUOTIENT DETERMINED IN PARAGRAPH 3 OF THIS SUBSECTION BY THE TOTAL AMOUNT OF INSTITUTIONAL IMPROVEMENT FUND MONIES AVAILABLE TO BE DISTRIBUTED TO SCHOOL DISTRICTS AND CHAPTER SCHOOLS UNDER THIS SECTION.
5. EACH SCHOOL DISTRICT AND CHAPTER SCHOOL MAY UTILIZE UP TO FIFTY PERCENT OF THE AMOUNT OF MONIES DETERMINED PURSUANT TO SUBSECTION C FOR TEACHER COMPENSATION INCREASES AND CLASS SIZE REDUCTIONS AS PROVIDED IN SECTION 15-977.
6. MONIES THAT ARE NOT UTILIZED FOR THE FOLLOWING MAINTENANCE AND OPERATIONAL PURPOSES:
 1. DROP-OUT PREVENTION PROGRAMS.
 2. INSTRUCTIONAL IMPROVEMENT PROGRAMS INCLUDING PROGRAMS TO DEVELOP MINIMAL READING SKILLS FOR STUDENTS BY THE END OF THIRD GRADE.
 3. SCHOOL DISTRICTS AND CHAPTER SCHOOLS THAT RECEIVE MONIES FROM THE INSTITUTIONAL IMPROVEMENT FUND SHALL SUBMIT A REPORT BY NOVEMBER 15 OF EACH YEAR TO THE DEPARTMENT OF EDUCATION THAT EACH YEAR TO THE DEPARTMENT OF EDUCATION THAT PROVIDES AN ACCOUNTING OF THE EXPENDITURE OF MONIES DISTRIBUTED FROM THE FUND DURING THE PREVIOUS FISCAL YEAR. THE DEPARTMENT OF EDUCATION IN CONSULTATION WITH THE AUDITOR GENERAL SHALL PRESCRIBE THE FORMAT OF THE REPORT UNDER THIS SUBSECTION.

Sec. 7, Title 17, Chapter 2, Arizona Revised Statutes, is amended by adding a new Article 7 as follows:

ARTICLE 7. ARIZONA WILDLIFE CONSERVATION FUND

17-288. ARIZONA WILDLIFE CONSERVATION FUND

A. THE ARIZONA WILDLIFE CONSERVATION FUND IS ESTABLISHED CONSISTING OF MONIES DEPOSITED PURSUANT TO SECTION 5-801.02(H)(3)(B) AND INTEREST EARNED ON THOSE MONIES. THE ARIZONA STATE GAME AND FISH COMMISSION SHALL ADMINISTER THE FUND. THE FUND IS NOT SUBJECT TO APPROPRIATION, AND EXPENDITURES FROM THE FUND ARE NOT SUBJECT TO OUTSIDE APPROVAL, NOTWITHSTANDING ANY PROVISION OF SECTIONS 17-241 OR 17-261 OR ANY OTHER STATUTORY PROVISIONS TO THE CONTRARY.

B. MONIES RECEIVED PURSUANT TO SECTION 5-801.02 SHALL BE DEPOSITED DIRECTLY WITH THE ARIZONA WILDLIFE CONSERVATION FUND. ON NOTICE FROM THE ARIZONA STATE GAME AND FISH COMMISSION, THE STATE TREASURER SHALL INVEST AND DVEST MONIES IN THE FUND AS PROVIDED BY SECTION 35-313, AND MONIES EARNED FROM INVESTMENT SHALL BE CREDITED TO THE FUND. NO MONIES IN THE ARIZONA WILDLIFE CONSERVATION FUND SHALL REVERT TO OR BE DEPOSITED IN ANY OTHER FUND, INCLUDING THE STATE GENERAL FUND. MONIES IN THE ARIZONA WILDLIFE CONSERVATION FUND ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-180 RELATING TO THE LAPSING OF APPROPRIATIONS. MONIES PROVIDED FROM THE ARIZONA WILDLIFE CONSERVATION FUND SHALL SUPPLEMENT, NOT SUPPLANT, EXISTING MONIES.

C. ALL MONIES IN THE ARIZONA WILDLIFE CONSERVATION FUND SHALL BE SPENT BY THE ARIZONA STATE GAME AND FISH COMMISSION TO CONSERVE, ENHANCE, AND RESTORE ARIZONA'S DIVERSE WILDLIFE RESOURCES AND HABITATS FOR PRESENT AND FUTURE GENERATIONS, AND WHICH MAY INCLUDE THE ACQUISITION OF REAL PROPERTY OF THE STATE OR ANY POLITICAL SUBDIVISION, INDIAN TRIBE, OR NONPROFIT ORGANIZATION EXEMPT FROM FEDERAL INCOME TAXATION UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE FOR THE PURPOSE OF CONSERVATION OF WILDLIFE OR WILDLIFE HABITAT OR ACQUISITION OF REAL PROPERTY OR INTEREST IN REAL PROPERTY THAT IS USED TO A NONPROFIT ORGANIZATION IS CONSIDERED ON THE ORGANIZATION PROVIDING REASONABLE PUBLIC ACCESS TO ANY LAND THAT IS WHOLLY OR PARTIALLY CHASED WITH THAT MONEY.

Sec. 8, Title 36, Chapter 29, Article 1, Arizona Revised Statutes, is amended by adding a new section 36-2901 as follows:

36-2901. LOCAL AND EMERGENCY SERVICES FUNDS

A. THE TRAILMA AND EMERGENCY SERVICES FUNDS ARE ESTABLISHED CONSISTING OF MONIES DEPOSITED PURSUANT TO SECTION 5-801.02(H)(3)(B) AND INTEREST EARNED ON THOSE MONIES. THE ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM ADMINISTRATION SHALL ADMINISTER THE FUNDS. THE FUNDS ARE NOT SUBJECT TO APPROPRIATION, AND EXPENDITURES FROM THE FUNDS ARE NOT SUBJECT TO OUTSIDE APPROVAL, NOTWITHSTANDING ANY STATUTORY PROVISIONS TO THE CONTRARY.

B. MONIES RECEIVED PURSUANT TO SECTION 5-801.02 SHALL BE DEPOSITED DIRECTLY WITH THE TRAILMA AND EMERGENCY SERVICES FUNDS. ON NOTICE FROM THE

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ADMINISTRATION, THE STATE TREASURER SHALL INVEST AND DVEST MONIES IN THE FUND AS PROVIDED BY SECTION 35-313, AND MONIES EARNED FROM INVESTMENT SHALL BE CREDITED TO THE FUND. NO MONIES IN THE TRAILMA AND EMERGENCY SERVICES FUNDS SHALL REVERT TO OR BE DEPOSITED IN ANY OTHER FUND, INCLUDING THE STATE GENERAL FUND. MONIES IN THE TRAILMA AND EMERGENCY SERVICES FUNDS ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-180 RELATING TO THE LAPSING OF APPROPRIATIONS. MONIES PROVIDED FROM THE TRAILMA AND EMERGENCY SERVICES FUNDS SHALL SUPPLEMENT, NOT SUPPLANT, EXISTING MONIES.

C. MONIES IN THE FUND SHALL ONLY BE USED TO REIMBURSE HOSPITALS IN ARIZONA FOR UNRECOVERED TRAILMA CENTER READINESS COSTS AND UNRECOVERED EMERGENCY SERVICES COSTS AS PROVIDED FOR IN THIS SECTION.

D. FOR PURPOSES OF THIS SECTION:

1. TRAILMA CENTER READINESS COSTS MEANS CLINICAL, PROFESSIONAL, AND OPERATIONAL COSTS THAT ARE INCURRED BY A LEVEL I TRAILMA CENTER AND THAT ARE NECESSARY FOR THE PROVISION OF LEVEL I TRAILMA CARE ON A TWENTY-FOUR HOUR, SEVEN DAYS PER WEEK BASIS. TRAILMA CENTER READINESS COSTS INCLUDE ONLY THOSE ADMINISTRATIVE AND OVERHEAD COSTS THAT ARE DIRECTLY ASSOCIATED WITH PROVIDING LEVEL I TRAILMA CARE.
2. EMERGENCY SERVICES COSTS MEANS CLINICAL, PROFESSIONAL, AND OPERATIONAL COSTS THAT ARE NECESSARILY INCURRED BY A HOSPITAL IN PROVIDING EMERGENCY SERVICES.
3. "UNRECOVERED" MEANS THE DIFFERENCE BETWEEN THE COSTS INCURRED BY A HOSPITAL IN PROVIDING THE COSTS INCURRED BY A HOSPITAL IN THE HOSPITAL HAS BEEN PAID FOR PROVIDING THE SERVICE.

E. WITHIN SIX MONTHS OF THE EFFECTIVE DATE OF THIS SECTION THE ADMINISTRATION SHALL PROMULGATE RULES PURSUANT TO ARIZONA REVISED STATUTES TITLE 42, CHAPTER 6, ARTICLE 1 THAT THE RULES SHALL NOT BE SUBJECT TO ARTICLE 5 OF THAT CHAPTER. THE RULES SHALL SET FORTH:

1. A METHODOLOGY TO DETERMINE ARIZONA HOSPITALS UNRECOVERED TRAILMA CENTER READINESS COSTS AND UNRECOVERED EMERGENCY SERVICES COSTS.
2. A PROCEDURE TO DISTRIBUTE ALL MONIES FROM THE TRAILMA AND EMERGENCY SERVICES FUNDS TO ARIZONA HOSPITALS IN PROPORTION TO THOSE HOSPITALS UNRECOVERED TRAILMA CENTER READINESS COSTS AND UNRECOVERED EMERGENCY SERVICES COSTS.
3. THE ADMINISTRATION SHALL DISTRIBUTE ALL MONIES FROM THE TRAILMA AND EMERGENCY SERVICES FUNDS TO ARIZONA HOSPITALS IN ACCORDANCE WITH THE RULES PROMULGATED PURSUANT TO THIS SECTION.

Sec. 8, Title 41, Chapter 10, Article 1, Arizona Revised Statutes, is amended by adding a new section 41-1505.12 as follows:

41-1505.12. COMMERCIAL AND ECONOMIC DEVELOPMENT COMMISSION LOCAL COMMUNITIES FUND

A. THE COMMERCIAL AND ECONOMIC DEVELOPMENT COMMISSION LOCAL COMMUNITIES FUND IS ESTABLISHED CONSISTING OF MONIES DEPOSITED PURSUANT TO SECTIONS 5-801.02(H)(3)(B) AND 5-801.02(H)(3)(C), AND INTEREST EARNED ON THOSE MONIES. THE DIRECTOR SHALL ADMINISTER THE FUND. THE FUND IS NOT SUBJECT TO APPROPRIATION, AND EXPENDITURES FROM THE FUND ARE

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