

SUPREME COURT OF ARIZONA

VINCE LEACH, an individual and) Arizona Supreme Court
qualified elector; GLENN HAMER,) No. CV-18-0230-AP/EL
an individual and qualified)
elector; JUSTINE ROBLES, an) Maricopa County
individual and qualified) Superior Court
elector; JOHN KAVANAGH, an) No. CV2018-009919
individual and qualified)
elector; JENN DANIELS, an)
individual and qualified)
elector; JACKIE MECK, an)
individual and qualified)
elector; ASHLEY RAGAN, an)
individual and qualified)
elector; and JOHN GILES, an)
individual and qualified elector,)

Plaintiffs/Appellants/)
Cross-Appellees,)

v.)

MICHELE REAGAN, in her official)
capacity as Arizona Secretary of)
State; APACHE COUNTY BOARD OF)
SUPERVISORS; MEMBERS OF THE)
APACHE COUNTY BOARD OF)
SUPERVISORS, in their official)
capacities; EDISON J. WAUNKA,)
in his official capacity as)
Apache County Recorder; COCHISE)
COUNTY BOARD OF SUPERVISORS;)
MEMBERS OF THE COCHISE COUNTY)
BOARD OF SUPERVISORS, in their)
official capacities; DAVID W.)
STEVENS, in his official)
capacity as Cochise County)
Recorder; COCONINO COUNTY BOARD)
OF SUPERVISORS; MEMBERS OF THE)
COCONINO COUNTY BOARD OF)
SUPERVISORS, in their official)
capacities; PATTY HANSEN, in her)
official capacity as Coconino)
County Recorder; GILA COUNTY)
BOARD OF SUPERVISORS; MEMBERS OF)
THE GILA COUNTY BOARD OF)
SUPERVISORS, in their official)

FILED 08/29/2018

capacities; SADIE JO BINGHAM, in)
her official capacity as Gila)
County Recorder; GRAHAM COUNTY)
BOARD OF SUPERVISORS; MEMBERS OF)
THE GRAHAM COUNTY BOARD OF)
SUPERVISORS, in their official)
capacities; WENDY JOHN, in her)
official capacity as Graham)
County Recorder; GREENLEE COUNTY)
BOARD OF SUPERVISORS; MEMBERS OF)
THE GREENLEE COUNTY BOARD OF)
SUPERVISORS, in their official)
capacities; BERTA MANUZ, in her)
official capacity as Greenlee)
County Recorder; LA PAZ COUNTY)
BOARD OF SUPERVISORS; MEMBERS OF)
THE LA PAZ COUNTY BOARD OF)
SUPERVISORS, in their official)
capacities; SHELLY BAKER, in her)
official capacity as La Paz)
County Recorder; MARICOPA COUNTY)
BOARD OF SUPERVISORS; MEMBERS OF)
THE MARICOPA COUNTY BOARD OF)
SUPERVISORS, in their official)
capacities; ADRIAN FONTES, in)
his official capacity as)
Maricopa County Recorder; MOHAVE)
COUNTY BOARD OF SUPERVISORS;)
MEMBERS OF THE MOHAVE COUNTY)
BOARD OF SUPERVISORS, in their)
official capacities; KRISTI)
BLAIR, in her official capacity)
as Mohave County Recorder;)
NAVAJO COUNTY BOARD OF)
SUPERVISORS; MEMBERS OF THE)
NAVAJO COUNTY BOARD OF)
SUPERVISORS, in their official)
capacities; DORIS CLARK, in her)
official capacity as Navajo)
County Recorder; PIMA COUNTY)
BOARD OF SUPERVISORS; MEMBERS OF)
THE PIMA COUNTY BOARD OF)
SUPERVISORS, in their official)
capacities; F. ANN RODRIGUEZ, in)
her official capacity as Pima)
County Recorder; PINAL COUNTY)
BOARD OF SUPERVISORS; MEMBERS OF)
THE PINAL COUNTY BOARD OF)
SUPERVISORS, in their official)
capacities; VIRGINIA ROSS, in)

her official capacity as Pinal)
County Recorder; SANTA CRUZ)
COUNTY BOARD OF SUPERVISORS;)
MEMBERS OF THE SANTA CRUZ COUNTY)
BOARD OF SUPERVISORS, in their)
official capacities; SUZANNE)
SAINZ, in her official capacity)
as Santa Cruz County Recorder;)
YAVAPAI COUNTY BOARD OF)
SUPERVISORS; MEMBERS OF THE)
YAVAPAI COUNTY BOARD OF)
SUPERVISORS, in their official)
capacities; LESLIE M. HOFFMAN,)
in her official capacity as)
Yavapai County Recorder; YUMA)
COUNTY BOARD OF SUPERVISORS;)
MEMBERS OF THE YUMA COUNTY BOARD)
OF SUPERVISORS, in their)
official capacities; ROBYN)
STALLWORTH POUQUETTE, in her)
official capacity as Yuma County)
Recorder,)

Defendants/Appellees/)
Cross-Appellees,)

And)

CLEAN ENERGY FOR A HEALTHY)
ARIZONA, an Arizona political)
action committee,)

Real Party in Interest/)
Appellee/Cross-Appellant,)

CLEAN ENERGY FOR A HEALTHY)
ARIZONA, and ALEJANDRA GOMEZ,)

Cross-Plaintiffs/Appellees/)
Cross-Appellants,)

v.)

MICHELE REAGAN, Arizona)
Secretary of State,)

Cross-Defendant/Appellee/)
Cross-Appellee,)

v.)
)
)
 JAVAN D. MESNARD, Speaker of)
 the House; and STEVE YARBROUGH,)
 President of the Senate,)
)
 Cross-Claimant Intervenors/)
 Appellees/Cross-Appellees.)
)
 _____)

O R D E R

The Court en banc has considered the record in this matter, the pleadings of the parties, and the relevant law. Accordingly,

IT IS ORDERED denying the Appeal.

IT IS FURTHER ORDERED declining to reach the issues raised in the Cross-Appeal.

IT IS FURTHER ORDERED affirming the trial court judgment. The Secretary of State may proceed under Title 19, Arizona Revised Statutes, to include Proposition 127 in the general election publicity pamphlet and to place it on the general election ballot.

IT IS FURTHER ORDERED awarding reasonable attorney fees and costs to Appellees on the Appeal, but Appellees may recover fees only to the extent they are entitled under A.R.S. § 19-118(D) concerning the registration of circulators. The parties will bear their own attorney fees and costs on the Cross-Appeal.

A written opinion will follow.

DATED this 29th day of August, 2018.

_____/s/_____
 SCOTT BALES
 Chief Justice

TO:

Brett William Johnson
Jennifer L Hadley Catero
Colin P Ahler
Andrew M Sniegowski
Brianna L Long
Lindsay L Short
Michael T Liburdi
Nicole M Goodwin
E Jeffrey Walsh
Kara Karlson
Joseph Eugene La Rue
Timothy J Berg
Janice Procter-Murphy
Cameron Johnson
Israel G Torres
James E Barton II
Saman John Golestan
Kory A Langhofer
Thomas J Basile
Britt W Hanson
William P Ring
Rose Winkeler
Jefferson R Dalton
M Colleen Connor
Talia J Offord
Ryan Henry Esplin
Jason S Moore
Daniel S Jurkowitz
Christopher C Keller
Craig C Cameron
Charlene A Laplante
Thomas M Stoxen
Jessica S Sabo
William J Kerekes
Hon. Daniel J Kiley
Hon. Chris DeRose