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## Arizona Reports: Special Post-Election Edition

*[The Arizona Reports is a periodic publication produced by Public Policy Partners for the sole use of its clients in order to provide a general overview of the legislative and political landscape in Arizona.]*

We could start this recapitulation of the elections events of this year with, “as expected.” But really no one knew exactly what to expect this entire election cycle. This year marks the culmination of one of the most unusual election cycles in our history.<sup>1</sup> Though the results are not official yet, with provisional and other outstanding ballots left to be counted, here is what we know, see, and think as of now. If there are any changes to the results below as the additional ballots are counted, we will send out updates.

### **U.S. President**

In one of the most divisive campaigns in modern election history, Donald Trump will be the next President of the United States. Needing 270 electoral votes to win, Mr. Trump was deemed the winner when he reached 288 electoral votes, with four states not having been called yet. Securing the electoral votes in a majority of the battleground states, including states that were not expected to be in play, Donald Trump secured victory. Hilary Clinton called Donald Trump to concede the race in the early morning hours.

Arizona gave its 11 Electoral College votes to Donald Trump, who beat Mrs. Clinton by a close margin of five percent. Electoral College votes are based on adding each state’s two Senators to the number of members of the House of Representatives from that state (which in turn is based on the state’s population relative to the country). Arizona has two Senators and nine Representatives. In 1960 Arizona had only four Electoral College votes.

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<sup>1</sup> Actually, America has seen its share of unusual elections. In 1800, Electoral College members had two votes and there were no party tickets. Most votes wins. Second place becomes the Vice-

Arizona has supported the Republican candidate for president in each election cycle dating back to 1952, with the exception of 1996. In that year, Arizona supported Bill Clinton. In only five of the last ten elections has Arizona supported the winning candidate.

Nationally: (These numbers will change as the final votes are tallied)

Trump -	288 EC Votes	48%
Clinton -	215 EC Votes	47.3%

Arizona:

Trump -	50%
Clinton -	45%

### **U.S. Senate**

John McCain will serve a sixth term as a Senator from Arizona. Sen. McCain beat current Democratic Representative Ann Kirkpatrick by a margin of 12 points. Prior to first being elected in the Senate, the 80 year-old Senator served two terms in Congress from 1982 to 1986. Sen. McCain succeeded Barry Goldwater in the Senate. Sen. Goldwater served five terms.

McCain -	53.2%
Kirkpatrick -	41.3%

### **U.S. Congress**

One of Arizona's nine Congressional seats saw an uncontested race with incumbent Democrat Raul Grijalva winning in Congressional District (CD) 3.

Of the eight remaining races, six saw the incumbent candidate winning.

CD 2	Rep. incumbent Martha McSally	56%
	Dem. Matt Heinz	44%
CD 4	Rep. incumbent Paul Gosar	71%
	Dem. Mikel Weisser	29%
CD 6	Rep. incumbent David Schweikert	61%
	Dem. John Williamson	39%
CD 7	Dem. Incumbent Ruben Gallego	74%

	Rep. Eve Nunez	26%
CD 8	Rep. Trent Franks	68%
	Grn. Mark Salazar	32%
CD 9	Dem. Incumbent Kyrsten Sinema	39%
	Rep. Dave Giles	61%

Two Congressional seats were up for grabs as incumbent Republican Matt Salmon chose not to run for re-election in CD 5 and incumbent CD 1 Democrat Ann Kirkpatrick attempted her run for the Senate against John McCain. In CD 5, former State Senator Andy Biggs handily beat Democrat Talia Fuentes, thus maintaining that district as a Republican district.

In somewhat of an upset in CD 1, particularly given the large Republican voter registration advantage, Democrat Tom O'Halleran defeated Pinal County Sheriff Paul Babeu. How much the Presidential race had to do with this or how much of it was due to Sheriff Babeu's historic issues is for anyone to guess. O'Halleran is a former Republican state legislator who changed his party affiliation after feeling like the party no longer represented his views and values.

O'Halleran- 50%  
 Babeu - 44%

### **Arizona Corporation Commission**

Do you remember the days when no one really paid much attention to the Corporation Commission election? Well those days have passed. Today, even the regulated community feels confident participating in the selection of the regulators. Numerous independent expenditures in the form of television commercials and mailers have made this race a high profile adventure.

The three Republican candidates: Bob Burns, Boyd Dunn and Andy Tobin won their elections, maintaining Republican control over the commission. Bob Burns was the largest vote-getter and was seeking re-election. Andy Tobin was seeking election after having been appointed to the Commission by Governor Ducey. The Republicans beat Democrat opponents Tom Chabin and William "Bill" Mundell.

### **Arizona State Senate**

The key to the State Senate is which party has a majority of its 30 members. Since 1993 that has been the Republican Party, except for 2001 – 2002 when there was a

15 - 15 tie. Some have speculated that this year could again see a State Senate tied at 15 – 15. But that didn't happen. Instead, it appears the Republicans will maintain a majority of 17 Republicans to 13 Democrats.

Four competitive key races were being closely watched:

LD 6 – In this northern Arizona district, Republican incumbent Sylvia Allen faced quite a challenge from former Jerome mayor Nikki Bagley. Although she was a hard working campaigner and the race was much closer than many expected, it does not appear that Ms. Bagley was able to unseat the incumbent Sen. Allen. Coconino County has an undisclosed amount of ballots still needing to be counted, therefore this race could change as the post-election votes are tallied since Senator Allen is ahead by a small margin.

LD 8 – This district encompasses most of Pinal County. Democratic incumbent Barbara McGuire faced a challenge from Frank Pratt. Rep. Pratt currently holds a seat in the AZ House of Representatives. Due to term limits, Rep. Pratt chose to run for the Senate. LD 8 has more registered independent voters than either major party. When an incumbent loses, it is normally viewed as an upset. But, in this case either candidate winning would not be too much of a surprise. At the end of the night, Rep. Pratt picks up this seat for the Republicans.

LD 18 – The first upset of this election cycle happened during the primary election. After serving two terms in the House and only one in the Senate, incumbent Republican Jeff Dial lost to newcomer Frank Schmuck. As a result, this Ahwatukee district had to choose between two newcomers, Republican Frank Schmuck and Democrat Sean Bowie. LD 18 appears to be in transition from a traditionally Republican area to a more moderate voting pattern, to a degree that polling was showing substantial Hillary Clinton support. In a race that may come down to the post election night counting of ballots, Mr. Bowie appears set to pick this seat up for the Democrats.

LD 28 – Frankly, this race is one in which most folks wish both candidates could win. This north central Phoenix district is very active and has historically produced quality legislators. Due to the retirement of Sen. Adam Driggs, the seat became open. Both of the current incumbent members of the House representing the district decided to run for the open seat.<sup>2</sup> But, only one can win. Republican Kate Brophy McGee faced off against Democrat Eric Meyer. Although voters in this district are almost 70% Republican and Independent, they have shown a willingness to elect Democrats. In the most closely watched legislative race this year, Rep. Brophy McGee holds the lead. However, this is another race that may change as post election night ballots are still counted.

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<sup>2</sup> Rep. Eric Meyer had reached his term limit in the House. Rep. Kate Brophy McGee had one term left that she could have served.

## Arizona House of Representatives

The Republicans have controlled the Arizona House for over three decades, and there was no danger of that changing with this election. The House will see several new members due to term limits, retirements, and others running for election in the Senate. However, it appears that two incumbents have lost their re-election. First term Republican legislator Chris Ackerly from LD 2 in southern Arizona lost to newcomer, Democrat Daniel Hernandez. This was not completely unexpected as the voter registration in this district heavily favors Democrats.

Also, in the Ahwatukee district of LD 18, 14 year Republican legislator Bob Robson lost his re-election bid to Democrat Mitzi Epstein. Although considered an upset, this district has been slowly moving more to the left.

Below is a table of all of the legislative races with the winners in those districts highlighted.

### **2016 Legislative Candidates - General Election**

Dist	Office	Last Name	First Name	Party
1	Senate	Fann	Karen	R
	House	Campbell	Noel	R
		Knauer	Haryaksha	Gr
		Pierson	Peter	D
		Stringer	David	R
2	Senate	Dalessandro	Andrea	D
		Kais	Shelley	D
	House	Ackerly	John	R
		Gabaldon	Rosanna	D
		Hernandez	Daniel	D
3	Senate	Cajero Bedford	Olivia	D
	House	Cizek	Trey	Gr
		Gonzales	Sally Ann	D
		Saldate	Macario	D
4	Senate	Otondo	Lisa	D
	House	Fernandez	Charlene	D

		Rubalcava	Jesus	D
5	Senate	Borrelli	Sonny	R
	House	iasiucci	Leo	Gr
		Cobb	Regina	R
		Mosley	Paul	R
		Weisser	Beth	D
6	Senate	Allen	Sylvia	R
		Bagley	Nikki	D
	House	Barton	Brenda	R
		Martinez	Alex	D
		Thorpe	Bob	R
7	Senate	Peshlakai	Jamescita	D
	House	Benally	Wenona	D
		Descheenie	Eric	D
8	Senate	McGuire	Barbara	D
		Pratt	Frank	R
	House	Casillas	Carmen	D
		Cook	David	R
		Shope	TJ	R
9	Senate	Farley	Steve	D
	House	Friese	Randall	D
		Hannley	Pamela	D
		Henderson	Ana	R
10	Senate	Bradley	David	D
		Phelps	Randall	R
	House	Clodfelter	Todd	R
		Engel	Kirsten	D
		Mach	Stefanie	D
11	Senate	Smith	Steve	R
		Atchue	Ralph	D
	House	Finchem	Mark	R
		Leach	Vince	R
		Hammond	Corin	D

12	Senate	Petersen	Warren	R
		Brown	Elizabeth	D
	House	Farnsworth	Eddie	R
		Grantham	Travis	R
13	Senate	Montenegro	Steve	R
	House	Mitchell	Darin	R
		Graves	lisha	D
		Shooter	Don	R
14	Senate	Griffin	Gail	R
		Alvarez	Jaime	D
		John	Drew	R
		Holmes	Mike	D
		Lindstrom	Jason	D
		Nutt	Becky Ann	R
15	Senate	Barto	Nancy	R
		McBeth	Tonya	D
	House	Allen	John	R
		Dwyer	Brandon	D
		Carter	Heather	R
16	Senate	Farnsworth	David	R
		Prior	Scott	D
	House	Townsend	Kelly	R
		Prior	Cara	D
		Stinard	Sharon	D
		Coleman	Doug	R
17	Senate	Yarbrough	Steve	R
		Weichert	Steven	D
	House	Weninger	Jeff	R
		Pawlik	Jennifer	D
		Mesnard	J.D.	R
18	Senate	Bowie	Sean	D
		Schmuck	Daniel	R
	House	Norgaard	Jill	R
		Robson	Bob	R
		Macias	Linda	Gr

		Epstein	Mitzi	D
19	Senate	Contreras	Lupe	D
	House	Cardenas	Mark	D
		Espinoza	Diego	D
20	Senate	Yee	Kimberly	R
		Herrera	Larry	D
		Quelland	Doug	I
	House	Boyer	Paul	R
		Gilfillan	Chris	D
		Kern	Anthony	R
21	Senate	Lesko	Debbie	R
	House	Rivero	Tony	R
		Payne	Kevin	R
		Rasmussen- Lacotta	Deanna	D
22	Senate	Burges	Judy	R
		Muscato	Michael	D
	House	Livingston	David	R
		Lovas	Phil	R
		Hernandez	Manuel	D
23	Senate	Kavanagh	John	R
	House	Lawrence	Jay	R
		Ugenti-Rita	Michelle	R
		Caputi	Tammy	D
24	Senate	Hobbs	Katie	D
	House	Alston	Lela	D
		Clark	Ken	D
25	Senate	Worsley	Bob	R
	House	Bowers	Rusty	R
		Udall	Michelle	R
		Rahn	Kathleen	D
26	Senate	Mendez	Juan	D
	House	Blanc	Isela	D



		Salman	Athena	D
		Adkins	Steven	R
		Trujillo	Cara	Gr
27	Senate	Miranda	Catherine	D
		Torres	Angel	Gr
	House	Bolding	Reginald	D
		Rios	Rebecca	D
28	Senate	Brophy McGee	Kate	R
		Meyer	Eric	D
	House	Butler	Kelli	D
		Hamway	Mary	R
		Syms	Maria	R
29	Senate	Quezada	Martin	D
		Nuttle	Crystal	R
		Andrade	Richard	D
		Chavez	Cesar	D
		Wilson	John	R
30	Senate	Meza	Robert	D
		Lynch	John	R
		Martinez	Ray	D
		Cox	Gary	R
		Navarrete	Otoniel	D

### **Statewide Ballot Measures**

Arizona is one of 18 states that allow for Direct Initiative.<sup>3</sup> In recent times, Arizona has seen an increase in the number of ballot measures using Direct Initiative. But this year only two made it to the ballot. By contrast, California voters got a chance to vote on 17 separate ballot measures. Can you imagine the number of political mailers you would get from 17 initiatives? Here is what happened in Arizona

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<sup>3</sup> Six other states allow for Indirect Initiative where a measure can be placed on the ballot, but only if the legislature fails to act.

## Proposition 205 – Regulation and Taxation of Marijuana Act

This measure would have made Arizona the fifth state to legalize recreational use of marijuana.<sup>4</sup> Proponents offered up, what they claim, will be millions of dollars to K-12 education and that marijuana should be regulated in the same way as we do with alcohol. The opponents countered with the Colorado experience, which they state showed no real benefit to Colorado schools. In addition, they pointed to the use of marijuana edibles that visually appear to target children. In the end, that message seemed to carry the day. Prop 205 failed. But, Arizona will remain a medical marijuana use state.

No - 52%

Yes - 48%

## Proposition 206 – Fair Wages and Healthy Families Act

The voters passed Proposition 206 by a healthy margin. As a result, the minimum wage in Arizona will increase from the current \$8.05 per hour to \$10.00 beginning January 1, 2017, and then increase each year until it reaches \$12.00 per hour on January 1, 2020.<sup>5</sup> In addition, the Act requires that all employers provide and potentially pay out earned paid sick time. Employers with 15 or more employees will be required to accrue sick time for their employees at the rate of one hour for every 30 hours worked, with an annual cap on accrual and usage of 40 hours. Employers with fewer than 15 employees will need to accrue at the same rate, but the annual cap on accrual and usage is lower, at 24 hours.

Yes - 59%

No - 41%

## **Maricopa County Sheriff**

Persistence paid off for Paul Penzone. After losing to nationally known Sheriff Joe Arpaio in 2012, Mr. Penzone was able to defeat the 84 year-old sheriff who has held that office since 1993. Despite years of trouncing his opponents and a daunting war

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<sup>4</sup> Alaska, Colorado, Oregon and Washington have all legalized recreational use, as has the District of Columbia. In total, 25 states and the District of Columbia have laws legalizing marijuana in some form.

<sup>5</sup> As with current law, the minimum wage for tipped workers is \$3.00 per hour less.

chest<sup>6</sup>, Arpaio's many controversies final became too much for the Maricopa County electorate.

Penzone -	55%
Arpaio -	45%

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<sup>6</sup> Sheriff Arpaio's war chest sits at about \$12 million. In contrast, Mr. Penzone has raised about \$540,000.