

## PRESS RELEASE

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### AZ Supreme Court Rules Prop 208 Language Unconstitutional

ATRA is pleased with the Supreme Court's ruling today on Proposition 208. We submitted an amicus brief to the court, urging them to find the expenditure limitation exemption unconstitutional. Prop 208 is statutory measure which attempts to circumvent spending limits in the Arizona Constitution. The aggregate expenditure limitation for K-12 schools cannot be amended with clever inventions such as disguising general taxes as private grants. Claiming these surcharge taxes were not tax revenues but rather "grants" is not only facially unconstitutional, it would have encouraged further watering down of constitutional taxpayer protections with statutory measures.

Furthermore, we applaud the court for their severability analysis. A tax which collects monies that cannot be spent is inane and would be an abuse of taxpayers as their money languishes in government coffers. Remanding to the lower court for a determination of whether the monies would cause the expenditure limit to be exceeded almost assuredly concludes that Prop 208 will be found wholly unconstitutional. Future efforts to expand K-12 spending must be serious enough to respect the complexity of Arizona laws and taxpayer protections in the Constitution.