

Exhibit 1



Office of Arizona Attorney General

Mark Brnovich

Legislator Request for Attorney General Investigation of Alleged State-Law Violation by County, City, or Town (Continued)



*Identify the member(s) of the Legislature submitting this request for investigation (attach additional sheet if necessary):

Rep. Nancy Barto

*Provide a contact person for communications from the Attorney General’s Office regarding this request (may be a Legislator listed above or an employee of the Legislature).

*Name: Andrew G. Pappas

*Email address: apappas@azleg.gov

*Phone number: (602) 926-5544

*Mailing address: Arizona House of Representatives

1700 W. Washington Street

Phoenix, AZ 85007-2844

*The specific question for the Attorney General to investigate is:

Whether City of Phoenix Ordinance G-6650 violates article IX, section 25 of

the Arizona Constitution.

*The name of the county, city, or town that is the subject of this request:

Phoenix

*The specific ordinance, regulation, order, or other official action adopted or taken by the governing body of the county, city, or town and the date thereof:

G-6650 (adopted December 18, 2019)

*The specific Arizona statute(s) and/or constitutional provision(s) with which the action conflicts :

Article IX, section 25 of the Arizona Constitution.



Office of Arizona Attorney General

Mark Brnovich

Legislator Request for Attorney General Investigation of Alleged State-Law Violation by County, City, or Town (Continued)



*All relevant facts of which you are aware (attach separate sheet if necessary):

See Attachment A.

*All relevant legal authority, including federal and state case law, of which you are aware (attach separate sheet if necessary):

See Attachment A.

* Any litigation involving this issue of which you are aware (include case name, number, and court where filed) :

None.

Check this box if you are attaching supporting documentation.

NOTE: This form and other information submitted to the Attorney General's Office is subject to the public records law, A.R.S. § 39-121 et seq.

I, a current member of the Legislature, verify that I and the other Legislators listed on the previous page (if any) are submitting this request for investigation under A.R.S. § 41-194.01.

*First Name: Nancy *Last Name: Barto

*Signature: [Signature] Date: December 19, 2019

Please submit the completed form to: Arizona Attorney General's Office Attn: Appeals and Constitutional Litigation/A.R.S. 41-194.01 2005 North Central Avenue Phoenix, AZ 85004 governmentaccountability@azagov

* required field Rev. 8-2016

Attachment A

Pursuant to A.R.S. § 41-194.01, I request that your office investigate the City of Phoenix's ("City") adoption of Ordinance G-6650 (the "Ordinance"). The Ordinance imposes new fees and increases existing fees on ride-sharing services to and from Phoenix Sky Harbor International Airport. It thus violates article IX, § 25 of the Arizona Constitution.

In 2018, Arizona voters overwhelmingly approved Proposition 126 ("Prop. 126"), which amended our Constitution to provide that:

The state, any county, city, town, municipal corporation, or other political subdivision of the state, or any district created by law with authority to impose any tax, fee, stamp requirement, or other assessment, shall not impose or increase any sales tax, transaction privilege tax, luxury tax, excise tax, use tax, or any other transaction-based tax, fee, stamp requirement or assessment on the privilege to engage in, or the gross receipts of sales or gross income derived from, any service performed in this state. This section does not repeal or nullify any tax, fee, stamp requirement, or other assessment in effect on December 31, 2017.

Ariz. Const. art. IX, § 25. The Constitution thus prohibits "any . . . city" from "impos[ing] or increas[ing] any . . . fee . . . on . . . any service performed in this state." *Id.* "[T]he plain language of this new amendment to our constitution" controls. *Knapp v. Martone*, 170 Ariz. 237, 239 (1992).

On December 18, 2019, the City adopted the Ordinance, which *imposes* a new fee and *increases* an existing fee on ride-sharing services at Sky Harbor, both in violation of Prop. 126. Before the Ordinance was adopted, the City assessed only a pick-up fee of \$2.66 for ride-sharing services at the airport; the City charged no drop-off fee. Under the Ordinance, the existing pick-up fee will increase from \$2.66 to \$4.00 next year, rise annually to \$5.00 by 2024, and then continue to rise according to the consumer price index each year after that. The Ordinance also imposes a new drop-off fee, which has the same rate structure as the pick-up fee. The fees take effect on February 1, 2020. Neither the increase in the pick-up fee nor the new drop-off fee was in effect on December 31, 2017.

The new charges on ride-sharing services at Sky Harbor clearly are "fees." The City itself repeatedly has characterized them as "fees." On November 26, 2019, the City gave notice under A.R.S. § 9-499.15 "of its intent to establish a new fee and to increase

an existing fee on Commercial Ground Transportation Providers at Phoenix Sky Harbor International Airport." See <https://www.phoenix.gov/public-notice-tax-and-fee-changes>. The City Council Report of the Ordinance says that the Ordinance "seeks to increase trip fees for [ride-sharing services], establish drop-off trip fees for providers, and provide for predictable, annual trip-fee rate increases." Phoenix City Council Report, 12/18/2019, Item No. 42 at 102; see also *id.* at 104 (in the attached summary sheet, stating that the Ordinance "[i]ncrease[s] certain pick-up fees" and "[c]reates new drop-off fees."). And the Ordinance amends Section 4-78 of the Phoenix City Code—titled "Fees"—to add "trip fees" for "Transportation Network Companies," otherwise known as ride-sharing services. See *id.* at 129; see also A.R.S. § 28-9551(3) (defining "Transportation network company").

It is also clear that both ride-sharing platforms and the drivers using them are providing a "service." State law already recognizes that ride-sharing platforms and drivers provide "services." A.R.S. § 28-9551(3)–(4), (6). This is consistent with the common meaning of that word. See *Service*, *Black's Law Dictionary* (11th ed. 2019) (defining "service" as "labor performed in the interest or under the direction of others, usually for a fee," and noting that "service denotes an intangible commodity in the form of human efforts, such as labor, skill, or advice.").

Arizona's Constitution prohibits cities from imposing or increasing fees on services performed in this state. Ariz. Const. art. IX, § 25. The City's Ordinance does exactly that—it imposes a new drop-off fee and increases an existing pick-up fee on ride-sharing services at Sky Harbor Airport. The Ordinance therefore violates our Constitution.

Exhibit 2

What's on my Ballot?



ARIZONA
2018
GENERAL
ELECTION
PUBLICITY
PAMPHLET

NOVEMBER 6, 2018

MICHELE
REAGAN
Secretary of State
State of Arizona



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ARGUMENT DISCLAIMER: State law requires the Office of the Secretary of State to publish EVERY qualified argument filed both for and against all propositions that will appear on the ballot at the November 6, 2018 General Election. The opinions are those of the filer alone, and the Secretary of State does not take a position in support of or opposition to any ballot measure.

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Published by Secretary of State Michele Reagan
 Election Services Division
 1700 West Washington Street, 7th Floor
 Phoenix, Arizona 85007-2888

The Secretary of State is an equal opportunity employer.



A Message to Arizona Voters

Dear Arizona voter:

Welcome to the 2018 General Election publicity pamphlet! I am excited to share this educational voting tool with each of you.

Within the publicity pamphlet, you will find important information including:

- Helpful general information about voting in Arizona elections;
- All propositions, including the official language appearing on the ballot and citizen arguments “for” and “against” each proposition; and
- Information on judges appearing on the ballot for retention in office.



You will also find some very important dates. Please be mindful and mark your calendars with the following dates:

- **October 9th:** Voter Registration Deadline for the General Election
- **October 10th – November 2nd:** Early Voting
- **November 6th:** Election Day

Just another note, some local governments also will be holding elections on November 6th, so state and local elections may be combined on one ballot. Please contact your county election official if you have any questions.

As always, it continues to be a pleasure representing you and the great state of Arizona. I appreciate you taking the time to read this pamphlet and be an informed voter. Your participation in this year’s General Election is much appreciated. Remember, your vote matters!

Sincerely,

Michele Reagan
Secretary of State

Connect with Arizona Secretary of State’s Office on Social Media:



Facebook.com/AZSecretaryOfState



@SecretaryReagan



www.youtube.com/user/AZSecState

Voter Registration Information

October 9th
is the registration
deadline



DEADLINE: October 9th is the **registration deadline** for the 2018 General Election, if you are not already registered to vote.

REGISTER ONLINE: Register to vote online at www.servicearizona.com. A valid Arizona driver's license or nonoperating identification license is necessary to use this website. *Online registration is available through midnight on October 9, 2018.*

PAPER REGISTRATION: Voter registration forms are also available and can be obtained:

- From the Secretary of State's website at www.azsos.gov;
- By calling the Secretary of State's Office at 1-877-THE-VOTE (1-877-843-8683);
- By contacting your County Recorder's Office (listed on page 11); or
- At other government offices and public locations throughout the state.

Online Voter Services

Please visit <https://voter.azsos.gov>.

The Secretary of State provides additional online services to help Arizona residents when voting. These services allow Arizona voters to:

- Check their voter registration status.
- Check their polling location.
- Check their provisional ballot status.
- Check their early ballot status.





Vote by Mail *and* In Person Early Voting

EARLY VOTING DATES TO REMEMBER:



Beginning October 10th: Early ballots are mailed to voters on the Permanent Early Voting List and registered voters who request one. Registered voters may also vote early in person at designated early voting locations. To check if you are on the Permanent Early Voting List, request an early ballot or for information on early voting locations, contact your county election official or visit <https://voter.azsos.gov>.



October 26th: Last day to request an early ballot from your County Recorder. Requests must be made **by 5:00 p.m.**



October 31st: Presumptive last day to submit a voted early ballot *by mail*.



November 6th: Your voted early ballot must be received by either your County Recorder's Office or ANY polling place/vote center in your county **by 7:00 p.m.** on Election Day.



ANY REGISTERED VOTER IN ARIZONA MAY VOTE EARLY IN ONE OF TWO WAYS:

1. Permanent Early Voting List

If you are on the Permanent Early Voting List, an early ballot will automatically be sent to the address on file with your County Recorder.

Check to see if you are on the Permanent Early Voting List by visiting <https://voter.azsos.gov>.

If you are on the Permanent Early Voting List and wish to receive your early ballot at an address different than your regular mailing address, contact your County Recorder. ***Election mail is non-forwardable.***

If you are not on the Permanent Early Voting List and would like to be, please contact your County Recorder.

2. One-Time Early Ballot Request

If you are **NOT** on the Permanent Early Voting List, and would like to request a one-time early ballot from your County Recorder, you may do so by telephone, mail, or fax. Online early ballot requests are also available in certain counties. When contacting your County Recorder to request an early ballot, make sure to include:

1. Your name and address used when registering to vote.
2. Date of birth and state or country of birth.
3. The election for which the ballot is requested.
4. Address where you are temporarily residing (if applicable).
5. Your signature (signatures are required for all early ballot requests except when requesting online).

Your County Recorder's contact information may be found on Page 11.

Military and Overseas Voters

Military personnel and voters living overseas are able to conveniently participate in federal and state elections. Military and overseas citizens can complete a Federal Postcard Application (FPCA) to register to vote and request a ballot.

A military or overseas voter may request an FPCA from his or her voting assistance officer, by visiting the Secretary of State online at <https://azsos.gov/elections/voting-election/military-and-overseas-voters>, or by contacting the County Recorder directly (see page 11).

Once the FPCA has been completed, it may be faxed back to the appropriate County Recorder, or to the Secretary of State's Office at (602) 364-2087. (The Secretary of State's Office will forward the FPCA to the appropriate County Recorder.)

A military or overseas voter may also submit a voted ballot using the Secretary of State's secure ballot upload system. In order to use this method, the voter must contact the appropriate County Recorder for instructions. **Ballots must be received by 7:00 p.m. local ARIZONA time on Election Day, November 6, 2018.**



GENERAL INFORMATION

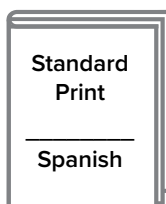
Voter Accessibility

County election officials will accommodate special needs of voters who are physically unable to go to the polls, or who need special access or assistance at the polling place. In particular, accessible voting devices will be available in every polling place/vote center. Persons who need additional assistance with voting should contact their county election department.

Alternative Pamphlet Formats

The 2018 General Election Publicity Pamphlet is available in alternative formats. Persons who need information about the 2018 General Election ballot propositions in another format should contact the Election Services Division of the Secretary of State's Office at (602) 542-8683, 1-877-THE-VOTE (1-877-843-8683), 1-800-458-5842, or TDD (602) 255-8683.

Alternative formats from the Secretary of State's Office include:



See page 211



Polling Place / Vote Center Information

- The polls are open from 6:00 a.m. until 7:00 p.m. on Election Day.
- Make sure to bring appropriate identification to the polls to avoid having to cast a provisional ballot.
- Ask for assistance if you are physically unable to mark your ballot or wish to use an accessible voting device at the polls. Two election officers from different political parties, or a person of your choice, may assist you in marking your ballot if you wish to vote a paper ballot. Neither of the election officers who assist you in voting are allowed to influence your vote.
- If you spoil your ballot, conceal your vote and present it to the election official to be re-issued a new ballot.
- Candidates whose names appear on the ballot (other than precinct committeemen) may not assist voters within the 75-foot limit around the polling place.
- A voter may be accompanied in the polling place by a person under the age of 18.
- Sample ballots may be brought to the polling place and may be taken into the voting booth at the time of the election.
- Any qualified voter who is in line to vote at 7:00 p.m. on Election Day will be allowed to vote.
- Early ballots may be dropped off at any polling location within your county on Election Day. You do not need to stand/wait in line to drop off your early ballot.
- If you believe that a violation of the federal Help America Vote Act has occurred during voting, you may contact:

Secretary of State Election Services Division
1700 West Washington Street, 7th Floor
Phoenix, Arizona 85007
1-877-THE-VOTE
www.azsos.gov



ID at the Polls – *Bring It!*

Every voter is required to show proof of identity at the polling place before receiving a ballot. The following lists describe acceptable forms of identification at the polling place:



LIST 1

ONE form of identification with photograph, name, and address of the voter, including:

- A valid Arizona driver license.
- A valid Arizona non-operating identification license.
- A tribal enrollment card or other form of tribal identification.
- A valid United States federal, state, or local government issued identification.

An identification is “valid” unless it can be determined on its face that it has expired.

-OR-

LIST 2

TWO forms of identification (without a photograph) that bear the name and address of the voter, including:

- A utility bill dated within 90 days of the date of the election. A utility bill may be for electric, gas, water, solid waste, sewer, telephone, cellular phone, or cable television.
- A bank or credit union statement dated within 90 days of the date of the election.
- A valid Arizona Vehicle Registration.
- An Indian census card.
- A property tax statement.
- A tribal enrollment card or other form of tribal identification.
- An Arizona vehicle insurance card.
- A recorder’s certificate.
- A valid United States federal, state, or local government issued identification, including a voter registration card issued by the County Recorder.
- Any mailing to the voter marked “Official Election Material.”

An identification is “valid” unless it can be determined on its face that it has expired. All items from List 2 may be presented to the poll workers in electronic format, including on a smart phone or tablet.

-OR-

LIST 3

TWO forms of identification: one identification with name and photo of the voter, and one non-photo identification with name and address, including:

- Any valid photo identification from List 1 in which the address does not match the precinct register at the polling place, and a non-photo identification from List 2 in which the address does match the precinct register.
- A U.S. Passport without address and one valid item from List 2.
- A U.S. Military identification without address and one valid item from List 2.

An identification is “valid” unless it can be determined on its face that it has expired.



Provisional Ballots

Every person who attempts to vote at a polling place has the right to cast a ballot and cannot be turned away. In certain situations, however, a voter may be required to vote a provisional ballot.

A provisional ballot is a ballot that will only be counted if the County Recorder can determine the voter's eligibility. If you cast a provisional ballot, your ballot will be counted once it has been verified that you:

- Voted at the correct polling place;
- Provided the required identification documents;
- Are an eligible elector in the county in which you voted; and
- Did not vote an early ballot for the same election.

After the election, you can track the status of your provisional ballot by visiting <https://voter.azsos.gov>.



Become a Poll Worker

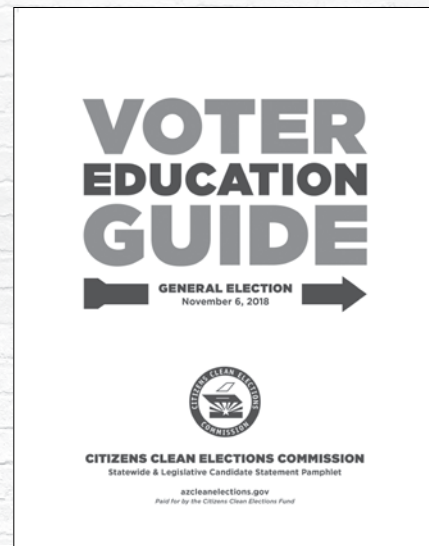
Poll workers are critical to a successful election. This important civic responsibility is open to all registered voters in Arizona and students who are at least 16 years of age at the time of the election. Poll workers are paid for their time and effort.

If you are interested, please contact your local county elections office (see page 12). Bilingual poll workers are especially needed.

Arizona Citizens Clean Election Commission Candidate Pamphlet

The Citizens Clean Election Commission mails a separate pamphlet with respect to state and legislative candidates to every household in Arizona that contains a registered voter.

If you would like more information about that pamphlet, contact the Citizens Clean Elections Commission at: (602) 364-3477; Toll-free at 1-877-631-8891; www.azcleaselections.gov; or visit the Commission's Office at 1616 West Adams Street, Suite 110, Phoenix, Arizona 85007.



COUNTY RECORDERS


Edison J. Wauneka
Apache County Recorder

Physical: 75 West Cleveland Street
 Mailing: PO Box 425
 St. Johns, Arizona 85936
 Phone 928/337-7514
 Fax 928/337-7676
 TDD 800/361-4402
 Email ewauneka@co.apache.az.us

David Stevens
Cochise County Recorder

1415 Melody Lane, Building B
 Bisbee, Arizona 85603
 Phone 520/432-8358 or 1-888-457-4513
 Fax 520/432-8368
 TDD 520/432-8360
 Email dstevens@cochise.az.gov

Patty Hansen
Coconino County Recorder

110 East Cherry Avenue
 Flagstaff, Arizona 86001
 Phone 928/679-7860 or 800/793-6181
 Fax 928/213-9241
 TDD 928/679-7131
 Email ccelections@coconino.az.gov

Sadie Jo Bingham
Gila County Recorder

1400 East Ash Street
 Globe, Arizona 85501
 Phone 928/402-8740
 Fax 928/425-9270
 TDD 7-1-1
 Email sbingham@gilacountyaz.gov

Wendy John
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 Mailing: PO Box 747
 Safford, Arizona 85548
 Phone 928/428-3560 or 1-888-428-3252
 Fax 928/428-8828
 TDD 928/428-3562
 Email wjohn@graham.az.gov

Berta Manuz
Greenlee County Recorder

Physical: 253 5th Street
 Mailing: PO Box 1625
 Clifton, Arizona 85533
 Phone 928/865-2632
 Fax 928/865-4417
 TDD 928/865-2632
 Email bmanuz@co.greenlee.az.us

Shelly Baker
La Paz County Recorder

1112 Joshua Avenue, Suite 201
 Parker, Arizona 85344
 Phone 928/669-6136 or 1-888-526-8685
 Fax 928/669-5638
 TDD 928/669-8400
 Email sbaker@co.la-paz.az.us

Adrian Fontes
Maricopa County Recorder

111 South 3rd Avenue, #103
 Phoenix, Arizona 85003
 Phone 602/506-1511
 Fax 602/506-5112
 TDD 602/506-2348
 Email voterinfo@risc.maricopa.gov

Kristi Blair
Mohave County Recorder

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 Kingman, Arizona 86402
 Phone 928/753-0767 or 1-888-607-0733
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Navajo County Recorder

Physical: 100 East Code Talkers Drive/
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 Phone 928/524-4192
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F. Ann Rodriguez
Pima County Recorder

Physical: 240 North Stone Avenue (zip: 85701)
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 Tucson, Arizona 85702
 Phone 520/724-4330
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 Email recorder@recorder.pima.gov

Virginia Ross
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Physical: 31 North Pinal Street, Building E
 Mailing: PO Box 848
 Florence, Arizona 85132
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 Fax 520/866-6831
 TDD 520/866-6851
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Suzanne "Suzie" Sainz
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 Nogales, Arizona 85621
 Phone 520/375-7990
 Fax 520/375-7996
 TDD 520/375-7934
 Email ssainz@santacruzcountyaz.gov

Leslie M. Hoffman
Yavapai County Recorder

1015 Fair Street, Room # 228
 Prescott, Arizona 86305
 Phone 928/771-3248
 Fax 928/771-3446
 TDD 928/771-3530
 Email Web.voter.registration@yavapai.us

Robyn S. Pouquette
Yuma County Recorder

197 S. Main Street
 Yuma, Arizona 85364
 Phone 928/373-6034
 Fax 928/373-6024
 TDD 928/373-6033
 Email Robyn.Pouquette@yumacountyaz.gov



COUNTY ELECTION DIRECTORS

COUNTY ELECTION DIRECTORS

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Apache County Elections

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Lisa Marra, Director
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Mark Mayrand,
Elections Administrator
Coconino County Elections

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TDD 928/679-7131
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Eric A. Mariscal, Director
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Graham County Elections

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Fax 928/428-5951
TDD 928/428-3562
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Yvonne Pearson, Clerk/Director
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TDD 928/865-2632
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Kevin Scholl, Director
La Paz County Elections

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Parker, Arizona 85344
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Fax 928/669-9709
TDD 928/669-8400
Email kscholl@co.la-paz.az.us

Rey Valenzuela, Director
Maricopa County Elections

510 South 3rd Avenue
Phoenix, Arizona 85003
Phone 602/506-1511
Fax 602/506-5112
TDD 602/506-2348
Email electioninfo@risc.maricopa.gov

Allen P. Tempert, Director
Mohave County Elections

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Kingman, Arizona 86402
Phone 928/753-0733 option 2
Fax 928/718-4956
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Rayleen D. Richards, Director
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Fax 928/524-4048
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Brad R. Nelson, Director
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Yuma County Elections

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STATEWIDE *Town Hall* INFORMATION

Arizona's voters are invited to attend a Town Hall meeting on the statewide ballot propositions. Per Arizona law, the Secretary of State's Office will conduct a series of Town Hall meetings around the state to educate the public about the General Election ballot propositions. The meetings are free and open to the public. If you want to learn more about the statewide ballot measures, please consider attending a Town Hall in your area.

**For more information, please call (602) 542-8683 or toll free 1-877-843-8683,
or visit the Secretary of State's website,
<http://www.azsos.gov/elections/elections-calendar-upcoming-events>.**





DISCLAIMER

DISCLAIMER

Due to the possibility of intervening legal challenges to one or more propositions published in this pamphlet, there may be changes in what actually appears on the General Election ballot.

Please review your ballot carefully before voting.

**FOR MORE INFORMATION,
VISIT THE SECRETARY OF STATE'S WEBSITE,
WWW.AZSOS.GOV; OR CALL 1-877-THE-VOTE
(1-877-843-8683) CLOSER TO ELECTION DAY.**

A Guide to Arizona Propositions



NUMBERING OF BALLOT MEASURES

State law requires that ballot measures be numbered according to four criteria:

100 series

Constitutional amendments, whether initiated by the people or referred by the Legislature, are numbered in the 100s.

200 series

Citizen initiatives to create new laws or amend current laws (statutes) are numbered in the 200s.

300 series

Legislative referrals to create new laws or amend current laws (statutes) are numbered in the 300s.

400 series

Local ballot measures are numbered in the 400s.

Initiative and Referendum Measures

Arizona's Constitution puts legislative power not only in a House of Representatives and Senate, but in the people themselves.

INITIATIVE

An initiative is the method by which voters may propose new laws or amend existing laws by gathering signatures from registered voters to place the issue on the ballot. If the person or organization submits enough valid signatures, the proposed statute or constitutional amendment will be placed on the next general election ballot: a "yes" vote enacts the new law or amendment, whereas a "no" vote retains existing law. The Arizona Legislature may also propose new laws or amend existing laws by directly referring the measure to the general election ballot for voters' consideration.

REFERENDUM

In contrast, a referendum is the method by which voters may veto a law (or part of a law) by gathering signatures from registered voters to place the issue on the ballot. If the person or organization submits enough valid signatures, the bill will be placed on the next general election ballot: a "yes" vote allows the law to go into effect, whereas a "no" vote essentially constitutes a citizen veto and prevents the bill from going into effect.

125 Proposition

OFFICIAL TITLE

A CONCURRENT RESOLUTION

REQUESTING THE SECRETARY OF STATE TO RETURN SENATE CONCURRENT RESOLUTION 1023, FIFTY-THIRD LEGISLATURE, FIRST REGULAR SESSION, TO THE LEGISLATURE; PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA; AMENDING ARTICLE XXIX, SECTION 1, CONSTITUTION OF ARIZONA; RELATING TO PUBLIC RETIREMENT SYSTEMS.

Whereas, pursuant to article XXI, Constitution of Arizona, the fifty-third legislature, first regular session, presented Senate Concurrent Resolution 1023 to the Secretary of State for submission of an amendment of article XXIX, section 1, Constitution of Arizona, to the voters at the next general election; and

Whereas, the general election having not yet occurred, the proposition has not yet been presented to the voters; and

Whereas, on further consideration, the Legislature has determined that the subject of the proposed constitutional amendment, the corrections officer retirement plan, should be addressed in another manner.

Therefore

Be it resolved by the House of Representatives of the State of Arizona, the Senate concurring:

1. The Legislature of the State of Arizona respectfully requests that the Secretary of State, pursuant to section 41-121, subsection A, paragraph 1, Arizona Revised Statutes, return Senate Concurrent Resolution 1023, fifty-third legislature, first regular session, to the Legislature.

2. The Secretary of State shall submit the proposition contained in section 3 of this resolution to the voters at the next general election as provided by article XXI, Constitution of Arizona, in lieu of Senate Concurrent Resolution 1023.

3. Article XXIX, section 1, Constitution of Arizona, is proposed to be amended as follows if approved by the voters and on proclamation of the Governor:

1. Public retirement systems

Section 1. A. Public retirement systems shall be funded with contributions and investment earnings using actuarial methods and assumptions that are consistent with generally accepted actuarial standards.

B. The assets of public retirement systems, including investment earnings and contributions, are separate and independent trust funds and shall be invested, administered and distributed as determined by law solely in the interests of the members and beneficiaries of the public retirement systems.

C. Membership in a public retirement system is a contractual relationship that is subject to article II, section 25.

D. Public retirement system benefits shall not be diminished or impaired, except that:

1. Certain adjustments to the public safety personnel retirement system may be made as provided in senate bill 1428, as enacted by the fifty-second legislature, second regular session.

2. CERTAIN ADJUSTMENTS TO THE CORRECTIONS OFFICER RETIREMENT PLAN MAY BE MADE AS PROVIDED IN SENATE BILL 1442, AS ENACTED BY THE FIFTY-THIRD LEGISLATURE, FIRST REGULAR SESSION.

3. CERTAIN ADJUSTMENTS TO THE ELECTED OFFICIALS' RETIREMENT PLAN MAY BE MADE AS PROVIDED IN HOUSE BILL 2545, AS ENACTED BY THE FIFTY-THIRD LEGISLATURE, SECOND REGULAR SESSION.

E. This section preserves the authority vested in the legislature pursuant to this constitution and does not restrict the legislature's ability to modify public retirement system benefits for prospective members of public retirement systems.

125
PROPOSITION 125

LEGISLATIVE COUNCIL ANALYSIS

Article 29, section 1 of the Arizona Constitution provides that public retirement system benefits shall not be diminished or impaired. The Arizona Supreme Court has determined that this constitutional provision prohibits decreasing a future permanent benefit increase for certain existing retired public employees.

Proposition 125 would amend the Arizona Constitution to create an exception to the current prohibition against diminishing or impairing public retirement system benefits by allowing for certain adjustments to the Corrections Officer Retirement Plan that are contained in Senate Bill 1442 (a separate piece of legislation already passed by the Legislature and signed by the Governor in 2017, and not subject to voter approval) and to the Elected Officials' Retirement Plan that are contained in House Bill 2545 (a separate piece of legislation already passed by the Legislature and signed by the Governor in 2018, and not subject to voter approval).

If Proposition 125 is enacted by the voters:

1. Senate Bill 1442 would replace the current permanent benefit increase with a new compounding cost-of-living adjustment (COLA) for retired corrections officer members and survivors of retired corrections officer members who were hired before July 1, 2018.
2. House Bill 2545 would replace the current permanent benefit increase with a new compounding COLA for retired elected official members and survivors of retired elected official members.
3. For both retirement plans:
 - a. The COLA would be based on the average annual percentage change in the metropolitan Phoenix-Mesa consumer price index, with the immediately preceding year as the base year for making the determination. The adjustment could not exceed two percent of the retired member's or survivor's base benefit each year.
 - b. COLA payments would be made on July 1 each year. The COLA would be prorated in the first year of a member's retirement.
 - c. The actuary would be required to include the projected cost of providing the COLA in the calculation of normal cost and accrued liability for each retirement plan.

125**PROPOSITION 125**

ARGUMENTS “For” PROPOSITION 125

As Trustees of Arizona’s Public Safety Personnel Retirement System – responsible for overseeing the retirement fund serving more than 59,000 state employees, including current and retired corrections officers, police officers, fire fighters and elected officials – we unanimously ask you to join our Board in SUPPORTING PROPOSITION 125.

Your YES vote on this carefully crafted bipartisan pension reform measure will help save Arizona taxpayers an estimated \$275 million over the next several decades. Proposition 125 also will shore up the state’s underfunded Elected Officials’ Retirement Plan and the Corrections Officer Retirement Plan.

The passage of Proposition 125 will relieve the pressure faced by overburdened taxpayers and by municipalities, counties and state agencies all across Arizona. Prop 125 will also free up revenue to fund community services families rely on, like public safety, education, safer roads and infrastructure.

Just like Proposition 124 – a pension reform measure voters passed by a landslide in 2016 – Proposition 125 seeks a small, but meaningful change to the Arizona Constitution. This change helps protect the middle class retirement promised to members of PSPRS and puts in place a reasonable Cost of Living Adjustment for retired members – an adjustment tied to Consumer Price Index changes for the Phoenix and Mesa metropolitan-area as determined by the U.S. Bureau of Labor Statistics.

The Board of Trustees, appointed by Governor Doug Ducey and the Legislature, comprises experienced members of the public safety community and investment professionals with decades of financial experience. Along with a bipartisan group of legislators and leaders in the public safety and public service sectors, we believe that Proposition 125 is a smart, fair step that will help taxpayers, Arizona communities and the thousands of members who depend on our agency to secure their future.

Vote Yes on Proposition 125.

PSPRS Board of Trustees

Brian P. Tobin, Chairman, Phoenix; Will Buividas, Vice-Chairman, Phoenix; William C. Davis, Trustee, Phoenix; Edward J. McNeill, Trustee, Phoenix; Harry A. Papp, Trustee, Phoenix; Bryan Raines, Trustee, Phoenix; Mike Scheidt, Trustee, Phoenix; Dean M. Scheinert, Trustee, Phoenix; and Donald A. Smith, Jr., Trustee, Phoenix

VOTE YES ON 125!

Arizona voters should look upon Proposition 125 for exactly what it is: A strong, common-sense solution to help put an end to the pension crisis that threatens our taxpayers and our local governments. VOTE YES on Proposition 125 on the general election ballot. As a state lawmaker, I am proud to have helped lead the legislative effort to reform the pension benefit formula for the Corrections Officer Retirement Plan and the pension plan for elected officials and the judiciary, which passed the Legislature UNANIMOUSLY. VOTING YES on Proposition 125, you are helping local governments and supporting taxpayers by saving an estimated \$275 million in escalating public pension costs.

For years, these pension plans have remained battered from market crashes while recovery was hampered by challenging economic environments. Even worse, state law required substantial pension increases on an annual basis – even when public investments lost billions of dollars during events like the Great Recession.

Proposition 125 helps these plans recover and protects thousands of retirees by replacing a convoluted pension formula that is contingent upon market returns with a guaranteed, simple cost-of-living-increase that ensures retirees’ pensions are protected from inflation. This, in turn, decreases the amount local governments and state agencies must pay to protect the public pension system’s ability to provide the benefits our public retirees were promised and have earned.

Proposition 125 is a bipartisan solution to a problem recognized by everyone – state and local governments, public employees, investment professionals and retirees who spent their careers serving our great state. Please join me in voting YES for Proposition 125 to save taxpayers millions and avoid future tax increases while upholding promises made to retirees.

David Livingston, District 22

Arizona House Appropriations Chairman

J.D. Mesnard, District 17

Speaker of the Arizona House of Representatives

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

David Livingston, Arizona House Appropriations Chairman, District 22, Arizona House of Representatives, Peoria and J.D. Mesnard, Speaker of the Arizona House of Representatives, District 17, Arizona House of Representatives, Chandler

I am a Pinal County Supervisor and this year I have had the honor of serving as President of the Arizona County Supervisors Association. As elected officials responsible for sound financial management of county government, county supervisors across the state have been very concerned about the contractual liabilities of public pensions and the strain they place on limited resources. Specifically, high pension costs are burdening local taxpayers and crowding out available resources for vital public health, criminal justice and road maintenance responsibilities.

In recent years, county officials have been encouraged by the leadership of Arizona State Legislators and the Governor to implement bi-partisan, common-sense reforms to protect the taxpayer while addressing the needs of public service personnel. For example, in 2016, the legislature passed and the voters overwhelmingly approved a measure reforming the pension system for police, sheriff's deputies and firefighters.

Now, with your support, Prop. 125 will implement similar essential legislative reforms for the pension systems for elected officials and for the men and women who protect the public by working in our state prisons, county jails, and probation departments. These reforms will help rein in costs and protect the taxpayer, while providing a sustainable benefit for existing retirees and a private sector-type defined contribution program for future employees.

Prop. 125 is the right policy for the taxpayer and the public employee. Please join me in voting YES on Prop. 125

Anthony Smith, Pinal County Supervisor, District 4, Maricopa

Underfunded public pensions are one of the biggest challenges that states and local governments are facing across the country. That's why I worked tirelessly in 2016 and 2017 on legislation to reform the police, firefighter and correctional officer's pensions and that's why I am asking Arizona voters to vote YES on Proposition 125!

In Arizona, our public pensions are underfunded by billions of dollars and the shortfall has consequences for local governments and taxpayers. Proposition 125 – like the reforms in 2016's Prop 124 which passed overwhelmingly by the voters – saves hundreds of millions of dollars by taking a well-intentioned but harmful pension increase formula and replacing it with a simple cost-of-living-increase.

Proposition 125 will save \$275 million and help save the plan for the workers that rely on it. That's real money that governments can use for other vital services, including education, public safety and job creation, and it helps protect Arizona residents from future taxes.

I ran for office to represent my constituents by working to solve real problems. I worked across the aisle and with all those involved to get this done. Together we agreed a crisis was on the horizon if we didn't act. We worked together for a common-sense solution that protected taxpayers' wallets, local governments' budgets, and the pensions of retirees who dedicated their lives to public service.

I am proud of my efforts at the state legislature to reform our public pension systems. Please join me in voting YES on Proposition 125.

Debbie Lesko, Former Arizona State Senator, Peoria

Sponsored by Debbie Lesko for Congress

As elected members of the Arizona State Legislature, we have worked hard with public employees and agencies to help fix Arizona's underfunded pension systems. We are asking Arizonans to VOTE "YES" ON PROPOSITION 125 to protect taxpayers and essential government services.

Proposition 125 provides a reasonable reform to stabilize and improve the pension systems that serve thousands of Arizona's corrections officers, judges and elected officials. In 2016, Arizona voters overwhelmingly passed the similar Proposition 124 which protected taxpayers and the pension system for police officers and firefighters.

These reforms help fix budget threats to municipalities, state agencies and county governments – and help overburdened taxpayers who fund them. We are proud that these proposals are bipartisan and supported by the governor, public employee associations, local governments and business associations alike. While stakeholders in other states have obstructed necessary pension reforms and avoided addressing this crisis, here in Arizona we recognized the problem and worked together to find a solution.

This simple proposition replaces a faulty pension increase formula with a fair and reasonable cost-of-living-adjustment that is

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

common to most public pension systems. This small but meaningful change will save Arizona taxpayers about \$275 million over the next several decades and it will help bring financial health to our pensions. It also helps local governments serve their communities by freeing up funding for services like public safety, education, parks and libraries.

We voted unanimously to put Proposition 125 on the ballot because we believe it strikes the appropriate balance between fulfilling retirement promises made to public employees and lowering the burden on the taxpayers they serve. Please join us and VOTE “YES” ON PROPOSITION 125.

Karen Fann, Senator, LD1, Prescott; Noel Campbell, Representative, LD1, Prescott; David Stringer, Representative, LD1, Prescott; Andrea Dalessandro, Senator, LD2, Green Valley; Rosanna Gabaldon, Representative, LD2, Green Valley; Daniel Hernandez, Representative, LD2, Tucson; Olivia Cajero Bedford, Senator, LD3, Tucson; Sally Ann Gonzales, Representative, LD3, Tucson; Macario Saldate, Representative, LD3, Tucson; Lisa Otondo, Senator, LD4, Yuma; Charlene Fernandez, Representative, LD4, Yuma; Geraldine Peten, Representative, LD4, Goodyear; Sonny Borrelli, Senator, LD5, Lake Havasu City; Regina Cobb, Representative, LD5, Kingman; Paul Mosley, Representative, LD5, Lake Havasu City; Sylvia Allen, Senator, LD6, Snowflake; Brenda Barton, Representative, LD6, Payson; Bob Thorpe, Representative, LD6, Flagstaff; Jamescita Peshlakai, Senator, LD7, Window Rock; Wenona Benally, Representative, LD7, Window Rock; Eric Descheenie, Representative, LD7, Chinle; Frank Pratt, Senator, LD8, Casa Grande; T.J. Shope, Representative, LD8, Coolidge; David Cook, Representative, LD8, Globe; Steve Farley, Senate Minority Assistant Leader, LD9, Tucson; Randall Friese, House Minority Assistant Leader, LD9, Tucson; Pamela Hannley, Representative, LD9, Tucson; David Bradley, Senator, LD10, Tucson; Todd Clodfelter, Representative, LD10, Tucson; Kirsten Engel, Representative, LD10, Tucson; Steve Smith, Senator, LD11, Maricopa; Mark Finchem, Representative, LD11, Oro Valley; Vince Leach, Representative, LD11, Tucson; Warren Petersen, Senator, LD12, Gilbert; Eddie Farnsworth, Representative, LD12, Gilbert; Travis Grantham, Representative, LD12, Gilbert; Sine Kerr, Senator, LD13, Buckeye; Darin Mitchell, Representative, LD13, Goodyear; Tim Dunn, Representative, LD13, Yuma; Gail Griffin, Senate Majority Whip, LD14, Hereford; Drew John, Representative, LD14, Safford; Becky Ann Nutt, Representative, LD14, Clifton; Nancy Barto, Senator, LD15, Phoenix; David Farnsworth, Senator, LD16, Mesa; Steve Yarbrough, Senate President, LD17, Chandler; Jeff Weninger, Representative, LD17, Chandler; J.D. Mesnard, Speaker of the House, LD17, Chandler; Sean Bowie, Senator, LD18, Phoenix; Jill Norgaard, Representative, LD18, Phoenix; Mitzi Epstein, Representative, LD18, Tempe; Lupe Contreras, Senate Minority Co-Whip, LD19, Avondale; Mark Cardenas, Representative, LD19, Phoenix; Diego Espinoza, Representative, LD19, Tolleson; Kimberly Yee, Senate Majority Leader, LD20, Phoenix; Paul Boyer, Representative, LD20, Glendale; Anthony Kern, Representative, LD20, Glendale; Rick Gray, Senator, LD21, Sun City; Tony Rivero, Representative, LD21, Peoria; Kevin Payne, Representative, LD21, Peoria; Judy Burges, Senator, LD22, Sun City West; David Livingston, Representative, LD22, Peoria; Ben Toma, Representative, LD22, Peoria; John Kavanagh, Senator, LD 23, Fountain Hills; Jay Lawrence, Representative, LD23, Scottsdale; Michelle Ugenti-Rita, Representative, LD23, Scottsdale; Katie Hobbs, Senate Minority Leader, LD24, Phoenix; Ken Clark, Representative, LD24, Phoenix; Bob Worsley, Senator, LD25, Mesa; Rusty Bowers, Representative, LD25, Mesa; Michelle Udall, Representative, LD25, Mesa; Juan Mendez, Senator, LD26, Tempe; Isela Blanc, Representative, LD26, Tempe; Athena Salmon, Representative, LD26, Tempe; Catherine Miranda, Senator, LD27, Laveen; Reginald Bolding, Representative, LD27, Laveen; Rebecca Rios, House Minority Leader, LD27, Phoenix; Kate Brophy McGee, Senator, LD28, Phoenix; Kelli Butler, Representative, LD28, Paradise Valley; Maria Syms, Representative, LD28, Paradise Valley; Martin Quezada, Senate Minority Co-Whip, LD29, Phoenix; Richard Andrede, Representative, LD29, Glendale; Cesar Chavez, Jr., Representative, LD29, Phoenix; Robert Meza, Senator, LD30, Phoenix; Ray Martinez, Representative, LD30, Phoenix; and Tony Navarrette, Representative, LD30, Phoenix
Sponsored by Senator Karen Fann

I urge you to vote “yes” on Proposition 125. This measure, which has broad bipartisan support, helps safeguard taxpayers and businesses of all sizes by reducing the potential for future tax increases to support public pension systems.

Proposition 125 provides a simple fix to an unsustainable pension increase formula for Arizona’s retired corrections officers, elected officials and judges. This change allows these public pension plans to provide promised retirement benefits while also reducing state and local government’s long-term pension costs.

The trend of rising public pension expenses threatens to crowd out other vital government services that make Arizona’s cities and towns attractive to businesses and employees. Simply put, our governments’ abilities to pay for infrastructure, transportation, and other needs will continue to decline as they are forced to divert more and more money to cover increasing public retirement expenses.

Now is the time to act to put reasonable limits on future increases to pension benefits. Proposition 125 is a bipartisan and commonsense solution that replicates landmark reform passed in 2016 that put the police and firefighter pension on the path towards financial health.

Without this measure, state and local governments could soon face a major decision: Cut needed and basic services or raise taxes to make up the difference. As a state business leader who is concerned about Arizona's competitive standing nationally, both of these options are bad for the state's economy and future growth.

Please join me in supporting Proposition 125!

Glenn Hamer
President and CEO
Arizona Chamber of Commerce and Industry

Glenn Hamer, President & CEO, Arizona Chamber of Commerce & Industry, Phoenix
Sponsored by Arizona Chamber of Commerce & Industry

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ARGUMENTS "FOR"
PROPOSITION 125

ARGUMENTS “Against” PROPOSITION 125

Vote Against Prop 125. Corrections Officers who are retired fulfilled their employment agreement with their employer and the retirement plan. They should get all the benefits that they were promised and successfully worked for. The Arizona State legislature should not be proposing changes to retiree pensions after the fact. The Corrections Officer Retirement plan is the strongest in Arizona. No changes need to be made except for the Arizona State Legislature to stop raiding all the trust funds and using that money for other areas. Members of the Corrections Officer Retirement plan are successful members of Law Enforcement that had one of the hardest jobs in Law Enforcement. This job class is one of the lowest paid in Law Enforcement and the promise of a good pension plan is why people put up with some of the worst job conditions in any field. If Prop 125 passes even less people will consider a career in this area of Law Enforcement and the State of Arizona and other local agencies will have a very hard time getting new employees. Why would anyone come work for a government retirement plan that is cutting benefits? Less qualified and less dedicated people will fill the open jobs. All agencies will have a higher employee turn over rate and will have to pay again and again for training new recruit Corrections Officers to replace people who are not making Law Enforcement a Career. Since training a recruit Corrections Officer can cost an agency \$50,000 per employee you would think the Arizona State Legislature would be taking proactive practices to keep people in the field for a longer time to save on training costs. Please vote NO on Prop 125 and support Law Enforcement.

Eric Hahn, Tucson

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ARGUMENTS “AGAINST”
PROPOSITION 125

PROPOSITION 125 *Ballot Format*

PROPOSITION 125

**PROPOSED AMENDMENT TO THE CONSTITUTION
BY THE LEGISLATURE RELATING TO PUBLIC RETIREMENT SYSTEMS**

<p><u>OFFICIAL TITLE</u> PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA; AMENDING ARTICLE XXIX, SECTION 1, CONSTITUTION OF ARIZONA; RELATING TO PUBLIC RETIREMENT SYSTEMS.</p>
<p><u>DESCRIPTIVE TITLE</u> THE CONSTITUTIONAL AMENDMENT AND ACCOMPANYING LEGISLATION WOULD PERMIT THE STATE TO ADJUST CERTAIN BENEFITS IN THE CORRECTIONS OFFICERS' AND ELECTED OFFICIALS' RETIREMENT SYSTEMS TO ALLEVIATE PENSION UNDERFUNDING.</p>

<p>A “YES” vote will allow the State to adjust certain benefits for corrections officer retirees and elected official retirees in order to provide greater financial stability in the pension system; plan changes for newly-hired corrections officers include the replacement of the current permanent benefit increase with a cost of living adjustment tied to inflation and transition to a defined contribution system; plan changes for elected official retirees include a guaranteed cost of living adjustment tied to inflation.</p>	<p>YES <input type="checkbox"/></p>
<p>A “NO” vote will have the effect of maintaining the current benefit and contribution rules in the Corrections Officer Personnel Retirement System and Elected Officials Personnel Retirement System.</p>	<p>NO <input type="checkbox"/></p>

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BALLOT FORMAT FOR
PROPOSITION 125

126 Proposition

OFFICIAL TITLE

THE PROTECT ARIZONA TAXPAYERS ACT

A CONSTITUTIONAL AMENDMENT INITIATIVE MEASURE

AMENDING ARTICLE IX OF THE ARIZONA CONSTITUTION BY AMENDING SECTION 6 AND ADDING SECTION 25, AND AMENDING ARTICLE XIII, SECTION 2, OF THE ARIZONA CONSTITUTION; PROHIBITING THE TAXATION OF ANY SERVICE THAT WAS NOT TAXED AS OF DECEMBER 31, 2017.

TEXT OF PROPOSED AMENDMENT

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

Section 1 Title

This constitutional amendment shall be known and may be cited as the Protect Arizona Taxpayers Act.

Section 2 Findings and Intent

(a) Each day millions of Arizonans pay for an array of services integral to daily life, ranging from medical treatments and auto repairs to haircuts and childcare, and much more.

(b) In their unending quest to extract more money from citizens, politicians in other states have started taxing these vital everyday services, thereby making them more expensive and increasing the financial strain on working families.

(c) These taxes are not only unfair to hardworking citizens, but they also impose a crippling burden on small businesses, making it more difficult for them to create well-paying jobs. The end result is more unemployment and less take-home pay for workers.

(d) To protect Arizonans from these regressive and inequitable taxes, this initiative measure amends the Arizona Constitution to prohibit the state and its political subdivisions from imposing any new taxes on services.

Section 3 Article IX, section 6, of the Arizona Constitution is amended as follows:

Section 6. Local assessments and taxes

EXCEPT AS PROVIDED BY SECTION 25 OF THIS ARTICLE, incorporated cities, towns, and villages may be vested by law with power to make local improvements by special assessments, or by special taxation of property benefited. For all corporate purposes, all municipal corporations may be vested with authority to assess and collect taxes.

Section 4 Article IX of the Arizona Constitution is amended as follows by adding section 25:

Section 25. PROHIBITION OF NEW OR INCREASED TAXES ON SERVICES

THE STATE, ANY COUNTY, CITY, TOWN, MUNICIPAL CORPORATION, OR OTHER POLITICAL SUBDIVISION OF THE STATE, OR ANY DISTRICT CREATED BY LAW WITH AUTHORITY TO IMPOSE ANY TAX, FEE, STAMP REQUIREMENT, OR OTHER ASSESSMENT, SHALL NOT IMPOSE OR INCREASE ANY SALES TAX, TRANSACTION PRIVILEGE TAX, LUXURY TAX, EXCISE TAX, USE TAX, OR ANY OTHER TRANSACTION-BASED TAX, FEE, STAMP REQUIREMENT OR ASSESSMENT ON THE PRIVILEGE TO ENGAGE IN, OR THE GROSS RECEIPTS OF SALES OR GROSS INCOME DERIVED FROM, ANY SERVICE PERFORMED IN THIS STATE. THIS SECTION DOES NOT REPEAL OR NULLIFY ANY TAX, FEE, STAMP REQUIREMENT, OR OTHER ASSESSMENT IN EFFECT ON DECEMBER 31, 2017.

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PROPOSITION 126

Section 5 Article XIII, section 2, of the Arizona Constitution is amended as follows:

2. Charter; preparation and proposal by board of freeholders; ratification and approval; amendment

Section 2. Any city containing, now or hereafter, a population of more than three thousand five hundred may frame a charter for its own government consistent with, and subject to, the Constitution and the laws of the state, in the following manner: A board of freeholders composed of fourteen qualified electors of said city may be elected at large by the qualified electors thereof, at a general or special election, whose duty it shall be, within ninety days after such election, to prepare and propose a charter for such city. Such proposed charter shall be signed in duplicate by the members of such board, or a majority of them, and filed, one copy of said proposed charter with the chief executive officer of such city and the other with the county recorder of the county in which said city shall be situated. Such proposed charter shall then be published in one or more newspapers published, and of general circulation, within said city for at least twenty-one days if in a daily paper, or in three consecutive issues if in a weekly paper, and the first publication shall be made within twenty days after the completion of the proposed charter. Within thirty days, and not earlier than twenty days, after such publication, said proposed charter shall be submitted to the vote of the qualified electors of said city at a general or special election. If a majority of such qualified electors voting thereon shall ratify such proposed charter, it shall thereupon be submitted to the governor for his approval, and the governor shall approve it if it shall not be in conflict with this Constitution or with the laws of the state. Upon such approval said charter shall become the organic law of such city and supersede any charter then existing (and all amendments thereto), and all ordinances inconsistent with said new charter. A copy of such charter, certified by the chief executive officer, and authenticated by the seal, of such city, together with a statement similarly certified and authenticated setting forth the submission of such charter to the electors and its ratification by them, shall, after the approval of such charter by the governor, be made in duplicate and filed, one copy in the office of the secretary of state and the other in the archives of the city after being recorded in the office of said county recorder. Thereafter all courts shall take judicial notice of said charter.

The charter so ratified may be amended by amendments proposed and submitted by the legislative authority of the city to the qualified electors thereof (or by petition as hereinafter provided), at a general or special election, and ratified by a majority of the qualified electors voting thereon and approved by the governor as herein provided for the approval of the charter.

NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, NO CHARTER SHALL PROVIDE A CITY WITH ANY POWER TO VIOLATE ARTICLE IX, SECTION 25, WHICH PREEMPTS SUCH POWER.

Section 6 Severability

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

Section 7 Submission to the Electorate

The Secretary of State shall submit this initiative measure to the qualified electors of the State of Arizona at the next general election, as provided by Article IV, Part 1, Section 1 of the Arizona Constitution.

Section 8 Standing & Fee Shifting

(a) The People of the State of Arizona desire that this initiative measure, if approved by the voters and thereafter challenged in court, be defended by the State of Arizona. In the event that the Attorney General fails to defend this Act or fails to appeal an adverse judgment against its validity or application, in whole or in part, in any court, any resident of the State of Arizona shall have standing to initiate or intervene in any action or proceeding to enforce the terms of this Act.

(b) A court shall award fees and expenses to any resident who initiates or intervenes in, and prevails on the merits of, any action or proceeding to enforce the terms of this Act pursuant to subsection (a). As used in this section, “fees and other expenses” includes without limitation the reasonable expenses of expert witnesses, the reasonable cost of any study, analysis, report, test, or project found by the court to be necessary for preparation of the party’s case, and reasonable and necessary attorneys’ fees.

LEGISLATIVE COUNCIL ANALYSIS

Proposition 126 would amend the Constitution of Arizona to prohibit this state and any city, town, county or other political subdivision of this state from imposing any new or increasing any existing transaction-based fee, assessment or tax, including a transaction privilege (sales) tax, on any service performed in this state. The Proposition specifies that a city's charter could not allow the city to violate this prohibition. Proposition 126 would not repeal or nullify any tax, fee or other assessment in effect before 2018.

If Proposition 126 is enacted and subsequently challenged in court, and if the Attorney General does not defend the measure, any resident of this state would have legal standing to become involved in the litigation. A court would be required to award payment of fees and expenses to the resident if the resident prevailed in the litigation.

JOINT LEGISLATIVE BUDGET COMMITTEE FISCAL IMPACT STATEMENT

A.R.S. § 19-123E requires the Joint Legislative Budget Committee Staff to prepare a summary of 300 words or less on the fiscal impact of voter-initiated ballot measures. Proposition 126 would amend the Arizona Constitution by prohibiting state and local governments from imposing any new or increasing any existing transaction-based fee or tax, including a transaction privilege (sales) tax, on any service performed in the state. Proposition 126 would not repeal or nullify any tax, fee, or other assessment in effect before January 1, 2018. The level of foregone revenue under Proposition 126 cannot be determined in advance as it would depend on the specific details of a particular proposal to tax services.

If Proposition 126 is approved by voters and later challenged in court, and if the Attorney General does not defend the measure, any resident of the state could pursue litigation to enforce its provisions. If the resident prevails in litigation, Proposition 126 would require the state or local government to pay the resident's attorney fees and other legal costs to the resident. The amount of such costs, if any, cannot be determined in advance.

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PROPOSITION 126

ARGUMENTS “For” PROPOSITION 126

Please vote YES on Proposition 126, the Protect Arizona Taxpayers Act to protect Arizona families from potential unwanted taxes on services. The Act will amend the Arizona Constitution to protect taxpayers from state and local governments imposing any new sales tax or use tax on services. The Protect Arizona Taxpayers Act is designed to prohibit the state from implementing a new sales tax on services that Arizonans use every day.

Here are a few examples of services that could be taxed:

- Family services: childcare, health care, self-defense instruction and tutoring.
- Personal services: haircuts, manicures, tattoos, dry cleaning, car repairs and funerals.
- Professional services: banking, accounting, advertising, technical installations and real estate.
- Health care services: physicians, surgeons, nurses, physical therapists, dentists, eye doctors and counselors.
- Home services: construction, plumbing, lawn care, heating and air conditioning, installations and repairs, appraisals and inspections.

Sales taxes hit low-and middle-income families hardest. The Protect Arizona Taxpayers Act protects those who are least able to afford new taxes, including senior citizens, the disabled and others on fixed incomes.

A new sales tax on services was recently proposed in the Arizona Legislature. Just this year the state of Illinois has discussed taxing services. Other states, such as North Carolina, Washington, and Oklahoma have started imposing new sales taxes on services this year. The threat is real because politicians often share bad ideas, and a sales tax on services is a bad idea for all Arizonans.

Please join me and vote YES on Proposition 126 the Protect Arizona Taxpayers Act.

Holly Mabery, Chair, Citizens for Fair Tax Policy, Cottonwood
Sponsored by Citizens for Fair Tax Policy

PROTECT FAMILIES AND BUSINESSES FROM A HUGE NEW SERVICE TAX: IT’S GOOD FOR OUR ECONOMY

As Treasurer of the Citizens for Fair Tax Policy Committee, I ask all Arizonans to vote YES for Proposition 126, a cause we can all support, “Protecting our families and businesses from a potentially huge and unnecessary new tax burden.”

Arizona does not currently impose a broad sales tax on services. Because the Protect Arizona Taxpayers Act would protect Arizona from imposing future sales taxes on services, there would not be any financial impact on governments because they do not collect such a tax. The Protect Arizona Taxpayers Act is revenue-neutral. A constitutional amendment adds certainty that future Arizona politicians and bureaucrats cannot take the easy way out & simply change or interpret the law to allow sales taxes on services.

Protecting families and businesses from a huge new service tax is good for Arizonans and for our economy. We are proud to support this cause because we sincerely believe the Protect Arizona Taxpayers Initiative is the right thing for you and for your family. Please join us in voting YES on Proposition 126 to protect our communities from new service taxes.

Kent Simpson, Treasurer, Citizens for Fair Tax Policy, Tucson

Vote YES on Proposition 126. The Protect Arizona Taxpayers Act would provide critical protection to Arizona working families. Childcare is one of the most important and largest expenses parents face. A service tax would increase the cost of childcare adding an unfair burden on working families. This initiative will make it possible for parents across the state to rest easy knowing there is one less cost to worry about.

James Emch, CEO, Valley Child Care and Learning Centers, Phoenix
Sponsored by Citizens for Fair Tax Policy

Vote yes on Proposition 126 to protect responsible pet owners from being unfairly punished by a potential new service tax. As a veterinarian, I provide a service of caring for the needs of my customer's pets. A puppy or kitten, or a dog or cat, is a big part of a family. When our customers walk through our doors we treat that pet in the best way possible. Pet owners care for the health and wellbeing of their animals by bringing them in for regular veterinary visits, vaccinations, grooming and other healthcare needs. For many families it is a struggle to pay for these critical services, so I do not want to have to charge my customers an additional 10% as a new tax. However, the threat of a new tax on veterinary services is looming on the horizon. I urge you to vote yes for Proposition 126 because I do not think it is fair to charge my clients an extra service tax on veterinary care. If a new service tax were passed, it could have a very negative impact on all pet owners that care for their pets. I don't think punishing responsible pet owners is a good policy and that is why I think we should all support the Protect Arizona Taxpayers Act. Please vote Yes on Proposition 126 to ensure veterinary visits are not taxed.

Wayne Anderson, CEO, AZPetVet, Phoenix
Sponsored by Citizens for Fair Tax Policy

The Arizona Retailers Association encourages all Arizonans to vote YES on Proposition 126, the Protect Arizona Taxpayers Act.

The Arizona Retailers Association has been protecting the business interests of retailers throughout the state of Arizona for over 50 years. With a focus on results, ARA provides its membership with a constant and vigilant eye on legislative and new business regulations. The Protect Arizona Taxpayers Act is right for Arizonans and right for Arizona businesses. We already pay our fair share of taxes and Proposition 126 would protect all of us from an additional burdensome tax.

We support protecting Arizona businesses, entrepreneurs and measures that safeguard our local economy from bad economic policies. That is why we encourage all Arizona voters to vote in support of the Protect Arizona Taxpayers Act.

Vote YES on Proposition 126.

Michelle Ahlmer, Executive Director, Arizona Retailers Association, Mesa
Sponsored by Citizens for Fair Tax Policy

I encourage all taxpayers to vote YES on Proposition 126 in support of the Protect Arizona Taxpayers Act.

Arizona has always been a land of liberty and opportunity for all Americans. Arizona continues to grow by leaps and bounds. Part of the reason Arizona has attracted so many people from all over the United States and around the world is due in large part to the business-friendly economic environment and the relatively low cost of living. Low taxation has allowed Arizona to maintain a competitive advantage over other states, creating more job opportunities for individuals and has thus, allowed Arizonans to thrive and prosper.

Preventing new service taxes from being implemented would only foster an even more thriving environment for all Arizonans today and for future generations to come. Passing the Protect Arizona Taxpayers Act is a move by everyday Arizonans to secure our legacy as being a land of liberty and opportunity for all.

Vote YES on Proposition 126!

Eric Gibbs, Marana
Sponsored by Citizens for Fair Tax Policy

I ask all Arizonans to vote YES on Proposition 126 the Protect Arizona Taxpayers Act.

I am a small business owner, a hairdresser, and a tax payer. I support this proposition because a service tax is tax that can be placed on small businesses. As a small business owner, I do not want to see my customers having to pay more than what is fair for a quality haircut. As a professional hairdresser, I do not think that I should be taxed solely based on the service I provide customers. Politicians may see me as an easy target because I provide a valuable service for people and everyone needs a haircut, but it's just not right to tax people for doing their jobs.

I think that politicians are always trying to find new ways to tax honest, hard-working citizens. We should not add new taxes for getting a haircut, going to the doctor, getting your car fixed or even taking your pet to the veterinarian. This amendment will protect all of us from a potentially huge new tax burden.

Please join me in protecting Arizona families from a potentially new huge tax burden, vote YES on Proposition 126, the Protect Arizona Taxpayers Act.

Tammie Neary, Owner, Beauty Bungalow, Phoenix
Sponsored by Citizens for Fair Tax Policy

VOTE YES on Prop 126 the “Protect Arizona Taxpayers Act” citizen’s initiative because:

Service taxes are regressive and thus, higher for lower income households. A service tax makes Arizona less appealing for commercial recruitment by big companies because of the higher costs associated with this sort of tax. As an example, the state of Washington recently passed a new service sales tax and big companies are already leaving. Amazon stopped construction of a new headquarters and has instead opted for Arizona because we do not currently have service taxes. A service tax would reduce not only the amount of companies wanting to relocate here but would also cause large companies to want to move away from Arizona as well; taking their jobs with them.

Pass the only protection that we have against new taxes. Vote in support of the Protect Arizona Taxpayers Act. Let’s keep good businesses in Arizona and keep attracting new dynamic companies with our low tax economic environment.

Please vote “Yes” on Prop 126, the “Protect Arizona Taxpayers” citizen’s initiative.

Lori Doerfler, President, Arizona Association of REALTORS, Lake Havasu
Sponsored by Citizens for Fair Tax Policy

Please Vote Yes on Proposition 126 to keep Arizona’s economic momentum. Arizona has a dynamic and growing economic environment. A service tax would only hurt our current thriving economic eco-system. Preventing a service tax from coming to fruition is a step we can take as voters to protect our prosperous economy.

A national report ranked Arizona in the top five states for economic momentum, according to the Federal Funds Information for States. Source: From Arizona Republic article (Arizona ranks No. 5 for economic momentum, report says. April 4, 2018) Arizona continues to grow economically by leaps and bounds. This is not by mistake. Arizona’s business friendly environment produces jobs by attracting companies that would otherwise stay in other tax heavy states. Arizona should continue to grow, and we can ensure it does by voting in support of the Protect Arizona Taxpayers Act.

Vote YES on Proposition 126 because The Protect Arizona Taxpayers Act will truly protect Arizona’s business friendly reputation and help our state continue to grow economically.

D. Patrick Lewis, Scottsdale
Sponsored by Citizens for Fair Tax Policy

Please vote YES on Proposition 126 on behalf of working families all over Arizona.

Service taxes negatively affect working families. It is almost impossible for families not to use services such as haircuts, doctor visits, car repairs, etc. Families are currently over taxed and overly burdened as it is. It is not right for a new tax to be saddled on the backs of honest and hardworking people. A new service tax could cost families hundreds and even thousands of dollars every single year! Let’s support our working families by voting for the Protect Arizona Taxpayers Act.

Vote YES on Proposition 126.

Jan Leighton, Peoria
Sponsored by Citizens for Fair Tax Policy

A “Yes” vote on Proposition 126, the “Protect Arizona Taxpayers” citizen’s initiative, will protect you and your family from a new tax. A NEW TAX on every “service” that you use! Lawn care, babysitters, hair salons, nail salons, mechanics...the list could go on and on. The only thing certain is that is that government only wants your money. So don’t allow a new tax to be levied on us! The real answer is responsible spending, not more taxes. When governments fail to live within their means, they typically try demanding more money from their citizens. Overspending governments should not be allowed to reach into our pockets and steal our hard-earned money. New taxes will only depress our economy and add unneeded strain on everyone on a daily basis.

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

Vote YES to approve Prop 126 and tell government to stop wasteful spending!

Craig Sanford, Phoenix

Sponsored by Citizens for Fair Tax Policy

Vote Yes on Proposition 126 because taxing services is a bad idea. Taxing services hurts people of low to moderate incomes as well as people on fixed incomes the most. Making the most vulnerable in our society front the cost for new taxes is wrong and unfair. At a time when the cost of living is at an all-time high, we need to come up with better solutions to our problems than taxing the poor.

Politicians would like to fund new and wasteful government programs using hard earned taxpayer dollars. However, the best way they can represent us is not by taxing us more but by being good stewards of our money and letting us keep as much of it in our pockets as possible. We all have bills to pay and everything costs money. Join me in sending a message to politicians, “represent me by letting me keep my money!”

Vote Yes to protect Arizona’s most vulnerable communities. Vote yes on Proposition 126.

Paula Serven, Scottsdale

Sponsored by Citizens for Fair Tax Policy

Vote Yes on Proposition 126. Protect Arizona families from a potentially huge new tax burden. The Protect Arizona Taxpayers Act is a constitutional amendment to the Arizona constitution to ensure that no new service taxes are ever implemented in the State of Arizona. A yes vote will safeguard taxpayers from all around the state of Arizona.

Voting Yes on Proposition 126 is a preemptive move by taxpaying voters to do what politicians always promise, but never deliver on... No new taxes! Let’s do for ourselves what politicians cannot ever do for us. Vote Yes on November 6th, 2018 on the Protect Arizona Taxpayers Act.

Michelle Lind, Phoenix

Sponsored by Citizens for Fair Tax Policy

Vote YES on Proposition 126. Politicians frequently look for new streams of revenue and want to put a sales tax on basic services. We already know that politicians like to share bad ideas, so the threat is real. The Protect Arizona Taxpayers Act would stop any new service tax from being passed into law.

A new sales tax on services was recently proposed in the Arizona state legislature, and many states across the country have already started to implement service taxes on working families. Let’s not let Arizona become the next state to be snookered into

Every day, Arizonans depend on basic services to get by. Visits to the family doctor, veterinary services, air conditioning repairs, funeral services are now tax-free. But these, now tax-free services, are considered untaxed and untapped sources of money to politicians. Services can range from doctor visits at \$454 million and legal services at \$185 million to travel agents at \$70 million, beauty salons at \$18 million and \$2 million paid to diet and weight loss centers. — Source: Arizona Department of Revenue

The potential threat of a new service tax is real and would be a disastrous path for Arizonans to take. Please vote YES to Protecting Arizona Taxpayers, vote YES on Proposition 126.

Shelley Ostrowski, Yuma

Sponsored by Citizens for Fair Tax Policy

Vote Yes on Proposition 126 to protect senior citizens.

I submit this letter in support of the Protect Arizona Taxpayers Act, Proposition 126. Service taxes negatively affect people on fixed incomes. I support Proposition 126 because it will protect senior citizens from being taxed on everyday services that they need to survive.

Senior citizens have already contributed to government coffers over a lifetime of regularly paying their taxes. Additionally taxing senior citizens for services they already need is unfair. There are better ways to fix our economy than to tax seniors for absolutely

no reason at all. Let's find practical solutions to our financial problems. A new service tax would be impractical. This is why I urge everyone to vote Yes on Proposition 126.

Mary Roberts, Lake Havasu

Sponsored by Citizens for Fair Tax Policy

Government has always had an insatiable thirst for more and more tax money. Government justifies this “thirst” by presenting rhetorical arguments alleging that insufficient funding will cause “The People” to lose great privileges, and suffer harm, if the taxes are not increased. But on the other hand, If the taxes ARE increased, the promise is that the people will be rewarded with great tantalizing benefits. What really happens is the Government gets larger and more powerful. Remember back a few years ago, when our Governor pleaded that our children needed a one cent tax increase, so they could receive a better education? So the people believed, and voted for it. And the money was actually used for other programs, with only a token going to the schools! Far too many people fall victim to the fraudulent promises of “tantalizing benefits”, and therefore vote to increase taxes. This, PROTECT ARIZONA TAXPAYERS ACT bill, will put a stop to the Governments’ misleading, meritless and empty promises.

Walter Spawr, Lake Havasu City

A “Yes” vote on Proposition 126, the “Protect Arizona Taxpayers” citizen’s initiative, will protect you and your family from a new service tax.

Do not allow a new tax to be levied on us all. The answer is responsible spending, not more taxes. When governments fail to live within their means, they typically try demanding more money from their citizens. Overspending governments should not be allowed to reach into our pockets and steal our hard-earned money. New taxes will only depress our economy and add unneeded strain on working families.

Vote YES to approve Prop 126. Stop government waste!

Nicole LaSlavic, Phoenix

Sponsored by Citizens for Fair Tax Policy

NFIB Arizona strongly urges you to VOTE YES for The Protect Arizona Taxpayers Act.

How would your life or your business be impacted if many of the services you pay for today cost 6 percent to 9 percent more? Imagine paying more for childcare services, rent, installations or repairs in your home, or automotive service for your car. These are just a few services provided by small businesses that could someday be taxed if we don't act to prevent it.

Most concerning is that increasing the costs on these types of services would negatively affect low- to moderate-income Arizonans the most.

A new sales tax on services was recently proposed in the Arizona Legislature but, thankfully, did not pass. The Protect Arizona Taxpayers Act will bring the people’s voice to the Legislature through a constitutional amendment banning any future attempts to tax services that we use every day.

This proposition provides certainty and a simple protection for Arizona citizens and businesses against tax-and-spend politicians and bureaucrats who may seek to extract a new tax from us.

A ‘YES’ vote for The Protect Arizona Taxpayers Act will not reduce revenue for any city, school, county, or the state. Tax revenues will continue to grow as the economy grows, which will provide more revenue for state and local governments.

Please vote ‘YES’ in support of The Protect Arizona Taxpayers Act.

Chad Heinrich, State Director, NFIB, Phoenix

Sponsored by NFIB

ARGUMENTS “Against” PROPOSITION 126

The Grand Canyon Institute (GCI), a nonprofit, centrist think tank that aims to improve educational and economic outcomes for all Arizonans urges a NO on Prop. 126 for the following reasons:

1. The Arizona legislature has reduced taxes by more than \$4 billion over the last 25 years leading to higher K-12 class sizes, rising challenges to recruit and retain teachers, underfunding services for our most vulnerable children, and preventing investments in children before they reach school age and beyond so we can increase our high school graduation rate from 78% to 90%, where the top performing states are. The state has a significant revenue challenge and removing options is a bad idea.
2. We already have adequate safeguards to prevent a rush to impose sales taxes on services. Either a two-thirds vote from both chambers of the legislature and the governor’s signature OR a legislative referral or citizen initiative to voters where voters decide is necessary.
3. The portion of the economy that is “goods” (as opposed to “services”) is declining. This shrinking base undermines the ability of the current sales tax to generate revenue and creates pressure to raise the sales tax on “goods” even higher.
4. Tax policy belongs in statute not as an amendment to the state Constitution

Currently the state foregoes about \$12 billion by exempting services from taxation. GCI does not advocate applying sales taxes broadly to services, but Prop. 126 would prevent consideration of possibly taxing select services, say advertising, at even a rate as low as 1%. It would also prevent consideration of broadening the sales tax base and simultaneously lowering the sales tax rate on “goods.”

Policymakers need the flexibility to evaluate revenue options. Enough safeguards exist. Vote No on Prop. 126.

Dave Wells, Research Director, Grand Canyon Institute, Mesa; George Cunningham, Board Chair and former Democratic State Senator, Grand Canyon Institute, Tucson; and Susan Gerard, Board Vice Chair; and former Republican State Senator, Grand Canyon Institute, Phoenix

The ability of state and local governments to wisely invest public funds — collected via a fairly distributed revenue collection system that does not reward connected insiders — must be developed and improved, not destroyed. This is a core value to me.

I lived through Proposition 13 in California in 1978, a shortsighted populist tax revolt that had the effect of slashing public schools and punishing young families just starting out their lives who now have to pay dramatically higher taxes.

This is an even more damaging replay in Arizona which will devastate our state’s ability to invest in transportation, police, and fire, and public schools — along with everything else that creates great neighborhoods and increasing property values. It is unbelievable to me that the Arizona Association of Realtors could support something so corrosive to our people as well as the entire real estate industry.

This will protect the rich and harm the poor; guaranteeing ever-increasing sales taxes on life’s necessities while services for middle class and working families are cut. As in the past, spared will be those who can afford lobbyists to buy their own personal loopholes.

I will do everything I can to stop this horribly misguided and dangerous threat to our future wellbeing as a state. I encourage you to do the same.

Steve Farley, Candidate for Governor, Farley for Governor, Tucson
Sponsored by Farley for Governor

The proposed constitutional amendment to block our legislature from ever taxing any service transactions is a terrible idea. The Arizona Association of Realtors, who have a selfish interest in blocking sales taxes on any of their services, sponsored and funded this initiative.

Our modern economy is becoming a service-based economy. The Arizona Department of Revenue estimates that the value of services sold already exceeds the value of goods sold in this state. If we started a sales tax on some of those transactions (let's say for advertising or for securities brokerage services), it would be possible to lower the state's sales tax rate, currently 5.6%, while bringing in even more revenue for all the government services we rely on, from public safety to highway rest stops.

If there are some services that we think should remain exempt from a sales tax, for example child care services or even the commissions paid to realtors, then let's debate and vote on them one by one. But a constitutional amendment to block possible sales taxes on any and all service transactions forever would be a foolish mistake.

Michael Shelton, Retired, Foreign Service Officer, Tempe

Arizona is best served when businesses compete on their own merits and when the government is unable to pick winners and losers. Our free market economy allows you and I as consumers to decide the value of the goods and services others produce and to use our money to reward those people who provide the most value in our lives.

When the government decides that certain businesses don't need to pay taxes for any reason, they pick winner and losers based not on the merits of the product or service they provide, but on their political power and influence. That's not a system we should support.

This proposal would exempt certain kinds of businesses in the service industry from paying taxes. That means that other kinds of business will have to pay more taxes to compensate for this special treatment. This is a system that rewards lobbyists and the politically well-connected at the expense of you and me.

What we should instead advocate for is a system where every business pays the same, lower tax rate. No more corporate welfare for the well-connected. No favors or exemptions for corporations who can afford effective political operatives running campaigns like this one. Instead we need a flat, low rate that treats every business the same way and allows us as consumers to be in charge. That's the system we need and that system won't be possible if this proposal passes.

We urge you to work with us to end the rigged economy that uses the government to pick winners and losers. Please join me and the Arizona chapter of Americans for Prosperity in voting NO on Prop 126.

Andrew Clark, State Director, Americans for Prosperity, Phoenix
Sponsored by Americans for Prosperity

PROPOSITION 126 *Ballot Format*

PROPOSITION 126

PROPOSED AMENDMENT TO THE CONSTITUTION BY THE INITIATIVE RELATING TO PROHIBITION OF TAXATION OF SERVICES

OFFICIAL TITLE

AMENDING ARTICLE IX OF THE ARIZONA CONSTITUTION BY AMENDING SECTION 6 AND ADDING SECTION 25, AND AMENDING ARTICLE XIII, SECTION 2, OF THE ARIZONA CONSTITUTION; PROHIBITING THE TAXATION OF ANY SERVICE THAT WAS NOT TAXED AS OF DECEMBER 31, 2017.

DESCRIPTIVE TITLE

THE CONSTITUTIONAL AMENDMENT WOULD PROHIBIT THE STATE AND EACH COUNTY, CITY, TOWN, DISTRICT, OR OTHER POLITICAL SUBDIVISION IN ARIZONA FROM IMPOSING A NEW OR INCREASED TAX ON SERVICES THAT WAS NOT ALREADY IN EFFECT ON DECEMBER 31, 2017.

A “YES” vote will prohibit the State and local governments from enacting any new or increased tax on services that was not already in effect on December 31, 2017.

YES

A “NO” vote will preserve the State and local governments’ existing authority to impose a tax on services in the future.

NO

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BALLOT FORMAT FOR
PROPOSITION 126

Proposition 127

OFFICIAL TITLE

A CONSTITUTIONAL AMENDMENT

AMENDING ARTICLE XV OF THE CONSTITUTION OF ARIZONA TO REQUIRE ELECTRICITY PROVIDERS TO GENERATE AT LEAST 50% OF THEIR ANNUAL SALES OF ELECTRICITY FROM RENEWABLE ENERGY SOURCES

Text of Proposed Amendment

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

Section 1. Title.

This Constitutional Amendment shall be known as the “Clean Energy for a Healthy Arizona Amendment.”

Section 2. Article XV, Constitution of Arizona, is amended by adding Section 20, as follows:

SECTION 20. RENEWABLE ENERGY REQUIREMENT

A. DEFINITIONS

1. “AFFECTED UTILITY” MEANS A PUBLIC SERVICE CORPORATION SERVING RETAIL ELECTRIC LOAD IN ARIZONA.
2. “ANNUAL RENEWABLE ENERGY REQUIREMENT” MEANS THE PORTION OF AN AFFECTED UTILITY’S ANNUAL RETAIL ELECTRICITY SALES THAT MUST COME FROM ELIGIBLE RENEWABLE ENERGY RESOURCES.
3. “CONVENTIONAL ENERGY RESOURCE” MEANS AN ENERGY RESOURCE THAT IS NON-RENEWABLE IN NATURE, SUCH AS NATURAL GAS, COAL, OIL, AND URANIUM, OR ELECTRICITY THAT IS PRODUCED WITH ENERGY RESOURCES THAT ARE NOT RENEWABLE ENERGY RESOURCES.
4. “RENEWABLE ENERGY RESOURCE” MEANS AN ENERGY RESOURCE THAT IS REPLACED RAPIDLY BY A NATURAL, ONGOING PROCESS AND THAT IS NOT MUNICIPAL SOLID WASTE COMBUSTION, TREES LARGER THAN 12 INCHES IN DIAMETER, NUCLEAR OR FOSSIL FUEL.
5. “DISTRIBUTED GENERATION” MEANS ELECTRIC GENERATION SITED AT CUSTOMER PREMISES, PROVIDING ELECTRIC ENERGY TO THE CUSTOMER LOAD ON THAT SITE OR PROVIDING WHOLESALE CAPACITY AND ENERGY DIRECTLY TO THE LOCAL UTILITY DISTRIBUTION COMPANY FOR USE BY MULTIPLE CUSTOMERS IN CONTIGUOUS DISTRIBUTION SUBSTATION SERVICE AREAS. THE GENERATOR SIZE AND TRANSMISSION NEEDS SHALL BE SUCH THAT THE PLANT OR ASSOCIATED TRANSMISSION LINES DO NOT REQUIRE A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY FROM THE CORPORATION COMMISSION.
6. “DISTRIBUTED RENEWABLE ENERGY RESOURCE” MEANS AN ENERGY RESOURCE FROM DISTRIBUTED GENERATION TECHNOLOGIES INCLUDING BIOGAS ELECTRICITY GENERATORS, BIOMASS ELECTRICITY GENERATORS, GEOTHERMAL GENERATORS, FUEL CELLS THAT USE ONLY RENEWABLE FUELS, NEW HYDROPOWER GENERATORS OF 10 MW OR LESS, SOLAR ELECTRICITY RESOURCES, BIOMASS THERMAL SYSTEMS, BIOGAS THERMAL SYSTEMS, COMMERCIAL SOLAR POOL HEATERS, GEOTHERMAL SPACE HEATING AND PROCESS HEATING SYSTEMS, RENEWABLE COMBINED HEAT AND POWER SYSTEMS, SOLAR DAYLIGHTING, SOLAR HVAC SYSTEMS, SOLAR INDUSTRIAL PROCESS HEATING AND COOLING, SOLAR SPACE COOLING, SOLAR SPACE HEATING, SOLAR WATER HEATING, AND WIND GENERATORS OF 1 MW OR LESS AND THAT IS NOT MUNICIPAL SOLID WASTE COMBUSTION, TREES LARGER THAN 12 INCHES IN DIAMETER, NUCLEAR OR FOSSIL FUEL.

7. “DISTRIBUTED RENEWABLE ENERGY REQUIREMENT” MEANS A PORTION OF THE TOTAL ELECTRICITY SALES FOR WHICH AN AFFECTED UTILITY MUST OBTAIN DISTRIBUTED RENEWABLE ENERGY CREDITS DERIVED FROM RESOURCES THAT QUALIFY AS DISTRIBUTED RENEWABLE ENERGY RESOURCES.

8. “RENEWABLE ENERGY CREDIT” MEANS THE UNIT CREATED TO TRACK KWH DERIVED FROM AN ELIGIBLE RENEWABLE ENERGY RESOURCE OR KWH EQUIVALENT OF CONVENTIONAL ENERGY RESOURCES DISPLACED BY DISTRIBUTED RENEWABLE ENERGY RESOURCES.

9. “DISTRIBUTED RENEWABLE ENERGY CREDIT” MEANS THE UNIT CREATED TO TRACK KWH DERIVED FROM A DISTRIBUTED RENEWABLE ENERGY RESOURCES OR KWH EQUIVALENT OF CONVENTIONAL ENERGY RESOURCES DISPLACED BY DISTRIBUTED RENEWABLE ENERGY RESOURCES.

10. “UTILITY DISTRIBUTION COMPANY” MEANS A PUBLIC SERVICE CORPORATION THAT OPERATES, CONSTRUCTS, OR MAINTAINS A DISTRIBUTION SYSTEM FOR THE DELIVERY OF POWER TO RETAIL CUSTOMERS IN ARIZONA.

B. ELIGIBLE RENEWABLE ENERGY RESOURCES

1. “ELIGIBLE RENEWABLE ENERGY RESOURCES” SHALL INCLUDE ELECTRICITY FROM A RENEWABLE ENERGY RESOURCE DELIVERED TO ARIZONA CUSTOMERS THAT IS GENERATED FROM BIOGAS ELECTRICITY GENERATORS, BIOMASS ELECTRICITY GENERATORS, DISTRIBUTED RENEWABLE ENERGY RESOURCES, ELIGIBLE HYDROPOWER FACILITIES, FUEL CELLS THAT USE ONLY RENEWABLE FUELS, GEOTHERMAL GENERATORS, HYBRID WIND AND SOLAR ELECTRIC GENERATORS, LANDFILL GAS GENERATORS, NEW HYDROPOWER GENERATORS OF 10 MW OR LESS, SOLAR ELECTRICITY RESOURCES, AND WIND GENERATORS.

2. “ELIGIBLE HYDROPOWER FACILITIES” ARE HYDROPOWER GENERATORS THAT WERE IN EXISTENCE PRIOR TO 1997 AND THAT INCREASE CAPACITY DUE TO IMPROVED TECHNOLOGICAL OR OPERATIONAL EFFICIENCIES OR OPERATIONAL IMPROVEMENTS, IN WHICH CASE THE KWH THAT ARE ELIGIBLE TO MEET THE ANNUAL RENEWABLE ENERGY REQUIREMENTS SHALL BE LIMITED TO THE NEW, INCREMENTAL KWH OUTPUT RESULTING FROM THE CAPACITY INCREASE THAT IS DELIVERED TO ARIZONA CUSTOMERS.

3. “NEW HYDROPOWER GENERATOR OF 10 MW OR LESS” IS A GENERATOR, INSTALLED AFTER JANUARY 1, 2006, THAT PRODUCES 10 MW OR LESS AND THAT IS EITHER:

A. A LOW-HEAD, MICRO HYDRO RUN-OF-THE RIVER SYSTEM THAT DOES NOT REQUIRE ANY NEW DAMMING OF THE FLOW OF THE STREAM; OR

B. AN EXISTING DAM THAT ADDS POWER GENERATION EQUIPMENT WITHOUT REQUIRING A NEW DAM, DIVERSION STRUCTURES, OR A CHANGE IN WATER FLOW THAT WILL ADVERSELY IMPACT FISH, WILDLIFE, OR WATER QUALITY; OR

C. GENERATION USING CANALS OR OTHER IRRIGATION SYSTEMS.

4. EXCEPT AS PROVIDED IN SUBSECTION B(2), ELIGIBLE RENEWABLE ENERGY RESOURCES SHALL NOT INCLUDE FACILITIES INSTALLED BEFORE JANUARY 1, 1997.

C. RENEWABLE ENERGY CREDITS

1. ONE RENEWABLE ENERGY CREDIT SHALL BE CREATED FOR EACH KWH DERIVED FROM AN ELIGIBLE RENEWABLE ENERGY RESOURCE, INCLUDING DISTRIBUTED RENEWABLE ENERGY RESOURCES. INITIAL OWNERSHIP OF THE RENEWABLE ENERGY CREDIT SHALL BE ASSIGNED TO THE OWNER OF THE ELIGIBLE RENEWABLE ENERGY RESOURCE.

2. ONE DISTRIBUTED RENEWABLE ENERGY CREDIT SHALL ALSO BE CREATED FOR EACH KWH DERIVED FROM A DISTRIBUTED RENEWABLE ENERGY RESOURCE AND EACH 3,415 BRITISH THERMAL

UNITS OF HEAT PRODUCED BY A SOLAR WATER HEATING SYSTEM, SOLAR INDUSTRIAL PROCESS HEATING AND COOLING SYSTEM, SOLAR SPACE COOLING SYSTEM, BIOMASS THERMAL SYSTEM, BIOGAS THERMAL SYSTEM, OR SOLAR SPACE HEATING SYSTEM. INITIAL OWNERSHIP OF THE DISTRIBUTED RENEWABLE ENERGY CREDIT SHALL BE ASSIGNED TO THE OWNER OF THE DISTRIBUTED RENEWABLE ENERGY RESOURCE.

3. AN OWNER OF A RENEWABLE ENERGY CREDIT OR DISTRIBUTED RENEWABLE ENERGY CREDIT MAY TRANSFER SUCH CREDITS TO ANOTHER PARTY. EXCEPT IN THE CASE OF DISTRIBUTED RENEWABLE ENERGY RESOURCES, AFFECTED UTILITIES MUST DEMONSTRATE THE DELIVERY OF ENERGY FROM ELIGIBLE RENEWABLE ENERGY RESOURCES TO THEIR RETAIL CONSUMERS SUCH AS BY PROVIDING PROOF THAT THE NECESSARY TRANSMISSION RIGHTS WERE RESERVED AND UTILIZED TO DELIVER ENERGY FROM ELIGIBLE RENEWABLE ENERGY RESOURCES TO THE AFFECTED UTILITY'S SYSTEM, IF TRANSMISSION IS REQUIRED, OR THAT THE APPROPRIATE CONTROL AREA OPERATORS SCHEDULED THE ENERGY FROM ELIGIBLE RENEWABLE ENERGY RESOURCES FOR DELIVERY TO THE AFFECTED UTILITY'S SYSTEM.

D. ANNUAL RENEWABLE ENERGY REQUIREMENT

1. EACH AFFECTED UTILITY SHALL BE REQUIRED TO SATISFY AN ANNUAL RENEWABLE ENERGY REQUIREMENT BY OBTAINING RENEWABLE ENERGY CREDITS FROM ELIGIBLE RENEWABLE ENERGY RESOURCES.

2. AN AFFECTED UTILITY'S ANNUAL RENEWABLE ENERGY REQUIREMENT SHALL BE CALCULATED EACH CALENDAR YEAR BY APPLYING THE FOLLOWING APPLICABLE ANNUAL PERCENTAGE TO THE RETAIL KWH SOLD BY THE AFFECTED UTILITY DURING THAT CALENDAR YEAR:

- (A) IN 2020 NOT LESS THAN 12%
- (B) IN 2021 NOT LESS THAN 14%
- (C) IN 2022 NOT LESS THAN 16%
- (D) IN 2023 NOT LESS THAN 20%
- (E) IN 2024 NOT LESS THAN 24%
- (F) IN 2025 NOT LESS THAN 28%
- (G) IN 2026 NOT LESS THAN 32%
- (H) IN 2027 NOT LESS THAN 36%
- (I) IN 2028 NOT LESS THAN 40%
- (J) IN 2029 NOT LESS THAN 45%
- (K) 2030 AND EACH YEAR THEREAFTER NOT LESS THAN 50%

3. AN AFFECTED UTILITY MAY USE RENEWABLE ENERGY CREDITS ACQUIRED IN ANY YEAR TO MEET ITS ANNUAL RENEWABLE ENERGY REQUIREMENT. ONCE A RENEWABLE ENERGY CREDIT IS USED BY ANY AFFECTED UTILITY TO SATISFY THE REQUIREMENT IN THIS SECTION, THE CREDIT IS RETIRED AND CANNOT BE SUBSEQUENTLY USED TO SATISFY THESE REQUIREMENTS OR ANY OTHER REGULATORY REQUIREMENT. AN AFFECTED UTILITY THAT TRADES OR SELLS ENVIRONMENTAL POLLUTION REDUCTION CREDITS OR ANY OTHER ENVIRONMENTAL ATTRIBUTES ASSOCIATED WITH KWH PRODUCED BY AN ELIGIBLE RENEWABLE ENERGY RESOURCE MAY NOT APPLY RENEWABLE ENERGY CREDITS DERIVED FROM THAT SAME KWH TO SATISFY THE REQUIREMENTS IN THIS SECTION.

E. ANNUAL DISTRIBUTED RENEWABLE ENERGY REQUIREMENT

1. EACH AFFECTED UTILITY SHALL BE REQUIRED TO SATISFY AN ANNUAL DISTRIBUTED RENEWABLE ENERGY REQUIREMENT BY OBTAINING DISTRIBUTED RENEWABLE ENERGY CREDITS FROM DISTRIBUTED RENEWABLE ENERGY RESOURCES.

2. AN AFFECTED UTILITY'S DISTRIBUTED RENEWABLE ENERGY REQUIREMENT SHALL BE CALCULATED EACH CALENDAR YEAR BY APPLYING THE FOLLOWING APPLICABLE ANNUAL PERCENTAGE TO THE RETAIL KWH SOLD BY THE AFFECTED UTILITY DURING THAT CALENDAR YEAR:

- (A) 2020 NOT LESS THAN 3%
- (B) 2021 NOT LESS THAN 3.5%
- (C) 2022 NOT LESS THAN 4%
- (D) 2023 NOT LESS THAN 4.5%
- (E) 2024 NOT LESS THAN 5%
- (F) 2025 NOT LESS THAN 5.5%
- (G) 2026 NOT LESS THAN 6%
- (H) 2027 NOT LESS THAN 7%
- (I) 2028 NOT LESS THAN 8%
- (J) 2029 NOT LESS THAN 9%
- (K) 2030 AND EACH YEAR THEREAFTER NOT LESS THAN 10%

3. AN AFFECTED UTILITY MAY USE DISTRIBUTED RENEWABLE ENERGY CREDITS ACQUIRED IN ANY YEAR TO MEET ITS ANNUAL DISTRIBUTED RENEWABLE ENERGY REQUIREMENT. ONCE A DISTRIBUTED RENEWABLE ENERGY CREDIT IS USED BY ANY AFFECTED UTILITY TO SATISFY THE REQUIREMENT IN THIS SECTION, THE CREDIT IS RETIRED AND CANNOT BE SUBSEQUENTLY USED TO SATISFY THESE REQUIREMENTS OR ANY OTHER REGULATORY REQUIREMENT. AN AFFECTED UTILITY THAT TRADES OR SELLS ENVIRONMENTAL POLLUTION REDUCTION CREDITS OR ANY OTHER ENVIRONMENTAL ATTRIBUTES ASSOCIATED WITH KWH PRODUCED BY A DISTRIBUTED RENEWABLE ENERGY RESOURCE MAY NOT APPLY DISTRIBUTED RENEWABLE ENERGY CREDITS DERIVED FROM THAT SAME KWH TO SATISFY THE REQUIREMENTS IN THIS SECTION.

Section 3. Severability.

The People of Arizona declare their intention that the provisions of this Constitutional Amendment are severable. If any provision of this Constitutional Amendment is held invalid for any reason, the remaining provisions of this Amendment shall be severed from the void portion and given the fullest possible force and application.

Section 4. Submission to Voters.

The Secretary of State shall submit this Constitutional Amendment to the voters at the next general election as provided by Article XXI, Section 1, Constitution of Arizona.

Section 5. Effective Date and Implementation.

- A. If approved by the voters, this Constitutional Amendment shall take effect as of January 1, 2019.
- B. The Corporation Commission shall promptly make such changes in and additions to regulations as are necessary to fully implement the provisions of this Constitutional Amendment.
 - 1. No later than 90 days after the Constitutional Amendment takes effect the Corporation Commission shall begin any rulemakings required to implement and enforce this Amendment. These rulemakings must be completed no later than December 31, 2019. The Corporation Commission may open additional proceedings as appropriate to explore implementation details including energy storage, systems operations, and resource planning.
 - 2. Affected Utilities must provide the Corporation Commission with a detailed compliance and implementation plan on an annual basis.
- C. The rights established by this Section shall be construed broadly.

LEGISLATIVE COUNCIL ANALYSIS

Proposition 127 would amend the Arizona Constitution to require utility companies that produce electricity and that are regulated by the Arizona Corporation Commission (which do not include Salt River Project or other governmental utilities) to sell increasing amounts of renewable energy from specific types of renewable energy resources beginning in 2020, as follows:

1. A renewable energy resource would be defined as an energy resource that is replaced rapidly by a natural, ongoing process and would not include nuclear power, natural gas, coal, oil, municipal solid waste combustion or trees that are larger than 12 inches in diameter. Eligible renewable energy resources would be limited to resources such as solar, water, wind, geothermal and biomass/organic matter resources.

2. Each utility company would be required to meet an annual renewable energy requirement by sourcing a portion of the company's annual retail electricity sales from eligible renewable energy resources. The Arizona Corporation Commission currently requires at least 8% of the amount of retail electricity sold by a utility company to come from eligible renewable energy resources, increasing to 15% in 2025. Proposition 127 would instead require at least 12% to come from eligible renewable energy resources in 2020, increasing to at least 50% in 2030.

3. Each utility company would be also required to meet an annual distributed renewable energy requirement by sourcing a portion of the company's annual retail electricity sales from renewable energy that is located on a utility customer's premises. Beginning in 2020, at least 3% of the amount of retail electricity sold by a utility company would be required to come from distributed renewable energy resources, increasing to at least 10% in 2030. Distributed renewable energy produced to meet this requirement would count toward the annual renewable energy requirement.

4. A utility company would meet the renewable energy requirements by using renewable energy credits as a way to track the amount of electric power derived from a specific renewable energy resource or a conventional energy resource displaced by an energy resource that is produced on a customer's premises. A utility company would be able to use:

- a. A renewable energy credit acquired in any year to meet its annual renewable energy requirement.
- b. A distributed renewable energy credit acquired in any year to meet its annual distributed renewable energy requirement.

5. A utility company would only be allowed to use a renewable energy credit or distributed renewable energy credit once and would not be allowed to use the credit for a different regulatory requirement.

6. Not later than December 31, 2019, the Arizona Corporation Commission would be required to adopt any rules that may be necessary to fully implement the measure.

7. Each utility company would be required to annually provide to the Arizona Corporation Commission a detailed compliance and implementation plan.

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PROPOSITION 127

JOINT LEGISLATIVE BUDGET COMMITTEE FISCAL IMPACT STATEMENT

A.R.S. § 19-123E requires the Joint Legislative Budget Committee Staff to prepare a summary of 300 words or less on the fiscal impact of voter-initiated ballot measures. The proposition would amend the Arizona Constitution to establish a renewable energy requirement for electric utilities regulated by the Arizona Corporation Commission. Currently, the Commission requires their regulated utilities to get 8% of their electricity for retail sales from renewable sources and raises that standard to 15% by 2025. Proposition 127 would instead require these utilities to increase their electricity for retail sales from renewable sources to 12% in 2020 and to 50% in 2030. The proposition would require 10% of retail electricity sales to be from renewable energy resources produced on the customer’s premises by 2030.

Proposition 127’s fiscal impact is difficult to quantify in advance, especially since it would not be fully implemented until 2030. In the intervening years, technology changes may significantly affect the cost of producing both renewable and non-renewable energy. In addition, current studies have produced varying estimates of the economic impact of higher renewable energy requirements.

By revising the mix of energy sources used to generate electric power, Proposition 127 may directly affect the following:

- Retail electricity prices: Retail electricity sales are subject to the state’s sales tax, and price changes may affect revenue collections. To the extent that government agencies are consumers of electricity, price changes may also affect their expenditures.
- Employment in energy production industries: Employment changes may affect state income tax collections.
- Assessed property value for energy production facilities: Electricity infrastructure is subject to property taxes, so any changes in such infrastructure may affect property tax collections.

The revised mix of energy sources may have other impacts on business profits and consumer disposable income that would potentially affect state revenue collections.

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PROPOSITION 127

ARGUMENTS “For” PROPOSITION 127

VOTE YES FOR PROP 127 to make sure Arizona gets 50% of its energy from clean, affordable, renewable sources by 2030!

Arizona is America’s sunniest state, but only 6 percent of our energy comes from solar power. Prop 127 takes advantage of our state’s unique potential to generate nearly unlimited, cheap, clean energy.

Proposition 127 cuts dangerous pollution, creates thousands of jobs, and lowers electric bills – saving Arizonans more than \$4 billion by 2040.

According to doctors, nurses, and scientists, Proposition 127 dramatically reduces the rates of asthma attacks, heart disease, lung disease, and even cancer – especially for children, seniors, and low-income families.

We have a right to clean air and water and an obligation to leave a healthy future for our kids and grandkids. We each take responsibility in our daily lives for protecting our environment. But for too long, utility companies like APS refuse to take the same responsibility. Instead, they raise rates, rack up profits, and buy political influence to protect the status quo. Last year, APS made \$488 million in profits. Now they’re spending millions of your dollars fighting this measure to protect those profits.

We all pay the price – and not just on electric bills. Over the last five years, solar jobs grew nine times faster than the overall economy, but sunny Arizona actually lost solar jobs. One in twelve Arizona children suffer from asthma, and the American Lung Association found that Arizona cities and counties have some of the nation’s dirtiest air.

That’s why dozens of local groups, including the Arizona Asthma Coalition, Physicians for Social Responsibility, Chispa AZ, Natural Resources Defense Council, Conservative Alliance for Solar Energy, Arizona Faith Network, and the Arizona Building and Construction Trade Council endorse Prop 127.

Vote YES for clean energy for a healthy Arizona!

Alejandra Gomez, Chair, Clean Energy For A Healthy Arizona, Phoenix
Sponsored by Clean Energy For A Healthy Arizona

THE ORGANIZATIONS ARIZONANS TRUST URGE A “YES” VOTE ON PROP 127

We support Prop 127 because we know that:

- Clean energy is good for our health because it reduces dirty air and water pollution
- Clean energy is good for our economy and creates jobs
- Clean energy is good for consumers because it’s cheaper and it reduces our rates

Arizona has more sunshine than any other state, and yet only about 6% of our energy comes from clean, solar power.

Together, we can fix this by voting YES on PROP 127! Prop 127 will make sure that 50% of our energy comes from renewable sources like solar and wind power!

PLEASE JOIN US IN VOTING YES!

Arizona Public Health Association

Conservative Alliance for Solar Energy

Elders Climate Action

Mi Familia Vota

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

Arizona Asthma Coalition

Chispa AZ

Energy Future Project

Kids Climate Action Network

Mountain Park Health Center

Natural Resources Defense Council

Physicians for Social Responsibility

Technicians for Sustainability

Sierra Club, Grand Canyon Chapter

PLEASE JOIN US IN VOTING YES ON PROP 127!!!!

To learn more, visit: WWW.CLEANHEALTHYAZ.COM

Proudly submitted by Clean Energy for a Healthy Arizona

Alejandra Gomez, Chair, Clean Energy For A Healthy Arizona, Phoenix
Sponsored by Clean Energy For A Healthy Arizona

Dear Arizona Voter,

I hope you will take a minute to read my statement about my support for Prop 127.

I am a mother of two, including a child with asthma, and I am a nurse practitioner, so I think about the air we breathe every day. I see the impact of dirty air as Phoenix has some of the most polluted air of any of the major cities in the United States. For those with asthma and other breathing challenges, this is a daily concern. Even those without asthma can have major health concerns from breathing polluted air.

This is why I am voting yes on Prop 127 to support Clean Energy for a Healthy Arizona.

Renewable energy, like solar and wind, are clean and affordable alternatives to dirty fossil fuels, and they don't pollute our air! The harmful side effects to our health are a hidden tax of dirty fossil fuels that everyone pays—everyone except our major utilities, who make hundreds of millions of dollars of profit off of dirty fossil fuels. Renewable energy is clean and affordable, and every child with asthma is more important than protecting the profits of big utility companies that already raise our rates at every opportunity.

Join me in voting YES on Prop 127 and supporting Clean Energy for a Healthy Arizona.

Thank you for your time,

Damaris Hazell
Arizona Voter
Maricopa County

Dámaris Hazell, Arizona Voter, Tempe
Sponsored by Clean Energy For A Healthy Arizona

My name is Jim Mapstead. I own Accurate Signs & Engraving, Inc., and I support Prop 127.

I'm a small-business owner and believe that solar and renewable energy are key to future jobs and lower energy costs here in Arizona.

Twenty-seven years ago, I bought my father-in-law's engraving shop on 7th Street, which mainly sold trophies and plaques. We do commercial and industrial engraving and moved into the solar energy sector in 2008. We are one of the nation's largest suppliers of laser engraved plastic tags for companies installing solar panels all across America. However, most of our business is not in Arizona, and it's a big surprise to most of my friends and neighbors, because Arizona has so much sun.

We could have so many more good jobs in Arizona if we embraced solar energy.

We have a natural asset in being the sunniest state in the nation, and yet we're falling behind neighboring states, and even North Carolina!

As a small-business owner, I'm constantly looking at new technologies to move our business forward, to do things less expensively or more efficiently.

As a state, we need to do the same thing. That's why I support Clean Energy for a Healthy Arizona.

Please join me and Vote Yes on Prop 127.

Jim Mapstead, Phoenix

Sponsored by Jim Mapstead and Clean Energy For A Healthy Arizona

THE FACTS SHOW IT: ARIZONA IS READY FOR 50% RENEWABLE ENERGY BY 2030

VOTE YES ON PROP 127

FACT: Arizona has more sunshine than any other state, but only 6% of our energy comes from solar power.

FACT: Wind and solar are the CHEAPEST energy options for Arizona.

FACT: Solar is the future: the cost of electricity from big solar plants has fallen 86% since 2010.

FACT: Unlike gas and coal, which pollute our air and are expensive, the sun is clean and free, and it always will be. Building our energy future on solar makes sense.

FACT: Nurses, doctors and public health groups support Proposition 127 because it will reduce pollution and help bring cleaner air and water to Arizona.

FACT: Cleaner air and water means less asthma, respiratory illnesses and other diseases – and that means healthier families and lower healthcare costs.

FACT: Our neighboring states are building clean energy economies quickly. We must act quickly, or they will get the jobs we should create right here in Arizona.

THE TRUTH IS: Prop 127 is the best thing for Arizona jobs, for our economy, for clean air and clean water, and for ratepayers.

VOTE YES ON PROP 127

THE FACTS SHOW IT'S THE BEST WAY TO BUILD A HEALTHY ARIZONA

For more information, visit: www.cleanhealthyaz.com

Susan Gerard

Susan Gerard, Phoenix

PROP 127 MEANS A HEALTHIER ARIZONA

Everybody wants to breathe clean air.

Arizonans have a long track record of supporting common-sense ways to reduce air pollution. From vehicle testing requirements, to reformulated gasoline, to more city funding to improve roads, to reducing pollution from farming — Arizonans have time and again pitched in to improve our air. And it's been working.

But most Arizonans still live in areas with poor air quality.

The American Lung Association gives Maricopa, Pinal, Yuma, and Gila counties 'F' grades for air pollution.

Five other Arizona counties — including Pima — aren't far ahead, with 'C' or 'D' grades.

We can do better.

Continued progress will require us to find new ways to clean our air. We all have a right to clean air and healthy water, and we have a responsibility to pass on a safe, healthy future to our kids and grandchildren. One of the ways to clean up our air and water is by cutting the pollution that comes from burning fossil fuels for our energy production.

Arizona's dirty air puts all of us at risk, especially the most vulnerable among us.

Dirty air leads to unnecessary asthma episodes, is dangerous to heart health, and even increases the risk of lung cancer.

Proposition 127 provides a common-sense approach to cleaning our air, while giving utilities time to plan and implement cleaner energy-generation strategies.

As public health professionals, we've seen the consequences of dirty energy for too long.

That's why we all support Prop 127 — Clean Energy for a Healthy Arizona.

We hope you will, too.

Directors, Arizona Department of Health Services

Will Humble (2009-2015)

Susan Gerard (2006-2008)

Jack Dillenberg (1993-1997)

Bob England, Director, Maricopa County Department of Public Health (2006-2018)

Will Humble, Director, Arizona Department of Health Services, 2009-2015, Phoenix; Sue Gerard, Director, Arizona Department of Health Services, 2006-2008, Phoenix; Jack Dillenberg, Director, Arizona Department of Health Services, 1993-1997, Jerome; and Bob England, Director, Maricopa County Department of Public Health, 2006-2018, Phoenix
Sponsored by Sue Gerard

VOTING YES ON PROPOSITION 127 IS OUR CHANCE TO HAVE OUR VOICES HEARD

APS SHOULD LISTEN TO VOTERS: WE WANT CLEAN ENERGY, NOT DIRTY POLITICS

Arizonans who have lived here most of their lives may think that it's normal for a monopoly utility company like APS to spend millions in ratepayer money to sway the elections of the very regulators meant to hold them accountable.

In fact, we see APS subsidize so many business chambers and politicians' careers that we've grown accustomed to APS running our state from the best back-rooms dark money can buy.

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

NO UTILITY IS LIKE APS

But this doesn't happen anywhere else. APS alone spends tens of millions to brazenly influence policy that enriches their shareholders. And their insider-influence is paid for by OUR dollars as a ratepayer.

They're using our money against us — spending ratepayer dollars on:

- TV ads
- Lobbyists
- Dirty money campaign contributions

They spend our money to protect their ability to pollute our air and raise our rates!

Prop 127 has pushed APS to new levels of cynical political stunts. Their attacks have nothing to do with the merits of solar energy because they know that facts aren't on their side. Arizona is the sunniest state in the country, and it's about time we took advantage of this unlimited, untapped energy source.

Arizonans are fighting APS's grip on our state, and you have the opportunity to tell them that a clean energy future is more important than their bottom line.

VOTE YES ON PROP 127.

LET'S TAKE CONTROL OF OUR OWN MONEY FOR A CLEAN ENERGY FUTURE!

Tom Ryan, Law Office of Thomas M. Ryan

Thomas Ryan, Chandler

Arizona's sacred and diverse landscapes, and its agreeable climate, make it a special place to live and visit. But Arizona's beauty, livability, and prosperity are at risk because of human-caused climate change. Without action to reduce carbon pollution, Arizona's average annual temperature could increase five degrees by 2050. The Phoenix area could see an extra month of 100-degree-plus days each year, adding to the extra 40 days of extreme heat it already experiences. Higher temperatures would damage health, with a predicted 1,000 additional deaths each year in Maricopa County alone by the end of the century. Higher temperatures are projected to reduce the Colorado River's flow by 20 percent, increase wildfires, and ruin the state's agricultural sector.

The good news: reducing the pollution that causes climate change makes economic sense. The cost of solar power has fallen 86% over the past eight years, and wind power has fallen 67%. The cost of energy storage has fallen 79% since 2010. Solar, wind, and storage are now the cheapest energy options for Arizona.

Even with this progress, Arizona's biggest utility, APS, does not intend to build any new large-scale solar or wind power plants for the next 15 years. Instead of relying on Arizona sun, they want to build multiple new power plants fueled by out-of-state gas, much of it extracted with fracking.

The Natural Resources Defense Council worked with a respected energy firm to compare the cost of utilities' gas-fired future to the 50% renewable energy future that Prop. 127 would foster. Electricity bills would be 3% cheaper in 2030 under the renewable energy future.

Without this amendment, APS and TEP, with their political influence, will stay on their risky, expensive path. I encourage you to vote for Prop. 127.

Brooke Bessesen
Member, NRDC

Brooke Bessesen, Scottsdale

Sponsored by Natural Resources Defense Council

For the Economy...

For Jobs...

Vote YES on Prop 127.

Arizona is the sunniest state in our great nation. The sun will shine here whether we harness it or not.

As a conservative Republican and someone who values the power of a market-driven economy, I support Prop 127.

There is a knee-jerk reaction for some conservatives to vote against policy that might be a win for environmentalists. As a supporter of President Trump and a longtime Republican, I am putting that reaction aside to support solar energy in Arizona. Please join me.

Here is why voting YES on Proposition 127 is the right decision for Arizona conservatives:

- We believe in the free market.
- We believe in JOBS.
- We do not give in to special interests.
- We want to keep Arizona competitive with neighboring states who have better clean energy plans.

Join me in voting YES on Prop 127!

Charles Miller
Conservative Alliance for Solar Energy (CASE)

Charles Miller, Vice President, Conservative Alliance for Solar Energy, Goodyear
Sponsored by Conservative Alliance For Solar Energy

SOLAR ENERGY MEANS A BRIGHT FUTURE FOR ARIZONANS

VOTE YES ON PROP 127

The Arizona Democratic Party supports Clean Energy for a Healthy Arizona and encourages all Arizonans to vote YES on Proposition 127.

Democrats, Independents and Republicans support investing in clean energy because it's good for all Arizonans - no matter their party.

The reasons the Democratic Party supports Proposition 127 are simple:

The price of renewable energy continues to drop every day, and is already competitive with coal and gas.

But unlike coal and gas, this new clean energy does not pollute our air and water.

Cleaner air and water means healthier families - and less respiratory illnesses like asthma.

Arizona is the sunniest state in the U.S. and we should be its solar capital.

Renewable energy jobs are growing much faster than the economy as a whole, and Arizona cannot afford to fall behind.

Voting for Proposition 127 will move us toward a clean energy future and attract new jobs to our state.

Good jobs you can't export, a strong economy, clean air, and clean water, are not just issues Democrats support - they're issues we can all get behind.

Please join us in supporting Clean Energy for a Healthy Arizona.

Felecia Rotellini
Chairwoman, Arizona Democratic Party

Felecia Rotellini, Chairwoman, Arizona Democratic Party, Phoenix
Sponsored by Clean Energy For A Healthy Arizona

As elders, including grandparents, great-aunts and great-uncles, who care about the future for all children, we are determined to do all we can to leave a sustainable planet for future generations. That is why we encourage you to vote yes on Proposition 127 and by supporting Clean Energy for a Healthy Arizona.

The future belongs to the next generation of children, and as elders, we have an obligation to leave them a healthy environment including clean air and water. The opponents of this proposition are only concerned about protecting their profits — literally hundreds of millions of dollars earned off burning dirty fossil fuels. We have a simple choice. Start transitioning to the clean energy of the future, or continue to use the dirty energy of the past.

The cost of renewable energy continues to become cheaper every year, and it is already competitive with coal and gas, but without the harmful pollution. As an added benefit, solar jobs are growing nine times faster than the economy as a whole. It is critical that Arizona does not fall behind and that we take responsibility to leave behind clean air and water for future generations. That is why Elders Climate Action encourages you to vote yes on Proposition 127.

Hazel Chandler
Chair - Candidates Climate Project
Elders Climate Action

Hazel Chandler, Chair, Candidates Climate Project, Elders Climate Action, Phoenix
Sponsored by Clean Energy For A Healthy Arizona

The Clean Energy for A Healthy Arizona initiative will position Arizona as the solar superpower it should be by increasing the amount of our energy that comes from renewable sources to 50% by 2030. Expanding renewable energy in Arizona will bring thousands of quality jobs to our state, jobs that support a family; it will bring competition to our economy, reduce utility bills and limit the monopoly power of our utilities. Companies that have stifled innovation, hurt consumers and used ratepayer dollars to become dangerously political and partisan. Of course, as temperatures rise in Arizona, we must move to sources of energy production that reverse the effects of climate change.

Right now only 6% of Arizona's energy comes from solar power. We can no longer allow utilities to hold Arizona back by focusing on short-term cash. Solar energy is becoming more affordable every moment and Arizonans are already saving money on their energy bills because of solar power. Greedy utility companies cannot deny the facts: renewable energy is the future and will save Arizonans money in the long-run.

The initiative will lead to lower utility bills for Arizonans as rooftop solar and other renewable energy technologies are cheaper and expand and protect the overall grid. Solar energy in Arizona is an obvious good idea that has been stifled by those protecting market share and their personal bottom lines for too long. The initiative also means cleaner water, air, and better health outcomes for Arizona families.

David Garcia, Democratic Candidate for Governor, David Garcia for Governor, Phoenix

We enthusiastically support the Clean Energy for a Healthy Arizona ballot proposal. Arizona residents should control their own energy future—not utility companies that only want to protect their old business models and profits. As former Arizona Corporation Commissioners, we were proud to establish or strengthen our state's first solar and other renewable energy mandates. Since then, APS/Pinnacle West has unethically spent millions of customer dollars to elect and control the Commission. The result has been to fall behind other states in the use of solar energy. Arizona should be the Solar Capital of the world. Only a vote of the people will overcome the APS/Pinnacle West control of our utility regulators at the Corporation Commission. This proposal will provide all of us more affordable, reliable and clean energy for future generations.

Bill Mundell and Sandra Kennedy
Former Corporation Commissioners

William Mundell, Paradise Valley and Sandra Kennedy, Phoenix
Sponsored by Sandra Kennedy

As a climate scientist for over 30 years, many people have asked me about renewable energy and the cost of moving away from coal and other fossil fuels.

This is a question I have studied carefully. The results may not be what you expect:

Between 2005 and 2012, 32 states set renewable energy goals. On average, these states did not see rate increases because of their commitment to renewable energy sources; in fact a number of those that achieved their goals saw a decrease in rates.

This really should not be surprising given how cheap renewable energy technologies - such as solar and wind - have become.

Just look at New Mexico.

A recent study by the Union of Concerned Scientists calculated what would happen if the State of New Mexico put in place a 50% Renewable Energy Standard by 2030. Their study concluded that: 1) “Renewable energy, not gas, is the state’s lowest-cost long-term solution,” and 2) The “least-cost future is dominated by wind and solar,” which “would create several thousand jobs in construction, operations, and maintenance.”

Closer to home, Tucson Electric Power announced it will buy solar energy (and storage) from a new plant at the lowest cost ever.

In fact, I live in Tucson and, as of February 2018, I have a new rooftop solar system, which produces more electricity than we use, meaning that I will never have an electric bill again. Not only does it make huge economic sense, with a “return on investment” of 6 years, I’ve increased the appraised value of my house by nearly 5%.

Our area of the country has the best solar potential of anywhere in America in terms of available sunlight, so we will probably see more of these record-breaking low prices for solar in Arizona.

Professor James Buizer

James Buizer, Professor, Tucson
Sponsored by Clean Energy For A Healthy Arizona

We all have a right to breathe clean air.

Arizona has made good progress in cutting air pollution, but ground-level ozone pollution is a growing health threat. There is no safe exposure to ozone, and levels rise to dangerous levels on hot sunny days. Ozone damages the respiratory system, leading to more asthma, emphysema, heart disease, and strokes. Metro Phoenix now is eighth in the nation for high ozone pollution and four counties exceeded the daily EPA health-based standards in 2017. Why worry about ozone? Because we have more hot days and heat waves every year. How can we control ozone exposure? Reduce the biggest driver of global warming: carbon emissions from power plants that burn fossil fuels. With over 300 days of sunshine every year, our state is the ideal location to invest in clean solar energy.

We support the Clean Energy for a Healthy Arizona initiative. This measure offers a common-sense path to transition away from fossil fuels, increase energy efficiency, and expand use of renewables such as solar to generate electricity. Vote yes for clean air and better health for all Arizonans.

Edward R. Carter, MD
Chair, Arizona Asthma Coalition

Edward Carter, Chair, Arizona Asthma Coalition, Mesa
Sponsored by Clean Energy For A Healthy Arizona

As women and mothers, we urge you to support Clean Energy for a Healthy Arizona!

Arizona grows increasingly hotter each year - a symptom of serious problems caused by climate change. In this state, we have drought, forest fires, and months of hot, dry weather. Nationally, we face unpredictable storms with deadly destruction of lives and property. Internationally, we see increasing violence and war due to millions fleeing agricultural homelands that have run out of water. We can and must stop the climate crisis! The most direct way to do this is to greatly reduce the use of fossil fuels which also contribute to death and disease from asthma and respiratory ailments. Nuclear energy is not viable because it wastes scarce water supplies and creates radioactive waste which will endure for thousands of years. Solar and wind energy are viable energy solutions and they are dropping quickly in cost. The utilities are stuck with old technology and their profits from fossil fuels will decline rapidly if they don't employ sustainable energy.

We the people must demand that utilities change their energy sources by 2030! It is the least we can do for our planet and future generations!

Jeanne Devine, Tempe, Ellen Kaufman, Tempe and Kathy Mohr-Almeida, Ph.D., Mesa

As the father of two children and as the State Director of Mi Familia Vota, I fight for the future of my daughters and my community. Every decision I make has two very important factors - Columba and Alissa - and that's how the community I advocate for makes their decisions. So to my fellow parents - I urge you to vote yes on the Clean Energy for a Healthy Arizona initiative.

Our number of children, and reasons are different, but our worries are the same - lower cost-of-living and a better environment for our children and grandchildren. Regardless of what country or state we were born in, Latino and Latina families decided that Arizona was the best decision for our families. Now we have the opportunity to make it even better.

When our children are old enough to have their children and old enough to carry the torch further than we ever could, I hope we will look back at our decisions and stand proud. It is for this reason that I fight for my community's right to vote, why I fight for accountable elected leaders, and why I am fighting for clean energy for a healthier Arizona. Your reasons might not be called Columba or Alissa, but I know their future will push you to vote yes for the Clean Energy for a Healthy Arizona initiative.

Eduardo Sainz, Arizona State Director, Mi Familia Vota, Phoenix

Sponsored by Eduardo Sainz and Mi Familia Vota

I support Prop 127, Clean Energy for a Healthy Arizona, because I believe that we all have a right to clean air and water, as well as a responsibility to leave a healthy world for our children and grandchildren. It is high time large utility corporations take their fair share of responsibility for protecting our air and water, by investing in renewable energy instead of simply burning gas and sending more pollution into our skies.

I represent Legislative District 2 in southern Arizona, where many people have chosen to live because of the majestic beauty of the land. Many of the families I represent have small children who suffer from asthma. Cleaner air will bring huge health benefits including reduced rates of asthma, respiratory ailments, and heart disease, as well as lower energy costs for Arizona families and businesses.

On several occasions, as the Ranking Member of Senate Natural Resources, Energy and Water Committee, I have testified before the Arizona Corporation Commission when they take public comments in Tucson. My comments have been in support of rooftop solar and for businesses, both large and small, that provide good paying jobs, often with just On the Job Training. Increased rooftop solar will help the utilities meet the goal of 50% from solar and other renewable by 2030. My comments have been ignored by ACC.

Lastly, Prop 127 would be a great help to Southern Arizona's economy. Over the past five years, U.S. solar employment has grown nine times faster than the overall economy – this ballot measure will help make sure those jobs are growing in Arizona – not just other states. I hope Arizonans who want to improve our public health, clean up our air and water, and grow our economy will join me in voting YES on Prop 127.

Andrea Dalessandro, Legislative District 2 Senator, Green Valley

When our kids tell us they want to play outside, we want to say yes every single time. But with so many advisories warning us to stay inside because of smog, we have to think twice before letting them breathe toxic chemicals. We are Moms for Clean Energy because we want to make our air and water clean and healthy for our kids' generation. That's why we support getting 50% of our energy from clean energy sources like wind and solar.

Vote Yes for Proposition 127, the Clean Energy for a Healthy Arizona initiative!

Hazel Chandler, Phoenix

Ellen Cowgur Smith, Mesa

Rebecca Garelli, Gilbert

Victoria Havins, Phoenix

Jennifer Kelley, Mesa

Shannon Klinge, Phoenix

Sandy Kravetz, Scottsdale

Cecilia Laguna, Phoenix

Kathy Mohr-Almeida, Mesa

Elvia Velasco, Phoenix

Hazel Chandler, Phoenix; Ellen Cowgur Smith, Mesa; Rebecca Garelli, Gilbert; Victoria Havins, Phoenix; Jennifer Kelley, Mesa; Shannon Klinge, Phoenix; Sandy Kravetz, Scottsdale; Cecilia Laguna, Phoenix; Kathy Mohr-Almeida, Mesa; and Elvia Velasco, Phoenix

Sponsored by Clean Energy For A Healthy Arizona

I'm supporting Clean Energy for a Healthy Arizona initiative by voting YES on Proposition 127.

I made this decision because Arizona's politics have for too long been dominated by special interests. In no sector is this more evident than in our public utilities.

APS has a monopoly over their service area—meaning citizens who live in APS territory have no choice over which electricity provider to use.

If APS decides to raise our rates just so they can make \$488 million in profits — we have to pay.

This system relies on an elected Corporation Commission that sets rates and is accountable to the public. Unfortunately, in the last decade, APS has embarked on a strategy to purchase influence over this important regulatory body. By using millions in ratepayer money, APS has established complete control over the very regulatory body established to keep them in check.

Perhaps that is why only 6% of Arizona's power comes from solar despite the fact that we are the sunniest state in the country.

Proposition 127 will raise Arizona's renewable energy standard to 50% by 2030. This will give us cleaner air and water and a healthier state, and transition us to the energy of the future instead of the backward strategy of spending more on the dirty energy of the past.

It will also send a message to large corporations that our elections are not for sale. Across the country, solar installation jobs continue to grow at a rate that is nine times faster than the economy. It is critical that Arizona begins to invest in the clean energy future today — before it is too late.

Chris Herstam

Former President of the Arizona Board of Regents

Chris Herstam, Phoenix

Sponsored by Clean Energy For A Healthy Arizona

Technicians for Sustainability (TFS) is a Tucson-based, employee-owned company specializing in renewable energy and sustainable technology. Since 2003, we have helped thousands of homes and businesses in Southern Arizona make the switch to solar. TFS is committed to enhancing our community through making high-quality solar accessible to everyone and thereby supporting a thriving, healthy Tucson community.

The benefits of renewable energy are immense. Arizona's abundant sunshine means that we can save money by not having to buy and burn fossil fuels. It also means that we have the opportunity to reduce our state's carbon footprint, and to use Arizona's natural resources more efficiently and with respect for present and future needs. By reducing the pollution spewed into our air and water, we can better meet our obligation to future generations.

We practice what we preach. Our downtown Tucson office is heated by a solar heating system and we generate electricity from our 5.28 kW solar energy system. We use energy-efficient lighting, equipment, and appliances, and by using clean energy, we're saving money – and helping leave a healthier Arizona for future generations.

We encourage you to vote yes on Proposition 127!

Nicole Koch

Co-Owner

Technicians for Sustainability

Nicole Koch, Co-Owner, Technicians For Sustainability (TFS), Tucson

Sponsored by Clean Energy For A Healthy Arizona

It's up to us to make the world a better place.

Vote "Yes" on Proposition 127.

It's not just a title you receive when you become a grandparent. You inherit a special and sacred responsibility: to put your wisdom, your experience, and your love into action when there are opportunities to do good for future generations. We have an opportunity in front of us right now by supporting the Clean Energy for a Healthy Arizona initiative.

There is no responsibility greater than protecting our planet, and making sure it's here to sustain our children and grandchildren.

It's a duty we take seriously.

We're one of the largest groups of voters in the country – and our votes will determine so much about the world we leave for the next generation. So let's leave them with drinkable water and healthy air. Let's demand utility companies invest in clean energy.

We hope you'll join us and vote "Yes" for the Clean Energy for a Healthy Arizona initiative.

Drury L. Bacon III, Goodyear

Holly R. Carrier, Goodyear

Marilynn Cencioso, Flagstaff

Jeanne Devine, Tempe

Minnie Fischer, Tempe

Donald Hunt, San Tan Valley

Janie Hydrick, Chandler

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

Beverly Janowitz-Price, Phoenix

Rivko Knox, Phoenix

Wayne Moore, Goodyear

Dr. James D. Paisley, Cave Creek

Dr. Jean W. Paisley, Cave Creek

Doris Marie Provine, Tempe

Stephen W. Schmidt, Scottsdale

Jim Vaaler, Phoenix

Linda Williamson, Phoenix

Robert R. Wright, Goodyear

Drury L. Bacon III, Goodyear; Holly R. Carrier, Goodyear; Marilynn Cencioso, Flagstaff; Jeanne Devine, Tempe; Minny Fischer, Tempe; Donald Hunt, San Tan Valley; Janie Hydrick, Chandler; Beverly Janowitz-Price, Phoenix; Rivko Knox, Phoenix; Wayne Moore, Goodyear; Dr. James D. Paisley, Cave Creek; Dr. Jean W. Paisley, Cave Creek; Doris Marie Provine, Tempe; Stephen W. Schmidt, Scottsdale; Jim Vaaler, Phoenix; Linda Williamson, Phoenix; and Robert R. Wright, Goodyear

Sponsored by Clean Energy For A Healthy Arizona

When I opened the doors to Fair Trade Café, I knew the success of my business was tied to the success of my community. Phoenix is one of the fastest growing cities in the country and has the highest small business wage growth of any other city in the nation because of our investments in the future. I am proud to support Prop 127, the Clean Energy for a Healthy Arizona initiative to support and build on the growth we're already working towards.

Any business owner will tell you location is everything. We need only to look at how Amazon was making their decisions for their second headquarters - they were looking for walkable cities, opportunities for business growth, and a focus on the future. In short, they were looking for cities that were investing in the things that improve the quality of life for people. That's exactly what the Clean Energy for a Healthy Arizona initiative does.

I have chosen to invest my time and talent in my community and have anchored my livelihood in its success. That's why I'll be voting yes for Proposition 127.

Stephanie Vasquez

Stephanie Vasquez, Owner, Fair Trade Cafe, Phoenix

Sponsored by Clean Energy For A Healthy Arizona

It's often the case that big corporations cut costs by cutting corners that hurt us, the consumer. And the pain isn't shared by everyone equally. For example, it's low-income working families and communities of color that disproportionately shoulder the cost of polluted air.

History is clear: big business is willing to do just about anything to protect big money—even put our health at risk. We saw this when the tobacco industry lied to us about the cancer-causing effects of cigarettes, we saw it when Volkswagen lied to the public

about the pollutants their cars pumped into the air we breathe, and we're seeing it now as APS is playing dirty, saying anything to stop a shift towards clean energy and renewable solar technology.

But we need to make a change. Maricopa County has some of the dirtiest air in the nation, and cities across Arizona are struggling with elevated levels of air pollution. That hurts our quality of life and our health—1 in 12 Arizona children suffer from asthma. As the sunniest state in the nation, we should get more than 6% of our power from the sun—we don't because utilities benefit financially from the status quo, even if it means more emissions and more pollution.

APS made \$488 million in profits last year alone—that's a lot of money. But Arizonans deserve better; we don't want to trade our health for their profit. We all have a right to clean air, clean water, and a healthy community. Let's commit to passing down an Arizona where our children and grandchildren can play outside without worrying that it will make them sick. Vote yes on Prop 127.

Laura Dent
Executive Director
Chispa Arizona

Laura Dent, Executive Director, Chispa Arizona, Tucson
Sponsored by Clean Energy For A Healthy Arizona

Prop 127 Will Reduce Air Pollution That Is Fouling Our Air And Changing Our Climate

The Grand Canyon Chapter of the Sierra Club is committed to protecting Arizona's abundant and beautiful public lands, including national parks, forests, wildlife refuges, rivers and streams, and wildlife.

But all of these wonderful natural assets are at risk because of human-caused climate change. We already see the impact in year-after-year record heat, perennial drought conditions, and intensified forest fires.

Our continued reliance on burning fossil fuels will make matters even worse:

- Average annual temperatures could increase by five degrees by mid-century.
- The Phoenix area could see an extra month of 100-degree-plus days each year, adding to the extra 40 days of extreme-heat already experienced by residents.

This heat will amplify urban air pollutants, aggravating ground-level pollution and increasing health risks for asthma sufferers. Climate change is reducing the flows of rivers such as the Colorado, the San Pedro, and the Verde, which are already suffering from excessive water diversions. It is also increasing wildfire intensity and harming our forests. And it is putting more Arizona plants and animals at risk.

Prop 127, the Clean Energy for a Healthy Arizona initiative, will start to reverse those trends by reducing our reliance on dirty fossil fuels for generating electricity. It will require the state's private utilities to generate half their electricity from clean renewable sources by 2030, up from 15 percent today.

Prop 127 will mean fewer smokestacks spewing pollution into our air, fewer water intensive power plants, and more energy generation from solar. That's a first step in addressing human-caused climate change, and will help provide cleaner air for all of us to breathe and conserve our precious water.

That's why the Grand Canyon Chapter of the Sierra Club wholeheartedly supports Prop 127.

Keith Bagwell, Chairperson, Sierra Club - Grand Canyon Chapter, Tucson and Don Steuter, Conservation Chair, Sierra Club - Grand Canyon Chapter, Phoenix
Sponsored by Clean Energy For A Healthy Arizona

I consider myself very fortunate that my job title can double as my job description - Representative. As an elected Representative for District 7, I get to serve over 200,000 Arizonans, a majority of whom are also members of one of the eight sovereign tribal nations in our district. I am a member of one of those tribes, the Navajo Nation, and I am in support of the Clean Energy for a Healthy Arizona campaign. I am voting yes on Prop 127 because all Arizonans will benefit from an increase to our renewable energy standard. By investing in the clean energy of the future, we will benefit from cleaner air and water—and we will attract new green jobs that are growing faster than the economy as a whole.

I am also voting yes on Prop 127 because I believe we have an obligation to future generations to preserve our natural environment. Our air and water are resources that cannot be replaced, and future generations deserve to have access to these resources free from pollution. We live in one of the sunniest areas on the planet—there is no reason why we should only receive 6% of our energy from solar. By voting yes on Prop 127, you can help to move our state into the energy of the future and away from the dirty energy of the past.

Representative Wenona Benally

Wenona Benally, Arizona State Representative, Window Rock
Sponsored by Clean Energy For A Healthy Arizona

As both a US Marine and the child of immigrants, when I look at the big decisions facing Arizona, the first question I ask is, “how will this affect someone who has to work every day to feed their family?”

Considering Prop 127, or Clean Energy for a Healthy Arizona, I see three main effects on working families. First is the question of cost. The big energy corporations—all of them monopolies—raise our rates all the time. Nowadays, the cost of electricity from new solar plants is the same or less than the cost of electricity from fossil fuel plants, and the solar cost is dropping fast. So moving away from gas and coal, and moving toward solar energy is a way for all of us to save money. Second is the issue of jobs. Arizona is the sunniest state in the country, so we have an advantage on solar energy. But today, we are falling behind on solar energy jobs. Nationally, solar employment is growing nine times faster than the overall economy. This measure will create good-paying jobs in Arizona, an opportunity we should not ignore.

Finally there is the question of health. Clean energy means less pollution and that means fewer trips to the emergency room for people with asthma and fewer lost sick days. Lower income families are the most likely to suffer from asthma and the least likely to have access to high quality healthcare. Today, 1-in-12 Arizona children suffer from asthma. And some of our cities have some very poor air quality. According to the American Lung Association, Tucson rates a D for ozone pollution while Phoenix, Yuma and Flagstaff all get an F.

Clean energy will benefit ALL Arizonans with lower costs, cleaner air, and a healthier future.

Tomas Robles

Tomas Robles, Phoenix
Sponsored by Clean Energy For A Healthy Arizona

As faith leaders, we support Clean Energy for a Healthy Arizona. Stewardship of God’s creation is one of our central responsibilities. We have failed that responsibility, allowing our air and water to be polluted and our land to be despoiled. Now, a warming climate threatens the survival of many plant and animal species and degrades the lives of billions of our most vulnerable neighbors. We encourage you to support Clean Energy for a Healthy Arizona.

Rev. Doug Bland

Rev. Jan Flaaten

Rev. Rock Fremont

Pastor Chris Gonzalez

Fr. Steve Keplinger

Rev. Bekah Krevens

Rabbi John A. Linder

Rev. Tom Martinez

Rev. Delle McCormick

Rev. Karen McDonald

Rev. Jeff Proctor

Rev. Carol Reynolds

Rev. Sue Ringler

Rabbi Susan Schanerman

Rabbi Bonnie Scharfman

Rabbi Dean Shapiro

Rev. Sarah Stadler

Imam Ahmad Shqairat

Rev. Doug Bland, Tempe; Rev. Jan Flaaten, Phoenix; Rev. Rock Fremont, Phoenix; Pastor Chris Gonzalez, Tempe; Fr. Steve Keplinger, Tucson; Rev. Bekah Krevens, Glendale; Rabbi John A. Linder, Paradise Valley; Rev. Tom Martinez, Tempe; Rev. Delle McCormick, Tucson; Rev. Karen McDonald, Tucson; Rev. Jeff Proctor, Tempe; Rev. Carol Reynolds, Scottsdale; Rev. Sue Ringler, Tempe; Rabbi Susan Schanerman, Tempe; Rabbi Bonnie Scharfman, Phoenix; Rabbi Dean Shapiro, Tempe; Rev. Sarah Stadler, Phoenix; and Imam Ahmad Shqairat, Tempe

Sponsored by Clean Energy For A Healthy Arizona

Physicians Support Clean Energy Initiative

Prop 127, the Clean Energy for a Healthy Arizona initiative, will lead to a healthier future for our kids and grandkids – cleaner air and reliable, less expensive energy. This is about realizing Arizona’s enormous potential for generating clean, renewable energy while dramatically reducing the burning of dirty fuels, which contributes to some of the worst air quality in the country. This measure will require the state’s utilities to get 50 percent of their power from clean, renewable sources by the year 2030 – allowing Arizona to finally take advantage of our position as a source of almost unlimited cheap, clean renewable energy.

A recent study by the U.S. Department of Energy lists the following health benefits of increasing state Renewable Energy Standards (RES), including:

Fewer premature deaths due to respiratory and cardiovascular diseases.

Nationally, a higher RES would mean 70,000-160,000 fewer premature deaths by 2050.

Less pollution and cleaner air from a higher RES will mean fewer emergency room visits for asthma, fewer hospital admissions for non-fatal heart attacks, and fewer lost sick days.

We all have a basic responsibility to leave our kids and grandkids a healthy future. Increasing our use of clean energy will mean our air and water will be cleaner, our children will be healthier, and our economy will be stronger.

Please join Physicians for Social Responsibility in voting YES on Prop 127.

Eve Shapiro, MD, Masters Degree in Public Health
Barbara Warren, MD, Masters Degree in Public Health

Board Members, Physicians for Social Responsibility, Arizona Chapter

Eve Shapiro, MD, Masters Degree in Public Health, Tucson and Barbara H. Warren, MD, Masters Degree in Public Health, Tucson

Sponsored by Clean Energy For A Healthy Arizona

I grew up in Maryvale and have lived in Laveen for more than 35 years. I've always prioritized my community. I've served on my fire district board since 1997. I work to support our police officers and their families in times of need. I've helped organize one of my town's longest running community traditions. And six years ago, my family decided our community needed a baseball league, so we started that too – now we have 600 children off the streets and on a ball field. I do these things because I think my town should grow in the best way possible. That's why I'm adding "supporter" of the Clean Energy for a Healthy Arizona initiative to my list of how I better my town.

The Clean Energy for a Healthy Arizona initiative is a very rare opportunity to support good policy that will uplift cities and towns across Arizona. As Arizona receives a projected 3.2 million new residents, we must grow responsibly. That includes supporting renewable energy that is cheaper and cleaner than dirty energy alternatives. And with more people consuming more power, we'll need our energy sources to be as clean as possible.

When my November ballot arrives, I will be voting "yes" on the Clean Energy for a Healthy Arizona initiative. It will be a vote for my children, their children, and my town.

Fern Ward, Laveen Resident

Fern Ward, Laveen

Sponsored by Clean Energy For A Healthy Arizona

Conservatives for Responsible Stewardship (CRS) supports Clean Energy for a Healthy Arizona and encourages all conservatives to vote yes on Proposition 127. If passed, Proposition 127 would increase Arizona's renewable energy standard to 50% by 2030—reducing the state's risky overreliance on out-of-state coal and natural gas. This transition to clean, healthy, unlimited and cost effective renewable energy is the prudent path forward. It is the conservative choice.

When one compares Arizona's enormous untapped solar potential and the rapidly declining cost of renewable energy with the uncertainty of coal and the projected increase in natural gas prices, diversifying with renewables is just common sense.

CRS was founded on the premise that environmental stewardship and natural resource conservation are inherently conservative, and that the true conservative will be a good steward of the natural systems and resources that sustain life on earth. By advancing these values, we stay true to the genuine conservatism promoted by great American conservative leaders like Theodore Roosevelt, Barry Goldwater and Ronald Reagan—which instructs us to rise above lesser instincts and leave a better world for our children and grandchildren.

Personal and corporate responsibility are also inherently conservative values. There is nothing conservative about utilities placing short-term profit considerations above the long-term best interests of Arizona ratepayers. By transitioning away from out-of-state fossil fuels, Arizona can reap the benefits of a limitless, homegrown and low cost energy supply, which include job creation, new business investment, and a diversified energy portfolio that allows market forces to succeed. If you are a conservative in Arizona, we urge you to vote yes on Proposition 127 and support Clean Energy for a Healthy Arizona.

David Jenkins, President, Conservatives for Responsible Stewardship, Oakton

Sponsored by Conservatives for Responsible Stewardship

It's our responsibility to protect Arizona for the future.
It's our state, we need to make sure it's a great state 30 years from now.

We're the future of Arizona. As we start our careers here and build our lives here, we need to take responsibility for the kind of state we want to live in. Prop 127 gives us a state that prioritizes clean energy, clean air and clean water — it's our responsibility to provide those basics to our future families.

We were lucky to spend so much of our childhood in Arizona outside — it's hard to imagine not growing up in a place with a backyard full of natural wonders like the Grand Canyon, Monument Valley, Antelope Canyon, and the Colorado River. But we know that if something doesn't change, our children — and our grandchildren — won't get that same experience.

Many communities in Arizona already have some of the worst air quality in the country — 1 in 12 children in our state have asthma. This picture will only keep getting worse if APS continues to invest in dirty fossil fuels instead of renewable energy, like solar and wind. Do we really want that to be our legacy as Arizonans — failing air grades, increasing asthma rates — or do we want to take action to protect the home we love?

It is our responsibility to do something to make sure the next generation enjoys growing up outside in the same beautiful Arizona that we did.

That's why we are voting YES on Proposition 127.

Cesar Aguilar

Nick Arnold

Ciara Carnes

Ethan Clay

Jennifer Guzman Galvan

Brian Garcia

Anna Hultquist

Mani Kandan

Maggie Kautz

Lizbeth Luna

Abigail O'Brien

Kimberly Pardo-Alvarez

Diana Caraveo Parra

Christopher D. Pawloski

Hanna Rubin

Josiah Sanchez

Zoe Stein

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ARGUMENTS "FOR"
PROPOSITION 127

Cesar Aguilar, Phoenix; Nick Arnold, Tucson; Ciara Carnes, Tucson; Ethan Clay, Tempe; Jennifer Guzman Galvan, Tempe; Brian Garcia, Tempe; Anna Hultquist, Phoenix; Mani Kandan, Tempe; Maggie Kautz, Tucson; Lizbeth Luna, Phoenix; Abigail O'Brien, Tucson; Kimberly Pardo-Alvarez, Phoenix; Diana Caraveo Parra, Phoenix; Christopher D. Pawloski, Phoenix; Hanna Rubin, Phoenix; Josiah Sanchez, Phoenix; and Zoe Stein, Tempe
Sponsored by Clean Energy For A Healthy Arizona

As a business owner, I focus on providing the best service for my customers and cutting costs when it won't affect the quality of my work. And when it comes to caring for world-class show horses, the equipment doesn't come cheap.

My support for the Clean Energy for a Healthy Arizona initiative comes down to dollars and cents. In this case, the \$4 billion we will save from clean, affordable energy sources is enough for me to make a decision.

Small businesses don't get tax shelters, loopholes, or bailouts like corporations do. I will be voting yes for the Clean Energy for a Healthy Arizona initiative because small businesses deserve any savings we can get.

Carla Meeske, Connected Flow Equine Bodywork

Carla Meeske, Glendale
Sponsored by Clean Energy For A Healthy Arizona

My name is Anthony Saucedo, and I'm a U.S. Navy veteran. I'm supporting Clean Energy for a Healthy Arizona — and voting yes on Prop 127 — because it is time that our country has energy independence.

Our country is at its strongest when it is independent. When I served, I was constantly reminded that our liberty peaked when we didn't need to rely on anything or anyone to run our economy or protect and provide for our families. Investing in energy independence through Prop 127 protects our liberty while lowering costs for families, and protecting our clean water and air. New technology has made dirty energy sources, like coal and gas, nearly obsolete. That's why hundreds of thousands of Arizonans signed their name to move Arizona forward by investing in clean and affordable energy, like wind and solar.

This important campaign won't be without opposition. Change — even when it's in the best interest of all of us — is hard. Large utilities like APS have many reasons to protect the status quo, including protecting their \$488 million in profits. Opponents of clean energy would have you believe that it is too expensive, and we can't yet afford to transition to the energy of the future. The fact is that wind and solar are already competitive with oil and gas, and we cannot wait any longer to make these important investments.

If Prop 127 passes, Arizonans will save more than \$4 billion on their electric bills and our economy will grow with thousands of new and well-paying jobs. Our air and water will be cleaner, and we will all be healthier.

And most importantly, we'll be more independent.

Vote yes on Prop 127.

Anthony Saucedo, Phoenix
Sponsored by Clean Energy For A Healthy Arizona

Producing electricity from solar panels is now cheaper and far cleaner than generating electricity from coal and natural gas. All Arizona voters who care about the future of this state, its economy and its younger generations, should vote to increase the percent of renewable energy sold by the utility companies from 15% to 50%.

Arizona's water shortage is one important reason for supporting this initiative. Generating plants that burn fossil fuels use huge amounts of water for steam and cooling towers. Nationwide, the fossil fuel generators use more water than agriculture! As the drought in Arizona gets worse, we must push utility companies to close these plants as soon as possible.

APS claims that it might have to close the Palo Verde Nuclear Power Plant. That is nonsense. APS only owns 29% of that nuclear plant and it would never give up this source of cheap electricity. Furthermore, that power plant provides only a fraction of the electricity that the state consumes.

This initiative supports the state's responsibility to regulate utilities. We must regulate the companies selling us electricity so that they benefit Arizona's environment and the health of its citizens. The 50% renewable requirement will not bankrupt any utility. They can still make profits by operating smart grids where electricity flows from many different sources, including rooftop solar panels. Using rechargeable battery systems scattered throughout the grid, the utilities will be able to supply solar electricity when the sun is not shining.

Arizona is the sunniest and hottest state in the country. We should take advantage of this solar energy to generate vast amounts of electricity and to reduce our emissions of global warming gasses.

Michael Shelton, Retired, Foreign Service Officer, Tempe

Imagine a pot-luck dinner where all the adults get in line first and take generous portions – often even more than they need. By the time the little kids reach the food, most of it is gone.

We are experiencing something like that with climate change. There is a fixed amount of carbon pollution that can still be absorbed by our atmosphere before impacts from global warming render parts of our Earth uninhabitable. We 'adults' can reduce our share of creating this pollution, and of course we will stop polluting when we don't have to do it.

We have the resources and technology to create electricity in a different, non-polluting way. Other countries around the world and even other U.S. states and cities have accepted the challenge, made some changes, and are moving forward.

Arizona is positioned perfectly to take advantage of our nearly 365 days of sunshine. Increasing our solar electricity production creates local jobs, improves people's health, and will ultimately be less expensive than burning ever more coal or other polluting fossil fuels.

Best yet, we'll be doing our part to be fair to all nuestros niños/our little kids in line behind us.

We endorse the "Clean Energy for a Healthy Arizona Amendment".

Connie Aglione, Sally Connelly, Marshall Magruder, Sherry Sass, Connie Williams
The Santa Cruz Valley Climate Coalition

Connie Williams, Co-facilitator, Santa Cruz Valley Climate Coalition, Rio Rico

This constitutional amendment is both a prescription and a requirement. This prescription, like one written by your doctor, specifies what is good for you. It is crucial for our health and wellbeing to limit our planet's average temperature increase to less than 2 degrees Celsius (compared to pre-industrial times). The current status is approximately 1 degree above that benchmark. Since generation of electricity contributes over half of Arizona's carbon footprint, this prescription to generate, by 2030, 50% of our electricity from renewable sources, will help to stay under that goal.

In 2006 the Arizona Corporation Commission established the goal of 15% from renewables (excluding nuclear) by 2025. Our utilities have made substantial progress: in 2016 10.9% was generated from renewables. But we should do better, faster, since Arizona has almost the best solar energy resource in the nation, second only to Nevada.

This requirement, if it is enshrined in the State's constitution, will keep all of our feet to the fire and not allow backsliding. For example, the Arizona legislature, influenced heavily by utility lobbying, enacted legislation to limit the utility's penalty to less than \$ 5,000 for failing to meet this proposed requirement, which is chump change for them. If a utility is not following our Constitution, as amended, perhaps we would be entitled to create a different utility. One that would abide by the Constitution.

It is certainly true that a utility must manage both baseload and peak power demands. The remaining 50% beyond the renewable can still be generated by whatever non-renewable is most cost-effective in meeting the specific power demands. Renewables can also meet peak power demands through battery storage, a technology which currently is in a developmental stage, but which will improve every year.

This amendment will serve us well. Vote “Yes”

David Spence, Physician, Citizen's Climate Lobby, Flagstaff

We’re health care professionals, and every day we see the impacts of dirty air in our patients: kids with asthma, elders with chronic obstructive pulmonary disease (COPD), or pregnant women suffering from asthma – the most common and potentially serious condition to complicate pregnancy.

We support the Clean Energy for a Healthy Arizona ballot initiative because dirty fossil fuels put Arizonans’ health at risk: 361,090 adults suffer from COPD and 498,529 adults suffer from asthma. Burning coal and natural gas contributes to these respiratory problems, heart attacks, cancer, and premature deaths.

Unfortunately, this problem affects Arizonans of all ages: 1 in 12 Arizona children suffer from asthma.

The American Lung Association gives counties grades for how clean their air is. No county in Arizona has achieved an “A” grade. In fact, Maricopa, Pinal, Yuma and Gila counties all received “F” grades. Others, including Pima, aren’t far ahead, with “C” and “D” grades. The health benefits of the Clean Energy for a Healthy Arizona ballot initiative cannot be ignored.

As health professionals, we’ve seen the medical consequences of dirty energy. It’s our responsibility to provide a cleaner, healthier Arizona to leave our children and grandchildren.

Arizonans deserve cleaner air and healthier lives. That’s why we support the Clean Energy for a Healthy Arizona ballot initiative.

Join us and vote yes on Proposition 127.

Laura Clarke Steffen, PhD, Registered Nurse

Crosby Cortez, Registered Nurse

Dr. Shiloh Danley, Family Nurse Practitioner

Jennifer Hill, MD, Internal Medical Specialist

Neal Jain, MD, Allergy and Immunology Specialist

Eric Meyer, MD, Emergency Medicine Physician

Laura Clarke Steffen, PhD, Registered Nurse, Phoenix; Crosby Cortez, Registered Nurse, Mesa; Dr. Shiloh Danley, Family Nurse Practitioner, Phoenix; Jennifer Hill, MD, Internal Medical Specialist, Phoenix; Neal Jain, MD, Allergy and Immunology Specialist, Phoenix; and Eric Meyer, MD, Emergency Medicine Physician, Paradise Valley

Sponsored by Clean Energy For A Healthy Arizona

As a Republican former Arizona Corporation Commissioner, I support increasing the amount of renewable energy produced or purchased by our state's utilities to 50 percent. A YES vote on this ballot measure will reduce utility bills for Arizonans, increase our economic competitiveness, and conserve precious water supplies.

By utilizing more solar, wind, biomass and landfill gas, Arizona will tap into what is now the cheapest form of energy available - this will reduce rates for utility customers by more than \$4 billion dollars. Across the West, solar and wind energy projects are bidding their energy in at record low costs – some as low as 2.3 cents per kilowatt hour, compared to 4 to 8 cents per kwh for fossil fuel.

A 50 percent renewable energy future will also create tens of thousands of good paying jobs. The current 15 percent Renewable Energy Standard has resulted in more than 10,000 jobs. And we can increase our chances of landing companies like Apple, Google, Amazon, L'Oreal USA, and Ikea, which have internal renewable energy targets - meaning that they are unlikely to open new facilities in a state where the utilities refuse to produce renewable energy.

In addition, we will save tens of billions of gallons of water, since solar photovoltaics and wind energy use no water at all. The current Renewable Energy Standard is already saving Arizona 23 billion gallons of water. Renewable energy is a tool our state can use to deal with our prolonged drought and lessen the chance of water shortages.

A yes vote on this ballot measure will allow Arizona to become the solar energy leader we know we can be, lower utility bills, conserve water supplies, and bolster our economy for future generations.

Kris Mayes, former Arizona Corporation Commissioner

Kris Mayes, Phoenix

Religious Leaders Respond to Climate Change by Supporting Clean Energy

Arizona Interfaith Power and Light is an interfaith ministry devoted to deepening the connection between ecology and faith. Our goal is to help people of faith recognize and fulfill their responsibility for the stewardship of creation.

Specifically, the Arizona Interfaith Power and Light campaign is mobilizing a religious response to global warming while promoting renewable energy, energy efficiency, and conservation. People of faith have an opportunity to put their faith into action and help reduce the devastating effects of global warming.

One of the ways we can make a real impact this fall is to support Prop 127, the Clean Energy for a Healthy Arizona initiative. This proposition will require Arizona's largest utilities to get 50% of their electricity from clean, renewable sources like wind and solar, compared to about 7% today.

Arizonans still get too much of their electricity from dirty fuels, like coal and natural gas, leading to some of the dirtiest air in the country. Our natural vistas and precious water supplies are being threatened by rising temperatures and decades of drought, all linked to our over-reliance on fossil fuels.

As stewards of God's creation, we acknowledge our role in the degradation of our natural environment and know we must step up if we want things to change. Supporting Prop 127 is a concrete step to change the trajectory we are on. We ask you to join us in supporting the Clean Energy for a Healthy Arizona initiative.

Rev. Doug Bland, Arizona Interfaith Power & Light

Doug Bland, Tempe

Sponsored by Clean Energy For A Healthy Arizona

Politics is not a spectator sport. Decisions that affect our lives are being made at the ballot box. I believe it is my civic duty to inform you of a very important decision that will impact my children, your children, and all future Arizonans: the Clean Energy for a Healthy Arizona initiative.

As a veteran, a father, and an American, I've witnessed how a single individual can make a world of difference in this country. At a time when so many people feel like today's hostile political environment hinders the chance for any meaningful progress, it has never been more important to provide Arizonans greater access to a seat at the decision-making table. I believe that it is our duty as Americans to bring fellow members of our community into the public discussion and make all of our voices heard.

Please consider this an invitation to make a difference and join me in serving our community by voting "YES" for Prop 127.

– Gabriel R. Escamillo Jr., Veteran

Gabriel R. Escamillo Jr., Glendale
Sponsored by Clean Energy For A Healthy Arizona

Burning coal and fossil fuels for energy releases noxious pollutants into our air and water. That pollution makes the air we all breathe dangerous to our health, affecting our lungs and leading to allergies and respiratory illnesses – and that means more hospital visits and premature death. Pollution from burning fossil fuels also threatens heart health, leading to hardening of coronary arteries and increasing the risk of heart attacks and strokes. When particulate matter pollution goes down, life expectancy goes up. Lung functioning improves and premature deaths are reduced. Those who exercise outdoors in heavily polluted environments have the potential health benefits of exercise offset through the reduction of lung efficiency and increases in airway resistance.

People with weakened immune systems like the elderly and children are at particular risk of illness as a result of pollution from burning fossil fuels. When pregnant women are exposed to high levels of air pollutants their offspring experience higher rates of premature birth and are more likely to experience both increases in childhood asthma and autism spectrum disorder.

Fossil fuel combustion is also bad for our waters. Burning coal releases mercury which falls into our rivers and streams, accumulating in fish and seafood. When people eat fish, the accumulated mercury impairs neurologic functioning in those consumers.

There's a solution: Arizona voters have a chance this November to vote to reduce this pollution by voting YES on Proposition 127. When pollution goes down we live longer, healthier lives.

A recently published study conducted at Harvard University estimated power plant emissions' cost to public health. The results show that expanding renewable energy and employing energy efficiency measures generates the most public health benefits.

Karen Clark, Tucson
Sponsored by Clean Energy For A Healthy Arizona

YES ON PROPOSITION 127
CLEAN ENERGY FOR ARIZONA
ACCOUNTABILITY FOR APS

ARIZONA IS THE SUNNIEST STATE IN THE COUNTRY,
BUT ONLY 6% OF OUR ENERGY IS SOLAR-POWERED – WHY?

APS IS BLOCKING HEALTHY, RENEWABLE ENERGY WITH DIRTY POLITICS.
APS BELIEVES THEY MAKE MORE PROFIT WHEN THEY SELL DIRTY ENERGY.

Arizona has more sunny days than any other state in the nation, and making investments in solar technology is a win for consumers, our state's economy, and our environment. But APS opposes the expansion of solar energy because they admit solar threatens their profits. And they have made it clear they will do anything to protect the \$488 million they made in profits last year alone.

THEIR INVESTMENT IN DIRTY ENERGY MEANS HIGHER BILLS FOR US, WHILE APS EXECUTIVES RAKE IN MILLIONS OF DOLLARS FOR THEMSELVES. IN FACT, LAST YEAR, APS INCREASED OUR RATES SO THEY COULD EARN \$488 MILLION IN PROFIT, GIVING \$290 MILLION IN DIVIDENDS TO SHAREHOLDERS –AND PAYING CEO DON BRANDT \$10 MILLION.

Last year APS nearly doubled the monthly service charge that all customers must pay, regardless of how much energy they use. This rate increase hurts seniors and low-income families the most. Even if they conserve energy, these vulnerable citizens pay more.

YES ON PROPOSITION 127 MEANS CLEAN ENERGY FOR ALL OF US AND LOWER RATES FOR ARIZONA FAMILIES.

Independent studies show that PROPOSITION 127 will save Arizona consumers MORE THAN \$4 BILLION in the next 20 years. Arizona has more sunshine than any other state; our ability to create cheap and sustainable solar power is unmatched.

IT'S TIME FOR APS TO DELIVER CHEAPER ENERGY FOR ALL ARIZONA FAMILIES.
IT'S TIME TO PUT ARIZONA FAMILIES FIRST.
VOTE YES ON PROPOSITION 127.

Bettina Bickel

Bettina Bickel, Glendale
Sponsored by Clean Energy For A Healthy Arizona

As a small-business owner who works hard to keep the lights on, I proudly support Prop 127, Clean Energy for a Healthy Arizona. My reasons are simple, and there are several of them.

First of all, running a small business has taught me to be economical. I am always looking for ways to cut my costs in order to improve the health of my business. This approach applies to electricity. While solar power used to be an expensive source of energy, the price has come down dramatically. Nowadays, building and running a solar power plant is much cheaper than building and running gas-powered plants. Recent news reports demonstrate that new solar plants are producing power for less money than new gas or coal plants. I want my business to save money with cleaner, cheaper electricity.

Second, improving the public health of my community is important to me. With the Arizona Public Health Association and the Arizona Asthma Coalition both supporting this ballot measure, it is obvious that reducing air pollution caused by burning coal and gas would help many families across Arizona. It keeps us healthy and it keeps our bank accounts healthier, too: Families who don't have to spend money on hospital visits because of asthma attacks have money to spend in our local economy.

Third, the solar industry in our country is growing and creating new jobs. These jobs are less dangerous than coal mining, and they also pay well. I see solar and renewable energy jobs as part of Arizona's future, and why we have solar panels on our home too.

I hope you will take these arguments into consideration as you make up your mind about Prop 127.

Jessica Lynn Brosius

Jessica Lynn Brosius, Glendale
Sponsored by Clean Energy For A Healthy Arizona

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ARGUMENTS "FOR"
PROPOSITION 127

Clean Energy = Clean Jobs!

The US Department of Energy reports that in 2016, solar employed 374,000 people for power generation. That's twice as many as oil, natural gas, and coal combined. This isn't about politics--it's about bringing jobs and economic growth to AZ by supporting clean energy.

Arcadia Solar, a great company founded in Legislative District 28, had to lay off 3 crews (of 5 workers each) after the Arizona Corporation Commission changed the rules on net metering. Arcadia has shifted most of their work (and their jobs) to California and Nevada.

By setting clear goals for renewable energy, and ensuing public policy supports those goals, we can support local companies that will bring good jobs back to Arizona. With more average daily sunlight than any other state, Arizona should be leading the nation in promoting solar and clean energy. Clean Energy for a Healthy Arizona will help us do exactly that!

Aaron Lieberman, Candidate for State House of Representatives, Legislative District 28, Phoenix

Sponsored by Elect Aaron Lieberman

Our country should be a world leader in clean energy instead of continuing to depend on fossil fuels from unstable regions. Big oil and coal have protected their profits at the expense of our health and our standing on the world stage. With more sunshine than any other state, Arizona has an opportunity to lead the way towards a cleaner, healthier future - instead of continuing to fall more and more behind.

Let's stand up to corporate interests and lead the way forward by voting yes on Prop 127.

Let's take back our country from the corporations who have polluted our politics and our environment to enrich themselves. We the people will vote "yes" on Prop 127.

Progressive Democrats of America – Arizona

(Dan O'Neal – Arizona State Coordinator - Jenise Porter - Tucson Chapter Coordinator – Patti Serrano – Phoenix / East Valley Chapter Coordinator)

Dan O'Neal, Gilbert; Jenise Porter, Tucson; and Patti Serrano, Gilbert

Sponsored by Progressive Democrats of America

As the sunniest state in the country, we should be leading the way on solar jobs. But right now, Arizona is falling way behind – even losing to states like Massachusetts and Vermont, who are far more known for snow than sun!

This is a huge missed opportunity for our state. Over the last five years, U.S. solar employment has grown nine times faster than the overall economy, but we aren't keeping pace here in Arizona. Investing in renewables by voting for Proposition 127 would mean thousands of new clean energy jobs right here in Arizona – with good wages and benefits.

And these jobs would cross a diverse set of skill sets, from solar installation and manufacturing, to ongoing maintenance and repair, to sales and marketing, and to project development.

Let's take advantage of our sun and start powering more good jobs right here in Arizona.

Vote YES on Proposition 127.

Louis Woofenden
Engineering Director
Net Zero Solar, LLC

Louis Woofenden, Tucson

Sponsored by Clean Energy For A Healthy Arizona

No matter what I do, our APS bills rise. I manage multiple properties where I have implemented energy efficiency measures to cut costs. After conserving about 10% average in efficiency, I have still seen a 7% average increase in billing. It seems that APS is determined to eat away at my bottom line through their own fees. This cumulative effect is difficult for the business community at all levels.

Utility companies like APS told us our bill would go down after the tax cuts, but I have experienced just the opposite. If they're paying lower taxes and we're using less electricity, why is the bill still increasing? The money they pay their executives, shareholders, and lobbyists leaves the consumer out.

I am voting yes on Prop 127 because small businesses can expect to see \$4 billion in savings from abundant, clean energy sources like solar. And I am so fed up with APS telling consumers that our savings will come "some day."

Vote "yes" on Prop 127 to take our power back from APS.

-- Kati Vance

Kati Vance, Laveen
Sponsored by Clean Energy For A Healthy Arizona

As a 23-year resident of Tucson, I have always loved our natural, healthy environment. But both our environment and our community health are threatened by polluted air from dirty fossil fuels, and as an involved member of the community, I am always looking for ways to change that.

So when I was deciding how to vote for Prop 127, I wanted to know how leading health organizations felt about the proposal. I saw that the Clean Energy for a Healthy Arizona initiative has been endorsed by the:

- Arizona Asthma Coalition
- Arizona Public Health Association
- Physicians for Social Responsibility

The Clean Energy for a Healthy Arizona initiative will cut dangerous pollution and help clean up Arizona's air and water. And cleaner air and water will mean fewer trips to the emergency room and lower medical bills.

Please join me and VOTE YES ON PROP 127 for the health of Arizona families.

Russell Lowes
Tucson

Russell Lowes, Tucson
Sponsored by Clean Energy For A Healthy Arizona

Arizona is the sunniest state in the U.S. but only gets six percent of its electricity from solar power. If Proposition 127 passes, utilities will be required to obtain at least half of their electricity from renewable energy sources, such as solar, wind and small-scale hydropower, by 2030. This November, Arizonans have a tremendous opportunity to leverage that sunshine and take control of their energy future by voting yes on Proposition 127. This is a smart choice for consumers because the cost of wind and solar has dropped considerably in recent years, with recent studies showing that Prop 127 will save ratepayers money while also significantly reducing carbon emissions and pollution.

More renewable energy means cleaner air, more affordable power and fewer demands on Arizona's stressed water supplies. The renewable energy development supported by this initiative will provide a significant boost to the state's economy, spur billions of dollars in local investments and create thousands of new jobs.

The state's largest utility, Arizona Public Service, and other business groups prefer business as usual, even if that means building natural gas power plants that are costlier and pollute more. The status quo is a risky path that could leave Arizonans more

vulnerable to higher electricity prices, poor air quality and some of the worst impacts of climate change like extreme heat, drought and wildfires. Fortunately, Arizona voters will have the power to move the state toward a clean energy future this November. I urge you to vote yes on Proposition 127.

Ken Kimmell
President, Union of Concerned Scientists

Ken Kimmell, President, Union of Concerned Scientists, Cambridge

Sponsored by Clean Energy For A Healthy Arizona

APS has been polluting our environment and our politics for far too long. They raise our rates, rack up hundreds of millions in profits, and then spend OUR money to buy political influence so they can raise OUR rates and THEIR profits.

APS has spent millions of dollars on the elections of the Corporation Commissioners who are supposed to regulate them and they're spending millions more fighting this common sense clean energy plan.

It's time for voters to make our voices heard - a "Yes" vote on Proposition 127 will tell APS, "enough is enough!"

We're APS ratepayers and we're voting Yes on Prop 127:

Elizabeth Pawloski

Monica Sandschafer

Ricardo Serna

Jacqueline White

Elizabeth Pawloski, Phoenix; Monica Sandschafer, Phoenix; Ricardo Serna, Phoenix; and Jacqueline White, Tempe

Sponsored by Clean Energy For A Healthy Arizona

Arizona, a fifty percent renewable goal by 2030 is doable and necessary. From the Chiricahuas to the Grand Canyon, from the White Mountains to the Colorado River, the bright sun smiles on you year round. Your peoples, animals, cactuses, forests and deserts, your mountain and canyon vistas – even your past and future – are more beautiful when your skies are clear, your mind forward-looking, and your footprint gentle and respectful.

Arizona, you are at a crossroads. Your aquifers and reservoirs are down. Your temperature is up. Ozone has injured your lungs. Take your temperature. Give yourself care. Be competent in loving the life within and around you. Your fever is not over, but will continue to rise as the atmosphere, oceans and other vital systems fight off their most severe carbon infection in several million years.

Arizona, you can help win this fight for present and future generations, first by cleaning up electric power production systematically, efficiently, decisively and affordably: solar by day, storage helping out after dark. Approving the Clean Energy for a Healthy Arizona initiative will free you from the fossilized leadership that has jeopardized your dignity, health and survival. May the bounteous sun empower you, and may life's beauty inspire your zeal and creativity in this endeavor.

Duane Ediger, Power Generation for Generations to Come, Tucson

Voting yes on Prop 127 will move Arizona to 50% renewable energy by the year 2030. Transitioning to clean, affordable, and renewable energy will have enormous benefits to our state. Increasing our use of solar power is also common sense in the sunniest state in the country.

Only 6% of our electricity is currently generated from solar. Prop 127 will ensure that we take full advantage of this unlimited free resource that is Arizona sunshine.

In addition to more solar power, Prop 127 will eliminate millions of tons of dangerous pollution from our air, reducing the instances of asthma. Everyone has a right to clean air and water and we must all do our part to leave behind a healthy environment

for future generations. This responsibility should not fall solely on the backs of Arizona families. For too long, big utility companies like APS have shirked their responsibility while raking in record profits. Last year, Arizona's largest utility company APS made over \$488 million in profits while refusing to invest in clean energy. Prop 127 will make sure they do their part to build a clean energy future.

Research shows that Prop 127 will save Arizonans more than 4 billion dollars by 2040.

Utilities like APS may tell you otherwise, but that's because they make higher profits when they burn dirty energy.

So the bottom line is that we can have cleaner, healthier, and more affordable energy simply by VOTING YES ON PROP 127.

Join the organizations you trust:

Arizona Asthma Coalition

Physicians for Social Responsibility

Chispa AZ

Natural Resources Defense Council

Conservative Alliance for Solar Energy

Arizona Building and Construction Trade Council

And hundreds of others by supporting Prop 127 for clean energy for a healthy Arizona!

Jim Mapstead, Phoenix

Sponsored by Clean Energy For A Healthy Arizona

The burning issue before us today is whether Arizona will mitigate its share of the climate change problem in the next twelve years when the margin of acceptable emissions closes. For too long industry and government officials at every level have demonstrated their willful disregard of climate science findings by not moving decisively to accelerate the drawdown of carbon from our atmosphere. We have no other choice but to amend the Arizona Constitution to require sufficient progress toward meeting our global responsibilities.

As a contributing author of a comprehensive 1974 study at the University of Pennsylvania which showed the feasibility of transitioning from fossil fuels to clean renewables and as past-chair of the Tucson-Pima Metropolitan Energy Commission, I have since witnessed mostly denial, excuses, and delay in acting on our energy challenges. While we have made some progress in the efficiency of buildings, we are still way behind in power generation, water delivery, and transportation energy use.

If we are to have any plausible chance of avoiding catastrophic levels of warming, carbon dioxide emissions need to be driven to near zero levels before mid-century, particularly for the industrialized countries.

Instead of moving directly to renewables we are told that investing in natural gas will provide a safe transition. Nonsense! Natural gas does produce less carbon dioxide than coal when combusted but natural gas is mostly methane, a major greenhouse gas, capable of trapping 86 times as much heat as carbon dioxide in the first 20 years. That is why methane is now a global warming "amplifier." The leaking and venting of unburned gas by the oil and gas industry makes natural gas even worse for the climate than coal.

So folks, let's stop flirting with disaster and Vote YES on Prop 127.

Robert Cook, Tucson

Clean up the ACC swamp

The framers of the Arizona Constitution might have opposed an initiative like this, because they were intent on creating an empowered independent body free from the influence of powerful monopolies and their lobbyists. The founders wanted ACC commissioners to be accountable to the voters so they made the Commission an elected office.

But APS has broken with the tradition of staying out of ACC races. CEO Don Brandt created a scheme to siphon money paid by ratepayers into dark money conduits that finance APS candidates for the Commission. Candidates themselves may spend thousands to get elected, while APS and affiliates spend millions to pick who they want to set your electric rates.

Every single elected commissioner sitting on the ACC today was an APS-financed candidate.

Only Commissioner Bob Burns sought to require disclosure of the monies spent to elect commissioners. His four colleagues all voted against disclosure.

Elections have consequences. In this case, higher rates for consumers, more profits for investors, bigger executive paychecks, dirty power plants staying on-line longer, and slow-walking the development of Arizona's bountiful solar resources.

The commission is a roiling mess. Conflicts routinely pop up. Recently the commission's executive director had to resign when it was revealed that his wife was working for APS even though the arrangement is clearly prohibited.

As I write this, a former commissioner, his wife and utility CEO await a jury verdict on bribery charges.

It's difficult to trust the decisions coming out of today's ACC. Fortunately the founders realized there might be times when citizens themselves might right matters.

This initiative will help the transition to a more sustainable cleaner future. We need not be victims. Together we can take responsibility for our future.

Vote Yes.

Renz Jennings
ACC member, 1985-1999

Renz Jennings, ACC Commissioner, 1985-99, Phoenix

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ARGUMENTS "FOR"
PROPOSITION 127

ARGUMENTS “Against” PROPOSITION 127

Vote NO! Keep electricity prices low

Arizona voters: Beware!

California billionaire Tom Steyer thinks you don’t pay enough for electricity. Under the guise of “green energy,” he’s spending millions to trick you into amending the Arizona Constitution with heavy-handed regulations that match those in California ... where electricity is 50% more expensive than here in Arizona. If his proposal passes, experts say it will double electricity rates for the typical Arizona family. The added cost would average \$1,200 per year – and much more for many families. This is a burden families cannot afford. It amounts to a new energy tax on consumers and businesses. An economic-impact study by ASU found the initiative will kill thousands of jobs, reduce the earnings of Arizona workers and weaken our economy just as many people are recovering from the Great Recession. Arizona public schools will also be hurt. The increased price of electricity will mean hundreds of millions of dollars each year in added costs to heat and cool classrooms. This is money better spent improving teacher pay, reducing classroom sizes and making sure students have the textbooks, equipment and technology they need. Don’t be fooled – this initiative will do nothing to reduce pollution or improve public health. An independent analysis found the proposal will have “no effect at all” on air pollution for most Arizona families and “no measurable impact on asthma rates” and other illnesses. Ironically, the proposal will force the closure of Palo Verde Nuclear Generating Station, the nation’s largest source of clean, sustainable electricity. Arizona is making progress on clean energy, but let’s be smart. Keep California-style regulations OUT of our Arizona Constitution.

VOTE NO on the energy initiative.

Matthew Benson, Arizonans for Affordable Electricity, Phoenix

Sponsored by Arizonans for Affordable Electricity

A liberal San Francisco billionaire and his group – NextGen America – are funding this ballot initiative. Of course, this mandate won’t affect the backers of the measure, since NextGen is a California-based organization funded by liberal billionaire Tom Steyer. It doesn’t matter to him or NextGen that draconian renewable energy mandates will harm hardworking families and small businesses in Arizona. They like the idea that rural communities will pay a steep price as a result of sky high energy prices and hefty job losses due to the shuttering of Arizona’s coal power plants. The intellectual dishonesty surrounding this measure is offensive. Making the initiative even more destructive is that it does NOT include nuclear power. This means that one of our most reliable, sustainable and clean sources of power (Palo Verde Nuclear Generating station) would not count toward the mandate. Additionally, Compliance with the 50 percent mandate is anticipated to result in an average utility rate increase of \$1,250 per year for Arizona families. Just as absurd, the language exempts SRP (Arizona’s largest carbon-emitting utility) from the energy mandate. This is grossly unfair, and likely was done to reduce their political opposition at the ballot box. The reality is this measure isn’t about improving our environment or making Arizona healthier. This is a power play by wealthy California interests that see our state as an easy target for their liberal ideas. To them, spending a couple million dollars sneaking their renewable mandate into Arizona’s constitution is a drop in the bucket compared to the hundreds of millions Steyer has spent the last two election. NextGen doesn’t have any real grassroots support, so they have brought in an out of state consultants to help pass the measure. We urge Arizona residents to tell NextGen to take their liberal ideas back

Scot Mussi, President, Arizona Free Enterprise Club, Phoenix

Sponsored by Arizonans for Affordable Electricity

This amendment to Arizona’s Constitution would place unreasonable mandates on Arizona communities, and is not aligned with Arizona’s previously established renewable energy goals, which Arizona is on track to meet. If passed, the measure would dramatically harm Arizona’s competitiveness, put our utilities’ reliable delivery of power at risk, and would send the wrong message about Arizona’s economic development environment. If this mandate were to be enshrined in the state constitution, it would mean dramatically higher energy prices – estimates are that corporate and industrial rates would rise over 100 percent, and residential ratepayers would see an average annual increase of \$1,250 – which would create a significant drag on the overall economy and reduce the state’s competitive standing. The proposed standards undermine the current energy structure, which is built upon facilities such as the Palo Verde nuclear plant. Palo Verde is the country’s largest supplier of carbon-free energy and employs over 3,000 Arizona workers, but its contributions to Arizona’s energy portfolio would not count toward the initiative’s proposed mandates. The mandates would also force Arizona residents to pay hundreds of millions of dollars for the construction of new, carbon-emitting natural gas plants that would be necessary to generate electricity when the sun is not shining and wind is

not blowing. The initiative would require that 20 percent of utilities' renewable generation come from rooftop solar, which is the most expensive and least efficient form of solar. VOTE NO ON PROP127.

Glenn Hamer, President & CEO, Arizona Chamber of Commerce and Industry, Phoenix
Sponsored by Arizonans for Affordable Electricity

As a Democrat, I recognize my opposition to this initiative puts me at odds with some of my colleagues. We all share a common goal of cleaner air and increased reliance on renewable energy, but it's important we do it the right way. That means bringing everyone together so we can create an Arizona energy plan that works for Arizona families. It's notable that this initiative is anything but an Arizona product. This proposal is being forced on our voters by somebody who has no one's interests in mind but his own. He and his political strategists have created this initiative as a mirror image of a regulation already adopted in their home state. But I don't believe a California plan is necessarily the right fit for Arizona. Arizonans should be careful. If voters approve this initiative, it will be locked into the Arizona Constitution and virtually impossible for policymakers to make corrections or account for changes in technology or the marketplace. Arizona families will get stuck paying the bill for generations to come. VOTE NO ON PROP127.

Cesar Chavez, State Representative, Phoenix, Arizona House of Representatives, Phoenix
Sponsored by Arizonans for Affordable Electricity

As an elected official, I have a responsibility to protect my constituents from unaffordable electric rates and unreliable electric service, both of which are likely outcomes should this initiative pass. The initiative would force utilities to pay higher costs for renewable energy, which by law would be passed on to you, the consumer. In addition, because renewable energy is less reliable than conventional energy, the initiative's unusually high and inflexible 50% renewables mandate would destabilize the electric grid, potentially subjecting us to brownouts and blackouts. The high electric costs that the initiative would create would also have a negative impact on manufacturing and retail businesses throughout Arizona, which would hurt economic development and cost Arizona jobs – maybe your job or the job of a family member. Arizona already has a renewable energy mandate in line with what many states have adopted. In addition, as renewable energy becomes more affordable to produce and reliable to deliver, that mandate will be increased. Renewable energy is the future and Arizona will get there. But we need to be guided by what is in our own best interests and not the interests of out-of-state activists, who will not suffer from the negative effects that rushing into an excessively high renewable energy mandate will create.

John Kavanagh, State Senator, Fountain Hills, Arizona State Senate, Fountain Hills
Sponsored by Arizonans for Affordable Electricity

The energy ballot initiative is counterproductive to the strategies the East Valley Partnership has employed to promote and create growth, economic development and opportunity for PHX East Valley businesses and families. At the same time businesses are fleeing from California's unwelcoming regulatory environment, outside interests are spending a small fortune in Arizona to pass a mirror image of what's already the law in California. Arizona currently is on track to meet its own renewable energy goals – and is investing significantly in energy storage and other clean technologies in a way that fosters job growth, supports businesses and protects families from sky-high utility bills. If approved, this initiative would mandate in the Arizona Constitution that public utilities obtain at least 50 percent of their power from renewable sources by 2030, not including nuclear. Studies show this would cost Arizona thousands of jobs, devastate our state economy and double the monthly electricity bill for the average Arizona family – all while having little to no impact on improving air quality or public health. This initiative runs counter to our mission to advance the PHX East Valley's position as one of the most vibrant and innovative growth centers in the nation. That's why we're joining business and community leaders across Arizona in voting NO on this costly initiative.

Denny Barney, President & CEO, East Valley Partnership, Mesa
Sponsored by Arizonans for Affordable Electricity

Flagstaff voters beware: California billionaire Tom Steyer is parachuting into Arizona and spending millions of dollars to bring California's expensive, burdensome and overreaching energy regulations to Arizona. Under the guise of "Clean Energy," Steyer, who made his fortune in coal, is pushing a proposal that would change the Arizona Constitution and mandate that public utilities derive at least 50 percent of their power from renewable sources (not including nuclear) by 2030. If approved, studies show this onerous, costly proposal will double electricity rates for the typical Arizona family. The added price tag would average \$1,200

per year. Rural Arizonans, particularly our friends and neighbors in northern Arizona, will pay a stiff price as the initiative could force the closure of Palo Verde Nuclear Generating Station – our nation’s largest producer of reliable clean energy, our state’s single largest taxpayer and a vital Arizona employer. Passing this initiative is a mistake we cannot afford to make. On behalf of Flagstaff families, small business owners and future economic development, the additional costs are a burden we cannot bear and we therefore oppose this energy initiative. Keep California laws in California.

Julie Pastrick, President & CEO, Greater Flagstaff Chamber of Commerce, Flagstaff
Sponsored by Arizonans for Affordable Electricity

This ballot initiative would impose an inflexible renewable energy mandate that would raise electricity costs for IBEW members and Arizona families. One estimate found that utility rates would double for the average household, which concerns us greatly at a time when many families continue to struggle. Economically, a recent analysis by the Seidman Research Institute at Arizona State University indicated this initiative would cost thousands of Arizona jobs. Simply put, working families represented by IBEW Local 387 would be hurt by this proposal. This initiative is NOT an Arizona idea. A California billionaire and environmental activist named Tom Steyer is spending millions of dollars in an attempt to fool Arizona voters into locking California energy policy into our State Constitution. It’s worth noting that California utility bills are 50% more expensive than our own. For these reasons, IBEW Local 387 strongly opposes the “Clean Energy for a Healthy Arizona” ballot measure.

G. David Vandever, Business Manager, IBEW Local 387, Phoenix
Sponsored by Arizonans for Affordable Electricity

Make no mistake: this California-conceived energy initiative is not about improving our air quality or making Arizona a healthier place to live. In fact, study after study has shown that – not only will this proposal do more harm than good for the environment – it will also result in lost jobs, cause irreparable economic damage and hurt hardworking Arizona families and business owners – including the industry men and women we represent. Rural Arizonans in particular will pay a steep price as power plants throughout the state will be forced to close if this initiative is approved. That includes Palo Verde Generating Station – one of our most reliable and sustainable clean sources of power, a critical employer of thousands and Arizona’s single largest taxpayer. San Francisco billionaire Tom Steyer is spending millions of dollars to influence our elections and make Arizona’s regulatory environment more like California’s, where electricity rates are 50 percent higher than they are here. We are proud to be among the growing coalition of Arizona organizations banding together to tell Steyer: Arizona is NOT for sale. Please join us in rejecting this costly initiative. Vote no on Prop. 127.

Bas Aja, Executive Vice President, Arizona Cattle Feeders’ Association, Phoenix
Sponsored by Arizonans for Affordable Electricity

We have a California billionaire dumping millions of dollars into our state, seeking to pass an initiative that would devastate our economy and slam the brakes on the prosperity and growth that we are enjoying under Governor Ducey. The Clean Energy Initiative is the brainchild of leftwing Californian Tom Steyer, who has pledged to spend over \$25 million in Arizona in an attempt to force his agenda down the throats of Arizona taxpayers and voters. Independent analysts have concluded that the Steyer initiative would burden Arizona with a tremendously costly mandate which would directly result in a massive spike in electricity bills, particularly on lower-income Arizonans. Further, the initiative would require Arizona utilities to shut down power plants that have been providing safe, affordable, and reliable energy for decades, costing taxpayers tens of millions of dollars in lost tax revenue and hundreds of high-paying jobs. Arizona Republicans are united: we are not going to allow our state to become a playground for a California billionaire. Tom Steyer is a bully who may be used to getting his way, but Arizona Republicans are fighting back. Tom Steyer may have more money, but we have the grassroots energy and the determination to stop this disastrous initiative before it can harm Arizonans. VOTE NO ON PROP127.

Jonathan Lines, Chairman, Arizona Republican Party, Phoenix
Sponsored by Arizonans for Affordable Electricity

What good is renewable energy if it comes at a crippling cost to Arizona families? As a Democratic legislator, that’s the question I find myself asking now that a statewide initiative is on the November ballot. Arizona voters are being asked to enshrine in our Arizona Constitution an inflexible mandate that public utilities derive at least 50 percent of their power from renewable sources by 2030. That sounds great – until you get to the details. The costs of this initiative would be passed along to ratepayers:

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

Arizona families. That amounts to a massive new tax on electricity – and one that would be simply too much for many families to bear. Consider that the median household income in Arizona is just over \$50,000 a year, according to the U.S. Census Bureau. Nearly one in five Arizonans live in poverty. I’m especially concerned about the working class and largely Latino neighborhoods I represent across south Phoenix and the West Valley. Low-and fixed-income families are struggling as it is. We all support renewable energy, but we need to pursue more thoughtful policies that protect Arizona families. VOTE NO ON PROP127.

Robert Meza, State Senator, Phoenix, Arizona State Senate, Mesa
Sponsored by Arizonans for Affordable Electricity

Placing renewable energy mandates in the Arizona Constitution is irresponsible and wrong. The measure is simply bad for the Arizona economy. It would require utility companies to obtain 50% of their energy from renewable sources by 2030, which means higher utility bills for Arizona families and businesses. We want Arizona to continue to be a place people want to locate and visit. Vote no on Prop. 127.

Kim Sabow, President & CEO, Arizona Lodging and Tourism Association, Phoenix
Sponsored by Arizonans for Affordable Electricity

Everyone supports clean energy, but Arizona families and employers need power that is also reliable and affordable. The ‘Clean Energy for a Healthy Arizona’ initiative fails this all-important test. The ballot measure mirrors energy regulations already enacted in California, where electricity rates are 50 percent higher than Arizona. This would create a hardship for small businesses and higher costs for consumers. Indeed, an economic-impact study by ASU found the initiative would cost thousands of jobs. These should be red flags for anyone considering supporting this proposal. Ironically, my own energy-efficiency company – Occam Sustainability Partners – might actually see increased business if the initiative were passed into law. However, I cannot ignore the damage this measure would have on Arizona’s economy. Renewable energy may be the future, but it must be done right. That means an Arizona-based plan that takes into account Arizona’s unique needs – not regulations cut-and-pasted from California law. Please join the Black Chamber of Arizona in opposing this initiative.

Robin Reed, President & CEO, Black Chamber of Arizona, Phoenix
Sponsored by Arizonans for Affordable Electricity

California billionaire Tom Steyer is trying to convince Arizonans that we need a costly new renewable energy mandate. The innocuously titled “Clean Energy for a Healthy Arizona” mandate would amend the Arizona Constitution to require that utilities derive half of their electricity from renewable sources, such as solar and wind, by 2030—a drastic increase from Arizona’s current 15 percent renewable energy goal. Currently, Arizona utilities operate with a mixture of renewable energy, carbon-free nuclear power, and natural gas. The debate is not whether we should or should not be looking to renewable energy for our state’s future—the issue is with forcing Arizona’s taxpayers to implement a program that is not fiscally sound. A recent study conducted by Arizona State University’s Seidman Research Institute yielded concerning consequences if the Clean Energy mandate passes: a \$72.5 billion loss in Gross State Product, a \$42.6 billion in loss of disposable personal income, a loss of 547,000 job years over the 43 year time horizon, a \$3.5 billion loss in state taxes, and a \$2.30 billion loss in local tax. Perhaps the most disturbing consequence is the impact on Arizona’s schools. Aside from school districts paying almost double for electricity, they stand to lose more than \$858 million in property tax revenues. Ultimately, of course, Arizona taxpayers would be forced to make up this difference in revenue, devastating our state’s already fragile economy. Vote NO on Prop 127”

Victor Riches, President & CEO, Goldwater Institute, Phoenix
Sponsored by Arizonans for Affordable Electricity

Affordable, reliable energy is critically important to Southern Arizona families and small-business owners. That’s why the Tucson Hispanic Chamber of Commerce is OPPOSING the ‘Clean Energy for a Healthy Arizona’ initiative. If approved by voters, this misnamed proposal will mean dramatically higher electricity costs for residential homes and our small businesses. TEP estimates an average \$500 annual increase on every home and more than \$3400 annually for a typical business! This will also result in the closure of the nation’s largest source of emissions-free power: Palo Verde Nuclear Generating Station. We want our community to know that California billionaire, political activist Tom Steyer’s initiative will bring to Arizona the same energy regulations already in place in California, where electricity rates are 50 percent higher than our own. Our Chamber is generally opposed to outside groups leading citizen initiatives that modify Arizona’s constitution without regard to the impact on Arizona’s residents. This is

the last thing our economy needs. Our local Tucson Electric Power is already making significant investments in renewable power, and has nearly doubled the output required under the current Arizona Renewable Energy Standard. TEP expects to add another 800 MW of renewable capacity by 2030, and is investing significantly in energy storage and other clean technologies. This is the smart way to ensure Tucson families have access to energy that is clean, reliable and affordable. On behalf of the business owners and employers who make up the Tucson Hispanic Chamber of Commerce, we urge Southern Arizona voters to join us in VOTING NO on this initiative.

Laura Paredes Oldaker, Chairwoman, Tucson Hispanic Chamber, Tucson

Sponsored by Arizonans for Affordable Electricity

As a lawmaker from Southern Arizona, I am committed to protecting Arizona ratepayers from this initiative that seeks to place unrealistic renewable mandates on Arizona public utilities and is funded by California billionaire Tom Steyer. The consequences of complying with these unrealistic mandates would be catastrophic to Arizona – electric bills would skyrocket, tens of millions of dollars in tax revenue would be lost, thousands of jobs would go away, Arizonans would be forced to spend hundreds of millions of dollars to construct new power plants, and the state’s economic competitiveness would be severely jeopardized. I’m proud to stand up for Arizonans by standing up to California billionaire Tom Steyer and telling him: Arizona’s constitution is not for sale! VOTE NO ON PROP127.

Vince Leach, State Representative, SaddleBrooke, Arizona House of Representatives, Tucson

Sponsored by Arizonans for Affordable Electricity

As the leading business voice of Greater Yuma, we join chambers and economic development champions across the state in opposing the costly and unnecessary energy ballot initiative. As we work to advocate for business owners and families throughout the region to keep taxes low, government small and improve quality of life for all, California billionaire Tom Steyer is spending millions to impose expensive, job-killing energy regulations that will hurt Yuma families, cost jobs and weaken our ability to compete in the national and global economy. Voter approval of this initiative would mandate in the Arizona Constitution that public utilities derive at least half of their energy from renewable sources – excluding nuclear – by 2030. For Arizona, this amounts to higher utility bills (it’s estimated monthly energy bills will double for the average household), lost jobs and revenue, and a less reliable and affordable energy future. This type of policy should not be decided at the ballot box, and it should not come from out-of-state political activists at the expense of Yuma families and businesses. VOTE NO on this initiative!

John Courtis, Executive Director, Yuma County Chamber of Commerce, Yuma

Sponsored by Arizonans for Affordable Electricity

On behalf of the community, business and education leaders that make the West Valley a premier place to live, work and start a business, we firmly reject the costly energy initiative being led by a California billionaire. As we work to create and support pro-growth policies that enhance economic development, opportunity and quality of life in our communities, this proposal represents a major step backward for West Valley businesses and families. We understand and embrace the need for a dynamic and reliable energy portfolio, and we’re proud that Arizona is on track to meet our previously established renewable energy goals. But the mandates in this initiative – a mirror image of the regulations that continue to drive businesses out of California – will only serve to discourage business growth, hurt ratepayers and threaten the affordability and stability of Arizona’s energy future. This is bad for families, bad for the economy, bad for the West Valley and wrong for Arizona. Arizona is NOT FOR SALE. Vote no on Prop. 127.

Sintra Hoffman, President & CEO, WESTMARC, Glendale

Sponsored by Arizonans for Affordable Electricity

Steyer’s “Clean Energy” Initiative is Bad for Taxpayers.

In 2000, a multi-millionaire from Texas decided to use Arizona as his personal Guinea pig to advance a statewide ballot initiative in Prop 107 that would have devastated Arizona’s public finance system. Like Prop 107, the Arizona Tax Research Association (ATRA) strongly opposes Tom Steyer’s meddling with Arizona policymaking. The initiative will have a profound impact on the capital investment and production costs for Arizona utilities which will require significant rate increases on customers. It will impact Arizona’s public finance system significantly— both in the taxes public utilities pay to state and local government as well as increased costs for utilities for Arizona governments. The loss in property tax revenue will likely result in a combination of

budget cuts and increased property tax rates on homeowners and businesses.

Bad for K-12 Schools and Local Government:

In addition to significantly increasing utility costs on Arizona homeowners and businesses, it will also drive up utility costs for state and local governments. Utility costs for K-12 schools are estimated to double by 2030. In the APS service territory alone, the cost to K-12 budgets are estimated to climb \$50 million annually by 2030. With budgets limited by state law, these increases will come at the expense of other priorities like teacher pay and student-teacher ratios. Utility increases for other local governments like counties, cities and community colleges could easily result in tax increases— further aggravating the economic damage of the initiative.

The on-going effort to diversify our energy portfolio in Arizona should not be advanced in isolation of its impact on the Arizona economy, Arizona taxpayers, and Arizona local governments. This extraordinarily irresponsible effort should be rejected by all Arizonans.

Kevin McCarthy, President, Arizona Tax Research Association, Gilbert

Sponsored by Arizona Tax Research Association

The renewable energy proposal isn't about being for or against environmental issues. It isn't about corporations or politics. It's about the proposed thresholds being poorly analyzed and the Arizona economy being harmed as a result. The 50% renewable requirement by 2030 is inconsistent with how the economy creates jobs and generates income. Things work best when a proper balance is found between taxing and spending. When we spend it needs to be on productive inputs like education, roads, and public safety, among many other things. The initiative would have the same impact as a massive tax increase, but we would get nothing new in return. The state's energy infrastructure already works well. Replacing something that currently works when we have limited resources and needs in other areas is bad public policy. This is the most wasteful economic proposal I have seen in my 20 years working as an economist. We can indeed analyze this issue properly in the coming years and create policy that benefits everybody. This initiative is not the solution.

Jim Rounds, President, Rounds Consulting Group, Tempe

Sponsored by Arizonans for Affordable Electricity

Valley Partnership, a premier leader in Arizona real estate development, strongly opposes the "Clean Energy" ballot initiative. This measure – created by Bay Area hedge-fund billionaire Tom Steyer – is a carbon copy of energy policy already on the books in California, where electricity costs are 50 percent higher than they are in our state of Arizona. If approved, Arizona's Constitution will be amended with job-killing, rate-raising mandates that will double residential, commercial, and industrial energy costs. This will hurt families, harm industry, and weaken our economy. It is no accident California residents and businesses are fleeing the Golden State for the Grand Canyon State; continually rising housing prices and an unwelcoming business environment have helped make California one of the most unaffordable states in the country to make a living. There is not an example we should aspire to follow or support. Arizona is making progress when it comes to renewable energy, and we're doing it on our own terms – in a way that promotes growth, protects hardworking Arizonans and moves our economy forward in a responsible manner. This initiative would be an irresponsible and irreversible step in the wrong direction.

Cheryl Lombard, Esq., President & CEO, Valley Partnership, Phoenix

Sponsored by Arizonans for Affordable Electricity

As a longtime rancher and representative of rural Arizona, I know firsthand how hard the people of my district work to make ends meet. Constituents in areas I represent would be hardest hit by the massive cost of complying with the so-called "Clean Energy" initiative – residential bills would double, power plants would close, and the state's economic competitiveness would be severely weakened. We shouldn't allow a California billionaire to circumvent Arizona's structure for regulating utilities, which has provided Arizona residents with some of the safest, most reliable, and affordable energy in the country for over 100 years. Arizonans should reject the effort of out-of-state interests to force economically devastating energy policy on our families and businesses. I encourage all Arizonans to vote no on Prop 127.

David Cook, State Representative, Globe, Arizona House of Representatives, Globe

Sponsored by Arizonans for Affordable Electricity

The Buckeye Valley Chamber of Commerce strongly opposes a ballot initiative that would raise energy costs on Arizona families, kill thousands of jobs and inflict significant damage upon our local and state economy. The so-called “Clean Energy for a Healthy Arizona” initiative – led and financed by San Francisco billionaire and political activist Tom Steyer – would mandate in the Arizona Constitution that public utilities derive at least half of their power from renewable resources by 2030. If approved, these inflexible mandates will mean increased electricity bills – approximately \$1,200 in added costs each year for the average family. Higher energy bills hurt employers and are a drag on the economy. Most devastating to those of us in the West Valley, experts say passage of the initiative will force the closure of Palo Verde Nuclear Generating Station, as the proposal doesn’t consider emissions-free nuclear a ‘clean’ energy source. Palo Verde employs thousands of workers, many of whom live in our community, and is the nation’s largest provider of carbon-free electricity. The Buckeye Valley Chamber of Commerce is proud to join community and business leaders across Arizona in urging voters to oppose the energy initiative. Protect Arizona families. Protect Palo Verde Nuclear Generating Station.

Deanna Kupcik, President & CEO, Buckeye Valley Chamber of Commerce, Buckeye

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The Greater Phoenix Chamber of Commerce stands with Arizona’s business leaders and hardworking families in firm opposition to the “Clean Energy” ballot proposal. This initiative, filed by an out-of-state group funded primarily by California billionaire Tom Steyer, would amend Arizona’s State Constitution to require that public utility companies obtain half of their energy from renewable sources in less than twelve years’ time. If approved, these mandates will cost Arizona thousands of jobs, double energy costs for the average family and weaken Arizona’s economic competitiveness. The Greater Phoenix region has one of the largest sources of clean energy in the country. Putting that needed and reliable energy supply at risk is not in the best interest of the state. Further, the Arizona Constitution is not the place to mandate regulatory energy policies that cannot be modified without going back to the voters for the simplest of changes. If we approve these costly regulations, we’ll be stuck paying the price for generations to come. The Chambers urges voters to see through this so called “Clean Energy” amendment and leave Arizona energy policy in the hands of those who know it best – Arizonans.

Todd Sanders, President & CEO, Greater Phoenix Chamber, Phoenix

Sponsored by Arizonans for Affordable Electricity

I have a proud and proven history of fighting for my constituents. I also know bad policy when I see it – and Tom Steyer’s “Clean Energy” scheme is the Trojan horse of ballot initiatives. Don’t be deceived by the name; experts have found it will have virtually no impact on air quality, asthma rates or ER visits. It will, however, have a devastating impact on Arizona jobs, families and the state economy. This initiative was made in California, by California – and it’s being brazenly peddled by a San Francisco billionaire with a political agenda. If approved, the measure will enshrine in Arizona’s Constitution burdensome and binding energy regulations that mirror those in California – where electricity rates are 50 percent higher than in Arizona. The typical Arizona household will see its monthly utility bill double – amounting to an added \$1,200 blow annually to the average family’s checkbook. This is an expense families in my district – many of whom are on fixed incomes – simply cannot afford. The measure will weaken our economy – killing jobs, reducing earnings and costing crucial revenue to the state. Public education will be among the hardest hit, as hundreds of millions of dollars that should be going to teachers and classroom learning will now be spent on heating and cooling our schools. As a former Arizona state legislator – and a current member of the U.S. House Subcommittee on Environment – I understand the recklessness of placing technological constraints within the Constitution. Energy policy should not be set via the ballot box – least of all policy that will hurt Arizona for generations to come. I have a responsibility to protect the constituents of my district and the people of Arizona. That’s why I’m voting NO on this costly, bad-for-Arizona proposal.

Debbie Lesko, Congresswoman, United States House of Representatives, Peoria

Sponsored by Arizonans for Affordable Electricity

This initiative will raise rates on everyone and I personally urge you to vote against it. It sounds nice to require utilities to install massive amounts of “green energy” sources, but those sources must be backed up by existing sources because solar and wind are not 100 percent reliable. Utilities are guaranteed by law to recoup their investments. The money invested in these massive projects will come out of your pocket, not the utilities’ pockets. Please do not vote in favor because we won’t like the high costs it will place on all of us.

Russell McCloud, Supervisor, Yuma County, Yuma
Sponsored by Arizonans for Affordable Electricity

The La Paz Economic Development Corporation strongly opposes the ballot initiative from California billionaire Tom Steyer. The renewable energy mandates would be devastating to the Arizona economy. I urge you to support your local Arizona utility providers and vote no on the initiative.

Vincent “Skip” Becker, President and CEO, La Paz Economic Development Corporation, Parker
Sponsored by Arizonans for Affordable Electricity

As a state elected official and small business owner, I have a tested track record of supporting pro-growth, fiscally-responsible policies that strengthen Arizona’s business climate and move our economy forward. The “Clean Energy” ballot initiative does not fit the bill. In fact, if approved, the proposal will weaken Arizona’s economic standing for generations to come – costing thousands of jobs, forfeiting billions of dollars in lost revenue to the state, and resulting in a more expensive and less reliable energy future for Arizona. This initiative was created by San Francisco billionaire Tom Steyer as a replica of energy regulations already in place in California, where electricity is 50 percent more expensive than it is here. If approved, it will significantly raise utility rates on Arizona families and businesses, with the average household paying an additional \$1,200 per year for electricity. This is a burden my constituents – many of whom are seniors living on fixed incomes – cannot afford. To make matters worse, passing these costly regulations at the ballot box means they will be locked into the Arizona Constitution for good – making it virtually impossible for lawmakers to repeal the measure down the road. That’s why we must stop this initiative now. I urge my constituents and all Arizona voters to join me in sending these harmful, wrongheaded energy regulations back to California. VOTE NO.

Rick Gray, State Senator, Sun City, Arizona Senate, Sun City
Sponsored by Arizonans for Affordable Electricity

For more than 70 years, the Greater Phoenix Urban League has worked tirelessly to support and improve the quality of life in the Phoenix community. The “Clean Energy” initiative represents an affront to these efforts and, more importantly, to the disadvantaged families and individuals we serve. This ballot measure is written with no understanding of our communities’ needs and hardships, and no care or concern for the repercussions this proposal will have on Phoenix-area families and small businesses. If approved, this initiative could double electricity rates for the average household - raising the typical Arizonan’s utility bill approximately \$1,200 per year, and possibly much more. Experts also note that, down the line, the measure will eliminate hundreds of millions of dollars away from the classroom in order to pay for the increased costs of heating and cooling our schools. We all support clean energy and healthy communities, but costly constitutional mandates that place an undue burden on Arizona families - especially those already in precarious financial situations - would be an enormous step in the wrong direction. That’s why the Greater Phoenix Urban League strongly opposes this initiative.

George Dean, President & CEO, Greater Phoenix Urban League, Phoenix
Sponsored by Arizonans for Affordable Electricity

I have served and represented Arizona’s West Valley in the State Legislature since 2005. I have a proven track record of fighting for my constituents and championing fiscally-responsible legislation that supports business owners and protects taxpayers. I can say with certainty that this “Clean Energy” initiative is one of the most backwards, irresponsible and economically-unsound ballot measures I’ve come across during my tenure in elected office. Perhaps that’s because it’s a product of Tom Steyer – a San Francisco billionaire and political activist who created this initiative to mirror energy regulations in his own state, where energy costs are 50 percent above what they are here. Steyer has pledged to spend millions of dollars in Arizona to influence our voters to approve costly mandates that will raise utility rates, destroy thousands of jobs and make our business environment almost as unwelcoming as California’s. Specifically, studies show that, if approved, the average Arizona family will see its monthly electric bill more than double; annually, that amounts to \$1,200 or more in added energy expenses. For my constituents in Sun City West and surrounding communities – many of whom are seniors on fixed incomes – these are costs they cannot and should not be forced to bear. It’s important to note that, if approved, these regulations will be sealed into Arizona’s Constitution – making it nearly impossible for me, my fellow lawmakers and future legislatures to repeal the law and undo the inevitable damage it will

cause. That's why we MUST stop this at the ballot box. Please join me in voting NO on this reckless initiative.

Judy Burges, State Senator, Sun City West, Arizona State Senate, Sun City West
Sponsored by Arizonans for Affordable Electricity

I'm proud to serve as Mayor of a town that's widely considered among the most prosperous, fastest-growing and welcoming places in the country to live, work and start a business. I'm committed to keeping it that way – and that's why I strongly oppose the "Clean Energy" ballot initiative. This proposal is the brainchild of Tom Steyer, a California hedge-fund billionaire and political megadonor who's dumping millions of dollars to influence elections around the country, including here in Arizona. His initiative is a replica of energy regulations already on the books in his home state, where electricity rates are 50 percent higher than our own.

If approved by voters, the average Arizona family will pay double what they do now for their monthly utility bill. Annually, that amounts to \$1,200 in added energy expenses for the typical household. That's a burden Gilbert families should not have to shoulder. Further, multiple economic and environmental impact reports show that, down the line, the passing of this initiative would have a dampening effect on our economy – costing good jobs and critical revenue, all while having no measurable impact on air quality or public health.

As Gilbert continues to elevate our reputation as a hub of innovation and economic development, the last thing we need are costly, job-killing laws moving us backward. That's why I encourage Gilbert and all Arizona voters to join me in rejecting this initiative.

Jenn Daniels, Mayor, Town of Gilbert, Gilbert
Sponsored by Arizonans for Affordable Electricity

As a longtime public servant, entrepreneur and West Valley resident, I know that fighting for my community often means fighting against harmful out-of-state special interests. That's why I vehemently oppose the "Clean Energy" initiative being led and funded by California billionaire Tom Steyer.

This measure would amend Arizona's Constitution with expensive, onerous energy regulations like those in California – a state known for astronomical utility rates and an increasingly unaffordable cost of living. If approved, the average Arizona family will see its monthly electricity bill double – paying more than \$1,200 a year in added energy costs under this proposal. Jobs and revenue will be lost as baseload power plants will be forced to close under these unreasonable regulations. That includes Palo Verde Nuclear Generating Station – the nation's largest producer of clean energy, Arizona's single largest taxpayer and a critical employer of 3,000 Arizona workers.

When I was elected Mayor of Glendale, I inherited a city buckling under the weight of bad deals and on the brink of bankruptcy. Today, business is booming, our economy is on the comeback and quality of life is improving. This initiative would be a massive and irreversible step backward for Glendale, for the West Valley and for the State of Arizona. Please join me in voting NO.

Jerry Weiers, Mayor, City of Glendale, Glendale
Sponsored by Arizonans for Affordable Electricity

The primary reason the Gilbert Chamber opposes the ballot measure is linked to the passage of Proposition 105. Prop 105 requires $\frac{3}{4}$ of the Arizona Legislature to "further the purpose" of any measure passed at the ballot. Passage of the so-called Clean Energy for a Healthy Arizona initiative would enshrine energy portfolio requirements in the State Constitution. In our view, Arizona's portfolio standards and electric rates are currently and best left set by the voter-elected Corporation Commission and Legislature. Furthermore, we believe the unintended consequences of this initiative will result in immediate increases of electricity costs for our 730 business-members and reduce the economic competitiveness of our business community. We encourage you to vote against this initiative.

Kathy Tilque, President & CEO, Gilbert Chamber of Commerce, Gilbert
Sponsored by Arizonans for Affordable Electricity

The Wickenburg Chamber of Commerce strongly opposes a ballot initiative that would raise energy costs on Arizona families, kill thousands of jobs and inflict significant damage upon our local and state economy. The so-called “Clean Energy for a Healthy Arizona” initiative – led and financed by San Francisco billionaire and political activist Tom Steyer – would mandate in the Arizona Constitution that public utilities derive at least half of their power from renewable resources by 2030. If approved, these inflexible mandates will mean increased electricity bills – approximately \$1,200 in added costs each year for the average family. Higher energy bills hurt employers and are a drag on the economy. Most devastating to those of us in the West Valley, experts say passage of the initiative will force the closure of Palo Verde Nuclear Generating Station, as the proposal doesn’t consider emissions-free nuclear a ‘clean’ energy source. Palo Verde employs thousands of workers, many of whom live in our community, and is the nation’s largest provider of carbon-free electricity. The Wickenburg Chamber of Commerce is proud to join community and business leaders across Arizona in urging voters to oppose the energy initiative. Protect Arizona families. Protect Palo Verde Nuclear Generating Station. We urge you not to sign any petitions to qualify this initiative for the ballot.

Julie Brooks, Executive Director, Wickenburg Chamber of Commerce, Wickenburg
Sponsored by Arizonans for Affordable Electricity

Please join me in voting NO on the “Clean Energy” ballot initiative. This California-conceived measure – being peddled around Arizona by San Francisco billionaire Tom Steyer – will double electricity rates for Arizona families and small businesses; cost our state thousands of quality jobs; reduce the earnings of hardworking Arizonans; and jeopardize our economy just as many of our friends and neighbors in the West Valley and throughout the state are recovering from the Recession. And it gets worse: if the Steyer ballot measure passes, Palo Verde Generating Station – the nation’s largest carbon-free energy source – would be forced to shut down by as early as 2030. Palo Verde is Arizona’s largest taxpayer and a critical economic engine for the state, the West Valley and the city of Buckeye. Its closure would cost more than 3,000 jobs and \$55 million in property tax revenues every year. Arizona: Say NO to this backwards plan!

Jackie Meck, Buckeye
Sponsored by Arizonans for Affordable Electricity

The Arizona Manufacturers Council joins job creators across the state in opposing the “Clean Energy” ballot initiative. The plan – crafted by San Francisco billionaire Tom Steyer – is modeled after the costly and cumbersome energy regulations already in place in California, where electricity prices are 50 percent higher than they are here. It aims to amend our state Constitution with unreasonable, imprudent mandates requiring that all public utilities derive at least half of their energy from renewable sources – excluding nuclear – by 2030. If approved, the measure will result in astronomical rate hikes, thousands of lost jobs and a severely weakened Arizona economy. Specifically, it is estimated that corporate and industrial rates would rise over 100 percent, and residential ratepayers would see an average annual increase of more than \$1,200. This would create a significant drag on the state economy, and it sends the wrong message to job creators about Arizona’s business environment. We urge all Arizona ratepayers to join us in voting NO on this costly California-made initiative.

Allison Gilbreath, Executive Director, Arizona Manufacturers Council, Phoenix
Sponsored by Arizonans for Affordable Electricity

As a longtime public servant and current interim Phoenix mayor, I have spent the last three decades working to improve my community and represent the interests of my district and city. I am committed to leading Phoenix forward – and that’s why I strongly oppose the California-led “Clean Energy” initiative.

This plan was modeled after the same pricey, job-killing energy mandates on the books in California, where residents pay fifty percent more for electricity than they do here in Arizona. If approved, experts say energy costs would increase dramatically – with the average Phoenix family paying double what they do now. Annually, that works out to about \$1,200 in added utility expenses for the typical household.

Consequences to the state of complying with these unrealistic regulations would be catastrophic and vast: Arizona would hemorrhage tens of millions of dollars in tax revenue, forfeit thousands of good jobs and severely weaken our economic competitiveness. At a time when we’re working diligently to revamp Phoenix and recruit new companies and jobs to the area, this measure would thwart our efforts and send the wrong message to business owners ... all while doing nothing to improve air quality or public health in urban areas like Phoenix.

It's also important to note that voter approval of the measure would amend our state Constitution – making it nearly impossible to repeal or fix the law down the road. That's why it's vital that we stop it NOW. I urge all Phoenix voters to join me in defeating this risky initiative at the ballot box.

Thelda Williams, Interim Mayor & Councilwoman, City of Phoenix, Phoenix
Sponsored by Arizonans for Affordable Electricity

The Coolidge Chamber of Commerce is opposed to the “Clean Energy for a Healthy Arizona” ballot initiative. The proposed ballot initiative would amend the Arizona Constitution to require Arizona utility companies to obtain 50% of their energy from clean sources by 2030. If passed this ballot initiative could raise energy costs on families and businesses negatively affecting jobs and damage to our local and state economy. We stand with the other chambers of commerce around the state opposing this ballot initiative.

Lynn Parsons, Executive Director, Coolidge Chamber of Commerce, Coolidge
Sponsored by Arizonans for Affordable Electricity

The Chandler Chamber of Commerce strongly opposes the so-called Clean Energy for a Healthy Arizona initiative because of the severe impacts it would have on businesses and residents in downtown Chandler. The proposed ballot measure would amend the Arizona Constitution to require Arizona utility companies to obtain 50% of their energy from clean sources by 2030. If passed, the impact of the initiative is expected to double the average family's electric bill in Arizona. The Arizona business community would experience even higher electric rates. As the organization responsible for protecting the business interests of more than 170,000 employees in our region, we urge you to vote against this short-sighted initiative.

Terri Kimble, President & CEO, Chandler Chamber of Commerce, Chandler
Sponsored by Arizonans for Affordable Electricity

The Surprise Regional Chamber of Commerce joins business leaders and champions of economic development throughout Arizona in OPPOSING the California-grown “Clean Energy” initiative. Our core mission is to support business leaders and advance policies that help promote the growth and strength of the West Valley community. By imposing costly, constitutionally-binding energy regulations on Arizona families, businesses and ratepayers, this measure would do just the opposite. If approved, the initiative would require that all public utilities obtain at least half of their power from renewable resources – excluding nuclear – by 2030. These unreasonable and inflexible regulations are identical to those already in place in California, where electricity rates are 50 PERCENT higher than here in Arizona. Utility bills will double for the average household – with most families paying about \$1,200 more per year than they do now. This measure will cost Arizona good jobs, crucial revenue and weaken our economy. The West Valley will be hit particularly hard, as experts estimate Palo Verde Nuclear Generating station will be forced to close by 2025 under the initiative's crippling energy quotas. This would be devastating to our community and the state as a whole; aside from being the biggest producer of clean, carbon-free power in the country, Palo Verde employs thousands of Arizona workers and is the single largest taxpayer to our state. We all support clean energy – but this rate-raising, job-killing initiative is the wrong approach. Please join us in voting NO.

Raoul Sada, President & CEO, Surprise Regional Chamber of Commerce, Surprise
Sponsored by Arizonans for Affordable Electricity

The Glendale Chamber of Commerce joins business leaders and champions of economic development throughout Arizona in OPPOSING the California-grown “Clean Energy” initiative. Our core mission is to support business leaders and advance policies that help promote the growth and strength of the West Valley community. By imposing costly, constitutionally-binding energy regulations on Arizona families, businesses and ratepayers, this measure would do just the opposite. If approved, the initiative would require that all public utilities obtain at least half of their power from renewable resources – excluding nuclear – by 2030. These unreasonable and inflexible regulations are identical to those already in place in California, where electricity rates are 50 PERCENT higher than here in Arizona. Utility bills will double for the average household – with most families paying about \$1,200 more per year than they do now. This measure will cost Arizona good jobs, crucial revenue and weaken our economy. The West Valley will be hit particularly hard, as experts estimate Palo Verde Nuclear Generating station will be forced to close by 2025 under the initiative's crippling energy quotas. This would be devastating to our community and the state as a whole; aside from being the biggest producer of clean, carbon-free power in the country, Palo Verde employs thousands of Arizona workers

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

and is the single largest taxpayer to our state. We all support clean energy – but this rate-raising, job-killing initiative is the wrong approach. Please join us in voting NO.

Robert Heidt Jr., President & CEO, Glendale Chamber of Commerce, Glendale
Sponsored by Arizonans for Affordable Electricity

As a 4th-generation Arizonan, lifelong West Valley resident and proud public servant representing District 4 on the Maricopa County Board of Supervisors, I strongly oppose the “Clean Energy” ballot initiative. If approved, the proposal – created and bankrolled by California hedge-fund billionaire and political activist Tom Steyer – would mandate in Arizona’s constitution that all public utilities derive half of their power from renewable resources (excluding nuclear) by 2030. Under this initiative, experts say utility bills will double for the typical Arizona family – amounting to \$1,200 in added energy costs per year for the average household. Also at stake are thousands of jobs, billions of dollars in economic impact and, most urgently, the very future our nation’s largest source of clean, sustainable electricity: Palo Verde Nuclear Generating Station. Because the initiative does not consider nuclear power a “clean” energy source – and would result in too much energy on the grid during Arizona’s more mild months – Palo Verde would be forced to close as early as 2025 under these new regulations. The closure of Palo Verde would be economically devastating to Arizona – most especially to families in western Maricopa County. Aside from being the country’s largest supplier of carbon-free energy, Palo Verde employs over 3,000 Arizona workers and is the state’s single largest taxpayer. In Maricopa County, Palo Verde by parcel is the highest paying with the amount being \$21,036,459.50 for tax year 2017. Further, studies show that shutting down Palo Verde would do nothing to improve air quality and pollution in Maricopa County. In fact, new natural gas plants will have to be built in urban areas to meet power needs during high-demand times. That means more carbon emissions, not less. I cannot ignore the damage this initiative would do to Arizona’s economy and hardworking Maricopa.

Clint Hickman, Supervisor, Maricopa County District 4, Litchfield Park
Sponsored by Arizonans for Affordable Electricity

“Clean Energy for a Healthy Arizona” is a misnomer; this initiative is not about improving air quality and will have no measurable impact on public health. This proposal was brought here by Tom Steyer – a California hedge fund billionaire and political activist who is spending millions of dollars in Arizona to pass the same rate-raising, job-killing energy mandates that have made his state one of the most unwelcoming and unaffordable in the nation for businesses and families. If approved, experts say it will double electricity rates for the typical Arizona household. Annually, that comes out to an additional \$1,200 hit to the average family’s pocketbook. Rural communities in particular would pay a steep price, as small utility companies and power plants in these areas would be forced to close under the weight of heavy-handed mandates – potentially leaving many rural Arizonans without jobs and electricity. Passing this initiative would be a costly mistake for Taylor, for our region and for the state of Arizona as a whole. I hope you will join me in voting NO.

Dave Smith, Mayor, Town of Taylor, Taylor
Sponsored by Arizonans for Affordable Electricity

Gregory’s Fresh Market opposes the ballot proposal on the grounds that it will severely increase consumer utility bills without a corresponding increase in the health or financial interests of Arizona seniors. Seniors served by Gregory’s Fresh Market are financially constrained. This initiative will tap into their sacred financial resources. Seniors constantly choose between nourishing food and medicine. This proposal threatens the financial security of seniors by raising their electricity rates. These fixed-income individuals will be forced to choose between medicine and food or paying higher utility bills. Financial subsidies that most seniors enjoy will be curtailed, due to reduced state revenue that will be slashed because of the initiative. A recent study conducted by ASU shows the initiative will negatively impact the state’s economy by forcing state and local governments to forfeit more than \$5.8 billion in combined tax revenues. This includes an estimated \$1.7 billion in reduced property tax, of which the lion’s share - \$858 million - would affect K-12 school districts. The state will be forced to reduce subsidies to sectors of our population that include seniors to compensate for the projected revenue losses. Research shows that the health of seniors will not materially benefit from this initiative. The primary beneficiary of this initiative’s passage will be a California billionaire with no ties to Arizona. Seniors will be the ones asked to sacrifice their financial well-being to subsidize private interest groups. In conclusion, over 100,000 seniors in Maricopa County live below the poverty level. On behalf of the seniors it serves throughout the Maricopa County area, Gregory’s Fresh Market urges voters to keep seniors in mind and vote NO on this renewable energy proposal.

Diana Gregory, Founder, Diana Gregory Outreach Services, Phoenix
Sponsored by Arizonans for Affordable Electricity

The Peoria Chamber of Commerce joins business leaders and champions of economic development throughout Arizona in OPPOSING the California-grown “Clean Energy” initiative. Our core mission is to support business leaders and advance policies that help promote the growth and strength of the West Valley community. By imposing costly, constitutionally-binding energy regulations on Arizona families, businesses and ratepayers, this measure would do just the opposite. If approved, the initiative would require that all public utilities obtain at least half of their power from renewable resources – excluding nuclear – by 2030. These unreasonable and inflexible regulations are identical to those already in place in California, where electricity rates are 50 PERCENT higher than here in Arizona. Utility bills will double for the average household – with most families paying about \$1,200 more per year than they do now. This measure will cost Arizona good jobs, crucial revenue and weaken our economy. The West Valley will be hit particularly hard, as experts estimate Palo Verde Nuclear Generating station will be forced to close by 2025 under the initiative’s crippling energy quotas. This would be devastating to our community and the state as a whole; aside from being the biggest producer of clean, carbon-free power in the country, Palo Verde employs thousands of Arizona workers and is the single largest taxpayer to our state. We all support clean energy – but this rate-raising, job-killing initiative is the wrong approach. Please join us in voting NO.

Guy Erickson, President & CEO, Peoria Chamber of Commerce, Peoria

Sponsored by Guy Erickson and Arizonans for Affordable Electricity

The Arizona Hispanic Chamber of Commerce has a 70-year history supporting small business growth throughout Arizona. We take seriously our mission to advocate and advance the economic interests of our members and State as a whole. That includes speaking out and rejecting costly initiatives like the “Clean Energy” amendment that will also have the propensity to eliminate jobs that are crucial to sustaining our economy.

Unfortunately, this proposal was modeled after energy regulations already in place in California, where electricity prices are 50 percent higher than they are here. If approved, corporate and residential utility rates will increase by more than 100 percent, with the average Arizona household seeing a \$1,200 hike in their yearly energy expenditures. This is not wise or sound public policy, based on what is good for Arizona and our residents.

Arizona is already making strides in achieving our own renewable energy goals. This measure sends the wrong message about Arizona’s business environment. It will cost our state thousands of jobs, jeopardize the affordability and reliability of our energy future and weaken the economy we’ve worked hard to rebuild since the recession. For these reasons, we stand with the more than forty community and economic development organizations statewide in opposition of this initiative.

Gonzalo de la Melena, President & CEO, Arizona Hispanic Chamber of Commerce, Phoenix

Sponsored by Arizonans for Affordable Electricity

As Mayor, I am working hard to make Mesa a hub of innovation, job growth and economic vitality. The “Clean Energy” initiative would impede that progress and stifle the positive momentum our city and our state are enjoying because of pro-business policies.

This measure – spearheaded by California-based special interests – amounts to a new energy tax on families and businesses. If approved, it will saddle us with burdensome mandates in our state Constitution that will drastically raise electricity rates, eliminate thousands of jobs, and weaken our economy. It will also jeopardize our future ability to compete for new business and capital investment in Mesa and in every corner of Arizona.

Arizona is making progress on renewable energy – and we’re doing it in a reasonable, responsible way that aligns with our economic and energy goals. We know that inflexible, unsustainable regulations can drive away business and discourage economic growth. That’s why I’m voting NO on the energy initiative – and I hope you’ll join me.

John Giles, Mayor, City of Mesa, Mesa

Sponsored by Arizonans for Affordable Electricity

The Gila Bend Chamber of Commerce opposes the Steyer ballot initiative to increase renewable energy used in Arizona. Our state is committed to expanding renewable energy however the ballot measure being proposed would cause a significant increase in utility bills, eliminate jobs, and reduce tax revenue. Renewable energy, which is intermittent, requires support from base-load facilities such as the Palo Verde Nuclear Generating Station. This ballot initiative does not see Palo Verde as a renewable source of energy, which could close Palo Verde – our nation’s largest source of clean, carbon-free energy. Closing Palo Verde would

threaten the reliability of our power system and would be a step backward in our clean energy future. The Gila Bend Chamber of Commerce joins other Chamber, community and business leaders across Arizona to keep energy affordable and reliable. We urge voters to oppose this energy initiative.

Scott Swanson, President, Gila Bend Chamber of Commerce, Gila Bend
Sponsored by Arizonans for Affordable Electricity

The Scottsdale Area Chamber of Commerce strongly opposes the proposed Clean Energy for a Healthy Arizona initiative. This measure would amend the Arizona Constitution with the same rate-raising, job-killing mandates already in place in California. If approved, this initiative will significantly increase electricity prices for Scottsdale businesses and families, threaten energy reliability and weaken the economic competitiveness of our region and state. Experts say the average household will see its monthly electric bill double – with families paying more than \$1,200 per year in additional electricity expenses. This plan runs counter to all the work we’ve done to promote Scottsdale and the East Valley as a premier location to live, work and start/expand a business. We encourage all Arizonans to vote NO on this initiative.

Mark Stanton, President & CEO, Scottsdale Chamber of Commerce, Scottsdale
Sponsored by Arizonans for Affordable Electricity

As an Arizona business leader and Chairman of the Maricopa County Board of Supervisors, my number one focus has been on positioning Arizona’s largest county as the most attractive place in the nation to own and operate a business. As I continue to work with my colleagues to eliminate unnecessary barriers to entrepreneurial growth, this state cannot afford to impose costly, constitutionally-binding regulations. These mandates – which amount to a new energy tax on consumers and businesses – will have repercussions on ratepayers, jobs, revenue and the overall state economy.

This initiative is all risk and no reward. Please join me in voting no.

Steve Chucri, Chairman, Maricopa County Board of Supervisors, Paradise Valley
Sponsored by Arizonans for Affordable Electricity

This is to bring attention to a serious issue facing everyone. A California-based political group wants to propose a ballot measure that would be harmful to Arizona households and businesses. The Southwest Valley Chamber of Commerce opposes this so-called “clean energy” initiative.

This California group wants to make changes to the Arizona Constitution that would require Arizona Public Service (APS) to produce at least half of electricity from renewable sources by 2030. While it sounds good, this will significantly increase electricity costs for every family, business, and ratepayer.

Additionally, their proposed ballot initiative would prohibit the use of nuclear energy as a renewable source. The Palo Verde Generating Station, the most cost-effective, renewable electrical production source for Arizona and several surrounding states, would be forced to close by 2025. This would have a detrimental impact to our economy through a 50 percent increase in electrical costs, loss of thousands of jobs, and the contribution of APS towards STEM and hundreds of local charities.

The Southwest Valley Chamber of Commerce supports clean, renewable energy that would be beneficial to businesses and the community. This proposed ballot measure would do too much harm to the Southwest Valley community and the entire State of Arizona.

The mission of the Southwest Valley Chamber of Commerce is to support business leaders advance economic growth, and be community minded for the benefit of regional prosperity. We ask everyone to join us in voting “NO” on the “Clean Energy for a Healthy Arizona” measure.

John Safin, President & CEO, Southwest Valley Chamber of Commerce, Goodyear
Sponsored by Arizonans for Affordable Electricity

I join the growing coalition of elected officials, job creators and community leaders across Arizona who’ve taken a strong stance in opposition to the “Clean Energy” initiative.

This measure aims to amend the Arizona Constitution with the same onerous, expensive and job-killing energy mandates in place in California, where electricity prices are among the highest in the nation. If approved, utility rates will double for the average household. This is a burden most families – especially those on low and fixed incomes – simply cannot afford.

Big picture, Arizona’s overall economy will be severely weakened, as will our future ability to recruit the best companies and jobs to our region. Numerous economic impact reports show that, over time, Arizona will forfeit billions of dollars in economic impact and thousands of good jobs if forced to comply with these unrealistic and unreasonable regulations.

This is a bad deal for Mesa and the wrong direction for Arizona. Please join me in opposing this risky initiative.

Chris Glover, Councilmember, City of Mesa, Mesa
Sponsored by Arizonans for Affordable Electricity

Arizona is a leader in the deployment of renewable energy. The California-backed effort to amend Arizona’s constitution to force utilities to drastically increase our current renewable energy goals would have catastrophic effects: electricity bills would double and the reliability of the state’s electric grid would be significantly weakened, potentially resulting in brownouts and blackouts. The irresponsible initiative would cause the premature closure of power plants across the state and severely impact the state’s largest source of clean air energy – the Palo Verde Nuclear Generating Station. Nuclear power is an important part of Arizona’s energy mix and under the proposed standards, that resource would no longer be viable, costing the state thousands of jobs, tax revenue, and the loss of a carbon-free resource. Amending the state’s constitution to enshrine inflexible mandates is simply not a responsible way to set energy policy. As the Mayor of Cave Creek, our residents and businesses should not have to pay twice as much for their electricity. I hope you will join me in voting no on Prop 127.

Ernie Bunch, Mayor, Town of Cave Creek, Cave Creek
Sponsored by Arizonans for Affordable Electricity

This initiative is risky and could have long term negative impacts to Arizona and its residents. There are proven delivery methods in place that allow for multiple sources for our power needs. This alone helps keep costs steady and low compared to other states.

The mechanism that exists today is fair, equitable and allows for flexibility. We need to continue with this model and not eliminate the State’s options. Renewable energy is a great source of energy but continues to have limitations. More research and development must be done before this power source can be a reliable, sustainable solution. This may be viable in the future but it is not today.

Julie Engel, President and CEO, Greater Yuma Economic Development Corp, Yuma
Sponsored by Arizonans for Affordable Electricity

As a small business owner, vice mayor and proud resident of the City of Scottsdale, I vehemently oppose the “Clean Energy” initiative.

This measure seeks to amend our state Constitution with unrealistic, inflexible and irresponsible energy regulations mirroring those in California, where residents pay 50 percent more for electricity than we do here. Approval of this amendment would inevitably amount to higher utility costs and reduced power reliability for Arizona families and businesses. Long-term, Arizona stands to lose thousands of jobs and billions in economic impact if this initiative passes.

We are working hard – and have made great strides – to make Scottsdale one of the very best destinations in the country to live, work and own and operate a business. Having to comply with these burdensome, job-killing mandates would be a massive setback for our city, for the Valley and for the state of Arizona.

Please join me in voting NO on this costly California-made energy mandate.

Guy Phillips, Vice Mayor, City of Scottsdale, Scottsdale
Sponsored by Arizonans for Affordable Electricity

For nearly 50 years, Chicanos Por La Causa has been Arizona’s leading voice for Latino and underserved communities. Our mission is to drive political and economic empowerment. That’s why we oppose the ‘Clean Energy’ ballot initiative.

If this initiative is approved, Arizona families will have to pay much more to heat and cool their homes. Low- and fixed-income families will be hit hardest because they have the least capacity to absorb these added expenses. As a result, some Arizona families would be forced to make impossible choices between heating or cooling their homes and purchasing the food, medicine, and other essentials they need.

CPLC supports renewable energy and its responsible introduction into our economy. However, it is not fair to impose so much of the financial burden on vulnerable Arizonans.

In addition to the burden this initiative will place on low- and fixed-income families, it will also stress the Arizona economy, which could adversely affect our growth.

On behalf of the hundreds of thousands of Arizona families we serve, Chicanos Por La Causa strongly opposes the ‘Clean Energy’ ballot initiative.

David Adame, President & CEO, Chicanos Por La Causa, Phoenix

Sponsored by Arizonans for Affordable Electricity

For the sake of business owners, workers, families and ratepayers throughout Peoria and the West Valley... please vote NO on the misleadingly titled “clean energy” amendment!

This initiative would alter Arizona’s constitution to require that public utilities acquire at least 50 percent of their power from renewable sources – not including nuclear – by 2030. Not only is this mandate impractical, it is irresponsible. If approved, it would undo years of progress by spiking electricity costs for families and businesses; slashing thousands of good West Valley jobs; depriving Arizona of billions of dollars in economic impact; and weakening the overall competitiveness of our region and state.

As an avid proponent of fiscal responsibility and job growth, I take offense to a California billionaire trying to impact our livelihoods and regulate our economy. That’s why I oppose this measure and will be voting NO at the ballot box. I hope you will join me.

Cathy Carlat, Mayor, City of Peoria, Peoria

Sponsored by Arizonans for Affordable Electricity

As a longtime public servant, small business owner and proud Chandler resident of more than two decades, I am committed to ensuring the continued economic growth and vitality of the East Valley and our state. That’s why I strongly oppose the “Clean Energy” initiative. This proposal – a Tom Steyer special – would amend Arizona’s constitution with costly and cumbersome mandates mirrored after those in California, where exorbitant energy prices and an untenable cost of living are driving businesses and families away in numbers. If approved here, Arizona families will pay a steep price; experts estimate the average household will pay double its current monthly utility bill – roughly \$1,000 or more in added utility costs every year. Further, Arizona will forfeit billions in economic impact, lose thousands of jobs and severely damage our economic competitiveness. It is unwise to set energy policy – especially policy this bad – at the ballot box. Once it’s done, it can’t be undone. That’s why I hope you’ll join me in voting NO – and sending these risky regulations back home to California.

Jeff Weninger, State Representative, Chandler, AZ House of Representatives, Chandler

Sponsored by Arizonans for Affordable Electricity

As a longtime elected official and passionate champion of economic development for the City of Goodyear, I oppose the “Clean Energy” ballot initiative. The measure, if passed by voters, would significantly raise energy rates on commercial and residential consumers. It is estimated that, on average, Arizona families would pay \$1,200 more per year in added electricity costs under the initiative. This is a heavy burden to shoulder, especially for West Valley residents on low and fixed incomes. Further, approval of the initiative would have devastating repercussions on economic growth and employment. The forced closure of Palo Verde alone would cost Arizona 3,000 good jobs and millions of dollars in vital tax revenue for schools and public safety. I support continued

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

efforts to develop a sustainable economic future for Goodyear – and that includes attracting clean industries to the Valley. But a constitutionally-binding mandate that shuts down our nation’s largest source of clean energy while raising costs on Arizona families is the wrong approach. VOTE NO.

Georgia Lord, Mayor, City of Goodyear, Goodyear
Sponsored by Arizonans for Affordable Electricity

Dear voters,

I am opposed Prop 127 the 50% solar tax mandate ballot measure. 72% of our electricity comes from baseload power resources such as gas, coal, hydropower, nuclear and biomass. We need to retain these existing fossil fueled base load plants to keep AZ lights running at night. Both coal and gas are US made fuel sources, and increasing Chinese solar panel use will not make jobs in America. We support an all of the above energy plan that includes US coal and gas fired energy plants.

Higher power costs means higher water rates. Vote no on Prop 127.

Mark Lewis, Elected Director, Central AZ Project Water board
 Not representing the views of the BOD.
 Phoenix, AZ

Mark Lewis, Director, Maricopa County, Director, Central AZ Project Water Board & not the BOD, Phoenix
Sponsored by Mark Lewis, Director, Central AZ Project Water Board & not the BOD

On June 5, 2018 the Mayor and Council of the Town of Snowflake adopted a resolution opposing the “NextGen Climate Action” ballot initiative. An out-of-state group, “NextGen Climate Action”, funded by California billionaire Tom Steyer is proposing amending Arizona’s State Constitution to require that Arizona utility companies obtain 50% of their energy from renewable sources by 2030, less than 12 years from now. If passed, the ‘Clean Energy for a Healthy Arizona’ initiative would circumvent Arizona’s current structure for regulating utilities, which has provided Arizona residents with some of the safest, most reliable and affordable energy in the country for over 100 years. The initiative would enshrine in the state constitution a regulatory mandate that will dramatically increase electricity bills, especially those of low-income and fixed-income residents, and this constitutional mandate could not be changed or modified without a costly ballot initiative. The initiative would require the closure of the Cholla and Springerville power plants, leading to the loss of hundreds of local jobs and millions of dollars of essential tax revenue for local schools and public safety.

Kerry Ballard, Vice Mayor, Town of Snowflake, Snowflake
Sponsored by Arizonans for Affordable Electricity

The “Clean Energy” ballot initiative represents a destructively unrealistic mandate that, if approved, will have vast and irreparable impacts on the West Valley and Arizona as a whole. The initiative aims to circumvent Arizona’s current structure for regulating utilities by asking voters to pass a costly constitutional amendment similar to what’s in place in California, where energy rates are among the priciest in the nation. If approved, the measure would more than double electricity costs on families and businesses – punishing low- and fixed income residents and weakening our local and state economy for decades to come. At stake is the future of Palo Verde Generating Station, whose premature closure under this amendment would mean thousands of lost jobs and billions in lost tax revenue. Shutting down Palo Verde – the nation’s largest source of carbon-free energy – will do nothing to improve public health issues and air quality. New, carbon-emitting natural gas plants will have to be built in its place – and hardworking Arizonans will be stuck with the bill. Anyone with an interest in protecting and advancing Arizona’s economic and energy future should vote NO on this amendment.

Michael LeVault, Mayor, Town of Youngtown, Youngtown
Sponsored by Arizonans for Affordable Electricity

The Mesa Chamber of Commerce is ADAMANTLY OPPOSED to the “Clean Energy for a Healthy Arizona” initiative. We advocate for business interests in our community and do NOT believe that the proposed measure is good for Arizona or Mesa. If passed, it is anticipated that the effect of this initiative will double electricity bills for businesses and residents without any

tangible societal benefits. It will decrease our region’s economic competitiveness and increase energy costs for everyone in our region. In addition, we believe energy policy in Arizona should be set by the voter-elected Legislature and Corporation Commission and not by amendments to the Arizona Constitution. We recommend that every voter vote NO on this damaging initiative.

Sally Harrison, President & CEO, Mesa Chamber of Commerce, Mesa
Sponsored by Arizonans for Affordable Electricity

As an entrepreneur in energy innovation I strongly stand against this attempted hijacking of the Arizona Constitution by California special interests. Solar serves some needs and will certainly develop as technology advances, but forcing in-mature expensive technologies upon our residents will have devastating consequences like it has in Europe, even causing deaths via brown-outs in July during extreme heat. Last year in the UK over 20,000 Seniors froze to death because they could not afford to heat their homes during harsh winter conditions. Energy is a “product”, and reliable, plentiful and CHEAP energy are part of our thriving economy. The harsh Arizona climate is livable due to cheap power and technology. Currently, American exceptionalism and innovation are providing unique ways to produce “environmentally friendly” oil, transportation fuels and chemical feed-stocks from coal. This will significantly expand jobs and secure our state’s energy sources as we continue to attract new residents. We CANNOT let our way of life be threatened by those seeking to loot us. May we continue the sensible “all of the above” approach to energy while rooting out and exposing those attempting to use politics to drive solar for profit, which cannot stand alone on it’s own without the heavy hand of government behind it. Our focus should be on American Innovation and Exceptionalism and this freedom to contribute to “Human Thriving” in our state and beyond.

Matthew McKean, Chief Executive Officer, Frontier Applied Sciences, Scottsdale

As a full-time resident of Arizona, I believe that this initiative is copycat legislation from California, now proposing to mandate an unrealistic proportion of renewable energy sources for Arizona’s electrical energy generation (50 percent); including the exclusion of nuclear generation, by 2030...only 12-years in the future. The mandate is further complicated by the fact that solar energy, wind energy, and similar “green” energy sources are intermittent in nature; and, would need back-up by conventional, dependable sources. The potential of this initiative would be to increase costs, hindering economic expansion of our economy. We in Arizona definitely need to implement renewable energy in a reasonably- implemented, cost-effective manner, not through mandate by the initiative process. Vote NO on the Clean Energy Ballot Initiative!

Lynda Goldberg, Councilmember, Town of Quartzsite, Quartzsite
Sponsored by Arizonans for Affordable Electricity

The Arizona Rock Products Association joins industry leaders and job creators throughout the state in opposing the “Clean Energy” initiative. This measure poses a severe threat to Arizona’s economic and energy future. If approved, it will impose via the state constitution inflexible and irresponsible energy mandates that will directly result in higher utility bills for families and businesses. It also will force the closure of power plants that have been providing Arizona with safe, affordable and reliable energy for decades. That translates to thousands of lost jobs and billions in lost tax revenue to the state – all while having no measurable impact on air quality or public health. This is not the path toward a strong and sustainable Arizona future – and that’s why we strongly urge you to vote NO.

Steve Trussell, Executive Director, Arizona Rock Products Association, Phoenix
Sponsored by Arizona Rock Products Association

The Prescott Downtown Partnership Board of Directors is in opposition of the “Clean Energy for a Healthy Arizona” initiative, proposed by out-of-state political activist, Tom Steyer. The proposed ballot measure would amend the Arizona Constitution to require Arizona utility companies to obtain 50% of their energy from renewable sources by 2030. The impact of the initiative, if passed, is expected to double the average family’s electric bill in Arizona. The Arizona business community would experience even higher electric rates. The primary reason Prescott Downtown Partnership opposes the ballot measure is because the passage of the “Clean Energy Ballot Initiative” would enshrine energy portfolio requirements in the State Constitution. Arizona’s portfolio standards and electric rates are currently, and best, left set by the voter-elected Corporation Commission and Legislature.

Bill McCleary, President & Chair, Prescott Downtown Partnership, Prescott
Sponsored by Arizonans for Affordable Electricity

There's a right way and a wrong way to do energy policy. Proposition 127 is the wrong way. It would increase utility bills, kill jobs, shut down power plants, and harm education by eliminating property tax revenue that currently funds rural schools. This Proposition is especially bad for Arizona. It would shut down ALL of our coal plants, killing thousands of jobs and eliminating millions of dollars of tax revenue that currently funds local government and K-12 schools. This initiative is identical to California's energy policy, which has shut down power plants and increased utility bills by 60% more than Arizona's in the last five years. Don't let a California billionaire buy an amendment to our state's constitution. Vote no on Prop 127.

Sylvia Allen, Senator, Snowflake

While I fully support Arizona moving toward a sustainable renewable energy future, the "Clean Energy" initiative misses the mark. I have great concern about what approval of this measure would mean for Surprise families who, on average, may see their monthly electricity bills double. Any added expense is a burden many families – especially those on low and fixed incomes – simply cannot afford. Also troubling is the impact this measure could have on the Palo Verde Nuclear Generating Station, which experts say would be forced to shut down by 2025. The closure of Palo Verde would be economically devastating to the West Valley, the state as a whole and the thousands of hardworking Arizonans employed by America's largest supplier of clean energy. It is irresponsible to set binding, one-size-fits-all energy policy at the ballot box. That's why I urge you to join me in voting "NO."

Sharon Wolcott, Mayor, City of Surprise, Surprise
Sponsored by Arizonans for Affordable Electricity

This proposition is being bought and paid for by a wealthy California political activist who has never known the true value of the dollar because he has never had to struggle for the next dollar he needed to earn to feed a family and or maintain a household. If passed, this proposition would raise Arizonans cost of living through significantly higher electric rates, while having no effect whatsoever on the billionaire sponsor. It will cost millions and millions of dollars to build the facilities and infrastructure to harness and utilize renewal energy to the extent the sponsor envisions for a "Healthy Arizona." Those capital costs have to come from our pockets, possibly before a single kilowatt hour will be generated from those investments. Secondly, Arizona currently has an abundance of power generation at reasonable rates with its current mix of sources, coal, gas, hydro, solar and wind. Arizona Cooperatives have been especially diligent in the development of renewable generation sources and in doing such they have been able to keep the costs of electricity within the current price structure we have today. The Clean Energy for a Healthy Arizona will force the process out of the control of utilities such as Cooperatives who are, and should be governed by their members, and certainly by not by a wealthy out-of-state political activist and his followers. There is nothing Healthy for Arizona about this proposition. Be heard at the polls and vote NO to send a strong message to our State law makers. The ratepayers are the voters, and some ratepayers are Cooperative members, and Cooperative members vote! I encourage all ratepayers regardless of who serves you with electricity to do the same!

Arden G. Lauxman
 Fort Mohave, Arizona
 A Member of Mohave Electric Cooperative, Inc.

Arden Lauxman, Fort Mohave

This ballot initiative means more government regulation, higher electricity costs and lost jobs. It's just the latest bad idea from California. In that state, a 50% renewable-energy mandate has led to some of the highest electricity rates in the country – and costs that have increased at a clip 5 times the national average since 2011. Why should Arizona follow in California's footsteps? Higher electricity costs will hurt consumers and small businesses, which explains why ASU projected this ballot measure will kill thousands of jobs if it becomes law. There is another way. Arizona already is a clean energy leader, thanks to our smart mix of traditional fuel sources plus solar, wind, nuclear and more. Let's continue to innovate in a way that balances the needs of Arizona families, employers and the environment. Vote NO on the phony "clean energy" proposition.

Andy Biggs, Congressman, District 5, U.S. House of Representatives, Gilbert
Sponsored by Arizonans for Affordable Electricity

Solar and wind, scientifically, cannot support the AZ energy base load. Energy costs are already too high in AZ. Solar / wind are even higher. Solar / wind are not as clean as we are told; the amount of waste and impact on the environment, though not discussed, are severe and irreversible. Solar / wind are not cost effective and will bankrupt the people and the state. We mustn't hop on an emotional bandwagon of blind and ignorant "reasoning" that will strip the pockets of our AZ residents, handing all over to California power agents, and leaving nothing for AZ consumers to spend on AZ businesses. Forcing us into higher power bills for less power returns will leave Arizonans powerless in myriad ways. It is our governments responsibility to protect it's constituents from their own ignorance of the situation. Be pro AZ, not pro CA. Protect us from higher power rates and solar taxes. Promote better insulation, more trees around the houses for shade, LED lighting, and other means to conserve energy. Do not promote an energy means that is inefficient and doesn't correct what's lacking. Use our tax dollars to promote real, long term solutions, primarily, efficient, inexpensive base load options (nuclear). We need a reasonable and balanced approach to energy options, conservation, and environmental health. Much speaking and much media does not make much science. Most people don't know how to take a balanced look at all issues and the identifying factors. You are supposed to on our behalf. it's uncommon these days, but please advocate for us; consider our economic positions; promote and preserve us; preserve our state and all in it; consider out best interest, not the best interest of outsiders and the few.

Tracey Lee Neiman, Phoenix

Dear Voters:

I am against Proposition 127 proposed by Clean Energy for a Healthy Arizona requiring electric utilities to provide at least 50% of their annual retail sales of electricity from renewable energy sources by 2030. I believe this is an initiative promoted for special interests and not in the best interest of Arizonans. This level of renewables contribution, as narrowly defined in the proposal, is not yet practical even with storage options. Eighty-two percent of our electricity comes from baseload power resources such as gas, coal, large-scale hydropower, nuclear and biomass. Some of these are carbon free or neutral. We need to retain these existing baseload resources to keep Arizona's power and water costs competitive and attract new businesses to our state. Shutting down currently operating coal and nuclear plants in our state will create huge consumer liabilities for stranded assets. Deferring plans to build new gas plants to back up renewables will result in grid instability. Nuclear energy, coal and gas are large-scale, US-sourced fuel sources. Increasing largely imported solar panel use at this level will not create jobs in America. We support an "all of the above" diversified energy plan that includes US nuclear, coal and gas-fired energy plants.

Sincerely,

Doug Pitts. P. E.
Anthem, AZ 85086

Doug Pitts, CEO, Pitts and Associates, LLC, Anthem

WHALE DROWNS AFTER SWALLOWING 60 POUNDS OF PLASTIC BAGS...

This is not an uncommon headline nowadays in the National Geographic or other mass media. Our world has a growing problem with the incredible amount of municipal solid waste that we are producing. Everywhere. What to do?

This is why I have been working for four years with the Boise, Idaho based DYNAMIS ENERGY company. By gasifying municipal solid waste, the need for landfills is reduced by up to 95%. And even more, the waste can be turned into renewable energy. E.g. electricity or heat.

While we at DYNAMIS ENERGY might profit from the approval and implementation of Mr.Steyer's referendum, I feel that the 2030 deadline is much too short for such a major change. And that a hastened implementation of the referendum would lead to chaos in providing necessary energy for Arizona. The wording of the referendum also compounds the problem by excluding nuclear power as a source of renewable energy. What about Palo Verde?

Therefore I recommend a NO vote on this proposal.

Emmett McLoughlin
Sonoita

Emmett McLoughlin, Sonoita

The Sun City Home Owners Association (SCHOA) is strongly opposed to the ballot initiative proposed by California billionaire Tom Steyer.

The “Clean Energy for a Healthy Arizona” initiative seeks to amend Arizona’s State Constitution requiring that Arizona utilities obtain 50 percent of their energy from renewable resources by 2030.

At current escalating speeds of innovative change, it would be irresponsible to lock out the ability to adapt, which is what the initiative would do if passed. Energy policy is best served under the charge of the Arizona Corporation Commission. At least they are able to adjust as technology and demand dictate. This is a necessary component to ensure what is in the overall best interest of our citizens.

Not only is an amendment to the state constitution an irresponsible way to set energy policy, but the impacts of this particular ballot initiative would be catastrophic.

When the sun is not shining Solar doesn’t produce. That said, storage, gas fired plants and nuclear power act as ancillary supporters, to offset solar when it’s not sufficient to supply customer needs.

Arizona has the largest, most efficient, carbon free and cost effective nuclear power plant in the Country. The Steyer initiative, if passed, would not only negate the huge advantage the Palo Verde Generating Station brings, but would initiate its deactivation prematurely, causing unwarranted costs for the company owners, which would be passed on to ratepayers.

Most Sun City residents are on a fixed income and cannot afford their electricity rates doubling, as this initiative would likely do. SCHOA is deeply concerned about the effects of this initiative on our residents and the state as a whole.

We urge you to reject this proposal.

Greg Eisert, Director, Chairman of Government Affairs, Sun City Home Owners Association, Sun City

I am a member of the Graham County Electric Co-Op. Our Co-op provides reliable electricity service to my family, my business and to my neighbors. Many small electricity cooperatives serve people in our state’s rural areas and if the proposed ballot initiative, Proposition 127, is passed and forces our rural Co-ops to serve 50 percent of our retail member’s power from renewable sources, our utility bills will dramatically increase, without any health benefits.

I know hardworking Arizonans cannot afford soaring utility bills and would prefer to see more money put into education versus electricity production. I also would urge Arizona voters to vote no on this proposition to send a message to those who would come from outside our state and change our state’s Constitution.

Charles Hoisington, Safford Arizona, a Graham County Electric Cooperative Member

Charles Hoisington, President/CEO, Open Loop Energy, Inc., Safford

Sponsored by Graham County Electric Cooperative, Inc.

I am a member of the Graham County Electric Co-Op. Our Co-op provides reliable electricity service to my family, and our small rural Town of Pima, Arizona. Many small electricity cooperatives serve people in our state’s rural areas and if the proposed ballot initiative, Proposition 127, is passed and forces our rural Co-ops to serve 50 percent of our retail member’s power from renewable sources, our utility bills will dramatically increase, without any health benefits. Our member/citizens of Pima Arizona cannot afford increases in electric bills as seen in California over the past few years, since the implementation of their Renewable Portfolio Standards.

I know hardworking Arizonans cannot afford soaring utility bills and would prefer to see more money put into public infrastructure versus electricity production. I also would urge Arizona voters to vote no on this proposition to send a message to those who would come from outside our state and change our state’s Constitution.

Sean Lewis, Pima Arizona, a Graham County Electric Cooperative Member

Sean Lewis, Town Manager, Town of Pima Arizona, Pima

Sponsored by Graham County Electric Cooperative, Inc.

The Southern Arizona Business Coalition is opposed to the Clean Energy for Healthy Arizona.

Business and the Arizona Union Workers are unified in the opposition to the Clean Energy for a Health Arizona initiative for a reason. It's not good policy.

1. Costs are projected to rise an estimated 14% or more and individuals (family's est. between \$300 and \$500 a year). Further, how many families can actually afford to put solar on their home.
2. Increase costs to business would affect current jobs, either in reduction of hours or even possible layoffs, especially the smaller businesses that have smaller profit margins that would be eaten up by the increase.
3. Drastic change to the current energy policy benefits no one. We believe that the expansion and incorporation of alternative energy sources are needed and has actually taken place. Alternative energy research and efforts take time and realistic understanding of what does and doesn't fulfill the needs of the various regions throughout the state. Solar may work in the desert, but not as well in the mountain regions.
4. Finally, initiatives like this would hamper our elected officials from any modifications and changes needed to address unforeseen problems with implementation. We don't want outsiders of Arizona dictating our energy policies and creating unnecessary costs to the people of Arizona.

Respectfully,

Rick Grinnell, VP
 Southern Arizona Business Coalition
 rick@soazbc.com

Richard Grinnell, Vice President, Southern Arizona Business Coalition, Tucson

Arizonan's rely on affordable, reliable power. We need it to cook with, to heat and cool our homes, and increasingly, to power our electric cars. Business and government need affordable, reliable power to run their offices, power their machinery and computer systems. In fact, our economy, our jobs, and daily living require energy; energy that is clean, yes, but also energy that we can afford and is reliable.

Proponents of the initiative have focused solely and entirely on only one aspect of energy generation in Arizona; whether the power was generated by a renewable resource or not. However, we also must have affordable energy, and we need energy that is available when we need it. This initiative, while placing onerous, bureaucratic requirements on Arizona power generation, says not one word about the price of that energy. That's right, not one mention of the impact to utility rates. We are asked to believe that this mandate will not cost Arizonan's a dollar while effectively requiring the abandonment of our massive investment in clean nuclear power. Also, while solar power is great during the day, what happens when the sun goes down? To effectively use solar energy, there must be sufficient capacity to meet our needs when solar is not available, and Arizona's will have to pay for this with higher utility rates.

If renewable energy is clean, affordable and reliable, Arizona can and will incorporate it into our power grid without a constitutional amendment drafted by out of state special interests. Arizona has a Corporation Commission that can, and does balance all our power requirements and has already established a timetable for moving to renewable resources. Arizonan's don't need a bureaucratic, legalistic initiative to meet our future energy needs in a clean, reliable and affordable way.

David Eppihimer, Chairman, Pima County Republican Party, Tucson
Sponsored by Pima County Republican Party

As a resident of Arizona for eighteen years, a retired city manager and a small business owner, I strongly oppose the proposed Clean Energy for Arizona Initiative. If approved this initiative will significantly increase electricity prices for families, business and government, create tax increases in government to cover the increased electrical prices, impact working families adversely in their pocket books with more of their earned income going to electrical costs in their homes, threaten energy reliability and weaken our competitive advantage in the regional, national and global economies. Estimates indicate that families will pay an increase of \$1200 per year in electrical expenses. I urge all Arizonans to vote NO on this initiative to protect their personal incomes, jobs to avoid losing our competitive economic and quality of life advantages we enjoy in Arizona.

William Pupo, Surprise
Sponsored by Arizonans for Affordable Electricity

The Sedona Chamber of Commerce & Tourism Bureau Board of Directors opposes the “Clean Energy for a Healthy Arizona” ballot initiative as proposed, requiring Arizona utilities companies to obtain 50% of their energy from renewable sources by 2030. While this sounds good, and the Sedona Chamber of Commerce supports sustainability and renewable energy sources, this initiative is not the answer for Arizona, at this time. While Arizona is working toward renewable energy alternatives, currently renewable energy is intermittent and requires support from flexible resources like natural gas or battery storage. These additional resources will require Arizona residents to pay billions of dollars extra in infrastructure costs to achieve this goal in the next 12 years. In addition, this initiative would threaten the viability of the Palo Verde Nuclear Generating Station, the largest source of clean, carbon-free energy in the country. The closure of this plant would cost 3,000 jobs and eliminate tens of millions of dollars of tax revenue for Arizona schools and public safety.

If passed, the “Clean Energy for a Healthy Arizona” initiative would circumvent Arizona’s current structure for regulating utilities, which has provided Arizona residents with some of the safest, most reliable and affordable energy in the country for over 100 years. This initiative, designed to modify the Arizona state constitution, could dramatically increase electricity bills, especially those of low-income and fixed-income residents and this constitutional mandate could not be changed or modified without a costly ballot initiative. The Sedona Chamber of Commerce & Tourism Bureau Board of Directors opposes the “Clean Energy for a Healthy Arizona” ballot initiative and urges residents to vote “NO”.

Stephanie Giesbrecht, Chairman of the Board of Directors, Sedona Chamber of Commerce and Tourism Bureau, Sedona
Sponsored by Arizonans for Affordable Electricity

As a general contractor I keep my eyes on the bottom line and Bottom Line, I have come to rely on APS’ clean, reliable energy. I don’t think amending the Constitution is the right thing to do and I’m concerned it will drastically raise my electric bill. My understanding is that APS is already using a 50% clean company so I’m not sure why we would want this for our state.

Robert Boanen, Dewey
Sponsored by Arizonans for Affordable Electricity

I was born and raised in Phoenix and am starting my family here as well. I’m worried about what this will do to my electric bill. If my bill doubles which is likely, how will that affect my budget especially with a new baby on the way? I own a hair salon and raising electric rates will also greatly affect my business.

Bailie Hill, Phoenix
Sponsored by Arizonans for Affordable Electricity

There are three important facts that all voters must take to heart when considering this measure: 1.) The originator of this proposal, Tom Steyer, is not an Arizonan. Born and raised in New York, Steyer now lives and works in San Francisco full-time, and is using his personal wealth to fund this Amendment to the Arizona Constitution, an attempt to dramatically change how energy in Arizona is obtained. If passed, when this Amendment becomes unbearably expensive, it will be extremely costly and difficult to change as the measure will be fortified in the state Constitution, rather than more legally malleable if it were a legislatively-passed law. 2.) This Amendment not only circumvents the legislative process (as the originator too is attempting to circumvent the will of the Arizona voter, as referenced above), but would dramatically raise the cost of electricity bills on all Arizonans. The spike in energy costs wouldn’t be difficult for people like Steyer to afford (a man whose net worth is well over \$1.5 billion, according to Forbes) if he even lived in Arizona, but will be for middle-class and low-income Arizonans who will have to pay double for their electricity. 3.) The Amendment includes a requirement that 20% of utilities’ generation come from rooftop solar, the most expensive form of solar. And again, how will those costs be offset? By raising rates. Vote NO!

Adam Maynes, Glendale
Sponsored by Arizonans for Affordable Electricity

I am committed to helping ensure the continued economic growth and stability of Chandler, the East Valley and the State of Arizona. That’s why I will be voting NO on the “Clean Energy” initiative. This costly, California-conceived measure spells higher electricity costs, lost jobs and a weakened economy. At a time when many families and businesses are beginning to recover from one of the worst recessions in our nation’s history, this initiative threatens to set us back with repressive regulations that will hurt families – especially those on low and fixed incomes; compromise our energy future; and stifle our economic competitiveness for

generations to come. This initiative is a mistake Arizona cannot afford to make. I hope you will join me in stopping it at the ballot box. VOTE NO.

René Lopez, Vice Mayor, City of Chandler, Chandler
Sponsored by Arizonans for Affordable Electricity

As a third-generation Arizonan, business owner and elected state representative, I am committed to advancing policies that improve our economy, support job creators and attract and retain businesses to our state. The “Clean Energy” initiative is a direct affront to these goals. The measure – created and financed by California billionaire Tom Steyer – aims to amend the Arizona Constitution with unfeasible, irresponsible and expensive energy mandates that, once approved, will be nearly impossible to undo. That means Arizona families and ratepayers will be stuck with higher energy bills – approximately double the current rate for the average household. The forced closure of power plants translates to thousands of lost jobs and billions of dollars in lost tax revenue – effectively weakening our economy and competitiveness for decades to come. It would be unwise to set energy policy – especially one this destructive – at the ballot box. Please join me in voting NO in this initiative.

Travis Grantham, Representative, Gilbert, AZ House of Representatives, Gilbert
Sponsored by Arizonans for Affordable Electricity

I am a member of the Graham County Electric Co-Op. Our Co-op provides reliable electricity service to my family, and our agricultural economy in Graham County, Arizona. Many small electricity cooperatives serve people in our state’s rural areas and if the proposed ballot initiative, Proposition 127, is passed and forces our rural Co-ops to serve 50 percent of our retail member’s power from renewable sources, our utility bills will increase, without any health benefits. Our local agricultural economy cannot afford dramatically increased electric utility bills that would be imposed if this initiative is passed and becomes a constitutional mandate.

I know hardworking Arizonans, in rural Arizona, cannot afford soaring utility bills and would prefer to see more money put into protecting our precious water resources versus electricity production. I also would urge Arizona voters to vote no on this proposition to send a message to those who would come from outside our state and change our state’s Constitution.
Scott Alder, Pima Arizona, a Graham County Electric Cooperative Member

Scott Alder, President, Gila Valley Irrigation District, Pima
Sponsored by Graham County Electric Cooperative, Inc.

The Marana Chamber of Commerce stands with Arizona’s business leaders and hardworking families in opposition to the “Clean Energy” proposition. Arizona’s power companies are already adding renewable sources in a manner that keeps prices affordable and energy reliable.

The drastic acceleration of the mandates in this proposition risks putting the energy system in Arizona in jeopardy as it struggles to meet the demands. This will significantly increase energy costs for residents and businesses, which may cost Arizona jobs and weaken Arizona’s economic competitiveness.

This initiative was filed by an out-of-state group funded primarily by California billionaire Tom Steyer. Out-of-state interests amending the Arizona Constitution is not the way to mandate regulatory energy policies that cannot be modified without going back to the voters for the simplest of changes. If Arizona approves these costly regulations, everyday citizens will be stuck paying the price for generations to come.

This proposition puts Arizona’s needed and reliable energy supply at risk, while significantly increasing costs for Arizonans. This is not in the best interest of the state.

As a Chamber, we are committed to clean energy solutions. But this initiative is not a solution.

Thom Cope, Chairman of the Board, Marana Chamber of Commerce, Marana

As an elected official, lifelong West Valley resident and employee of Palo Verde Nuclear Generating Station for over 17 years, I staunchly oppose the “Clean Energy” initiative. If approved, this measure will drastically raise electricity costs in Arizona – approximately doubling utility bills for the average household. Annually, that works out to more than \$1,200 in added energy expenses for the typical Arizona family which we cannot afford. The economy would take a massive hit as well – especially in Goodyear and throughout the West Valley. Because the initiative language intentionally excludes nuclear power as a “clean” energy source, its passage could prematurely close Palo Verde Generating Station by 2025. This would be devastating to the local and state economy. Not only is Palo Verde the country’s largest source of carbon-free electricity, it is also Arizona’s single largest taxpayer and employer of 3,000 workers. Approving this initiative would be a costly mistake. I hope you will join me in voting NO.

Brannon Hampton, Councilmember, City of Goodyear, Goodyear

Sponsored by Arizonans for Affordable Electricity

As the voice of the business community in our City, the Tempe Chamber of Commerce is opposed to the Clean Energy for a Healthy Arizona initiative because of the negative consequences associated with this proposed amendment to the Arizona Constitution. We believe Arizona energy policy should be set by the voter-elected Legislature and Corporation Commission. Moreover, it is our view that this initiative will immediately raise electricity rates on Tempe businesses and consumers without any associated benefits. We encourage all voters to become educated regarding the ballot initiatives in this election cycle, but ultimately, the Tempe Chamber suggests everyone vote NO on this initiative.

Anne Gill, President & CEO, Tempe Chamber of Commerce, Tempe

Sponsored by Arizonans for Affordable Electricity

Every once in a while we see an initiative that is so egregious and detrimental the future of Arizona that it should be easy to convince people to vote it down. Unfortunately, couching such initiatives in desirable phrasing such as “renewable energy” and “sustainability” makes it seem more attractive on the surface, while hiding the true intent and impacts. The “Clean Energy for a Healthy Arizona” initiative takes poor California policy concepts that have actually created more problems (more pollution, higher rates) for Californians, and ships them to Arizona. Whether it is an intentional effort to make Arizona less competitive (it does), or a misguided effort to reduce airborne particulates (it doesn’t), we should put a stop to this now. Arizona has a well-regarded system in place for encouraging the use of more renewables, improving electrical efficiency, and effectively utilizing the largest nuclear generating station in the United States (which this initiative would intentionally put in jeopardy). We should continue to allow this system to work. Please vote “No” on this initiative.

Scott Phillips, Peoria

Sponsored by Arizonans for Affordable Electricity

If this initiative passes, rates WILL GO UP. If rates go up, business have to pay more to operate. If business pay more to operate, you and I will have to pay more money for goods and services. So on top of paying more for utility rates, we’ll all be paying more for the things we want and need. It’s bad all around.

Tim Chaulk, Yuma

Sponsored by Arizonans for Affordable Electricity

Why is a California billionaire trying to create changes to the Arizona Constitution? There is no guarantee that this mandate will bring about cleaner air, and it certainly will not cause utility rates to decrease. In fact, if this initiative passes, utility companies will have to build carbon emitting gas plants to supplement wind and solar energy. We – Arizona utility rate payers – will have to pay for that AND the end result is more toxins in the air thanks to additional gas plants.

Eric Wofford, Yuma

Sponsored by Arizonans for Affordable Electricity

I am opposed to the “Clean Energy for a Healthy Arizona” initiative for the following reasons: 1) I do not believe that energy policy should be set by an amendment to the Arizona Constitution. 2) I do not want to see my electric bill increase, which is what will happen if this initiative is passed. 3) This initiative would put Arizona on a renewable energy path similar to California.

Today is July 9th, and people in California are experiencing power outages and rolling blackouts all while paying 50% more for electricity they don't even have. Arizona needs to be able to keep the lights on in the summer. I urge you to vote NO on this initiative.

Nick Stelfox, Carefree

Sponsored by Arizonans for Affordable Electricity

Prescott Chamber of Commerce opposes an initiative proposed by California billionaire activist Tom Steyer that would result in a dramatic spike in energy costs and harm Arizona's competitiveness. The so-called "Clean Energy for a Healthy Arizona" initiative - led and financed by San Francisco billionaire and political activist Tom Steyer - would mandate in the Arizona Constitution that public utilities derive at least half of their power from renewable resources by 2030. If approved, these inflexible mandates will mean increased electricity bills - approximately \$1,200 in added costs each year. The Prescott Chamber of Commerce is proud to join community and business leaders across Arizona in urging voters to oppose the energy initiative.

Sheri Heiney, President & CEO, Prescott Chamber of Commerce, Prescott

Sponsored by Sheri Heiney and Arizonans for Affordable Electricity

As a resident of Arizona for over 25 years, I strongly oppose the proposed Clean Energy for Arizona Initiative. If approved this initiative will significantly increase electricity prices for families, business and government, impact working families adversely as more of their earned income going to electrical costs in their homes, and have a negative economic impact on our state. I urge all Arizonans to vote NO on this initiative to protect their personal incomes and avoid losing our competitive economic and quality of life advantages we enjoy in Arizona.

Melissa Holdaway, Surprise

Sponsored by Arizonans for Affordable Electricity

Solar energy will be an increasingly important part of the future of electrical generation in Arizona, but it's wrong for California solar billionaire Tom Steyer to use government to force us to buy his product.

Overwhelmingly, studies show that renewable energy mandates of the kind Steyer is pushing through Prop 127 drive up the cost of electricity for families and businesses.

Losers and winners in the electrical marketplace should NOT be chosen by government.

Abundant, affordable and reliable energy is necessary for everything we do in our lives. While solar has a bright future, it is currently an unreliable energy source (Google "duck curve" to learn more).

Renewable energy mandates across the country have caused significant increases in electrical rates.

Californication of Arizona's energy markets is a bad idea. In California (Steyer's policy model) electrical prices rose five times faster than the national average from 2011 to 2017. Californians now pay 60 percent more on average for electricity than the rest of the nation.

Raising the price of electricity hurts poor families the most. The U.S. Energy Information Administration found that one in five U.S. households reported having to cut back on food and medicine to pay their energy bills.

Out-of-state special interests should not use ballot propositions to force Arizonans to subsidize their industries. Steyer does not live here, and he is wealthy enough to afford his own policy mistakes. The rest of us will not be that lucky.

New technologies will be adopted through consumer choice when they become competitive and efficient. They should not be forced on us by government.

Yes, solar power is an important part of our future. But we need to keep solar decisions in the hands of Arizona homeowners. Please vote NO on Prop 127!

Tom Jenney
Phoenix

Tom Jenney, Phoenix

Arizona's mining companies strongly support renewable energy and are proud to use renewable energy to power the mines that contribute so much to our state's and nation's economy. In fact, several mining companies in Arizona have utilized their land holdings to build solar generation on their property to help in the sustainability of mining operations.

In deciding to invest in sustainable electricity generation there are many factors to consider, such as; economics, reliability of supply, environmental costs and benefits, impact on the population, existing electricity generation, and many other factors. The mining industry encourages open debate and discussion on these factors and others to make sure that all options are considered. Subsequent to open debate, the informed decisions can be made. The mining industry does not support the current ballot initiative where there is no discussion on all of the critical factors with all of the relevant individuals involved. There is a right way to support renewable energy and this initiative is the wrong way.

Supporting renewable energy should not come at the expense of jobs, economic growth, and K-12 education funding. Nor is it wise to use the State Constitution to mandate a specific type of energy source or technology.

For these reasons, the Arizona Mining Association strongly opposes the so-called Clean Energy for a Healthy Arizona ballot initiative.

Steve Trussell, Executive Director, Arizona Mining Association, Mesa
Sponsored by Arizona Mining Association

People move to Arizona and love living here because we honor freedom and we keep the taxes low and the government small. The cost of living here, including the cost of electricity, is very reasonable. In other words, the opposite of California.

Now a California billionaire-leftist -political activist wants to import the non-sense from California and start the slow destruction of our state. He has his eyes on our Arizona Constitution. This liberal extremist, Tom Steyer, is spending millions of dollars to convince you to increase your electricity bills in the name of "clean energy." Don't be fooled! Nuclear power is the cleanest power and his proposal will close Palo Verde Nuclear Generating Station – employer of 3,000 Arizonans and the nation's largest source of truly clean energy. Who will benefit from this heavy-handed regulation? Tom Steyer, of course. He stands to make a financial killing off his investments in solar.

I've always supported an all-of-the above approach. We need a diverse energy grid that includes nuclear power. Let's tell Tom Steyer to stay in California. Let's protect Arizona families from higher electricity rates. VOTE NO on the energy initiative!

Paul Gosar, Congressman, District 4, U.S. House of Representatives, San Tan Valley
Sponsored by Arizonans for Affordable Electricity

Yá'át'ééh Voters,

I am opposed to The Clean Energy for a Healthy Arizona Initiative, which seeks to require Arizona electric utilities to get at least half their power from solar, wind, biomass and other renewable sources by 2030. This ballot measure impose a dramatic increase in electricity bills of Arizona residents, especially those with low-income or fixed-incomes. Additionally, the ballot measure would require Arizona utilities to shut down various power plants that have been providing affordable and reliable energy for decades, like Four Corners Power Plant. With continued operation over the next 30 years, it will provide more than \$6.3 billion in economic value for the Four Corners region, with 70% benefiting Navajo Nation and Navajo families. We support a more reasonable and realistic transition to renewable energy that will not imperil jobs, livelihood and economy. A transition with an all of the above energy plan that includes coal and gas fired energy plants.

Walter Begay Jr., Kayenta
Sponsored by Arizonans for Affordable Electricity

Me opongo a la Prop. 127 la medida propuesta por el multimillonario Tom Steyer, que quiere imponer tasas de energía más altas e impuestos solares para la electricidad en Arizona. Este mandato solar no financiado es un aumento de tarifas del 15% de mi facture de energía. Esto le constará a mi familia \$585 por año. Apoyo las opciones de energía libre de carbon y las energías renovables, pero el 50% de energía solar es demasiado. Quiero que mi CA funcione por la noche.

Jorge Moreno, Scottsdale

Sponsored by Arizonans for Affordable Electricity

I am opposed Prop 127 the 50% solar tax mandate ballot measure. We already have so much solar power on the western grid that they shut off 15% of the solar because there is too much solar.

I support a balanced energy solution that includes nuclear, coal, hydropower and gas baseload, and limited renewables that will not destabilize the grid.

Please vote no on this giant solar tax renewable mandate.

Terri Freeman, Prescott

Sponsored by Arizonans for Affordable Electricity

As an elected official and champion of economic development, I stand in strong opposition to the “Clean Energy” amendment. This measure aims to impose, via the state Constitution, burdensome and binding renewable energy mandates that will drastically hike utility rates in Arizona. If approved, the average Arizona family will see its monthly electric bill double – hitting hardest those on low and fixed incomes. Our local and state economy will lose thousands of good-paying jobs and billions in tax revenue over time, as power plants shutter under the weight of these irresponsible and inflexible regulations. This is bad policy that will stifle growth and hurt communities and families in every corner of the state for decades to come. That is why we must stop it now. Please join me in voting NO.

Kevin Hartke, Mayor-Elect, City of Chandler, Chandler

Sponsored by Arizonans for Affordable Electricity

As a 3rd generation Arizonan and Tempe Councilmember, I support renewable energy and sustainability in a variety of forms. However, I cannot support a constitutional change that mandates solar energy. With advancements in generation technology, it’s hard to predict what improvements in energy can be achieved, and I do not want Arizona to be locked into one form of technology when we do not know what the future holds. Constitutional changes are expensive and hard to undo once they are established. This initiative does not provide Arizona the flexibility it needs for future sustainability.

Joel Navarro, Councilman, City of Tempe, Tempe

Sponsored by Arizonans for Affordable Electricity

Not-for-profit electric cooperatives have been providing safe, reliable, and affordable electricity to farms, ranches, small business, and hundreds of thousands of people in Arizona’s rural and suburban communities for more than fifty years. Democratically elected cooperative boards of directors all over Arizona have been adopting solar and other renewable power, and will continue to do so when it makes economic sense for their communities and their cooperative members. But, we want our fellow citizens to understand that this ballot proposition by a California Billionaire to change the Arizona Constitution does not make sense for our communities. It is not fair, and it is bad for our state.

A similar mandate in California caused utility costs to increase dramatically--three times faster in 2017 than anywhere else in the United States. Higher electricity costs hit poor communities the hardest, especially people with mobile homes and older homes.

This ballot proposition only applies to certain electric utilities in Arizona. Among those impacted are rural electric cooperatives, while the rest of Arizona’s not-for-profit utilities would remain untouched. How is that fair?

This proposition is not only expensive and unfair. We also believe the ballot proponents, with the backing of a California Billionaire, are trying to manipulate Arizona voters for their own ambitions. Send them a message that Arizona is not their political playground.

Kirk Gray, General Manager, Graham County Electric Cooperative, Inc., Pima; Creden Huber, CEO, Sulphur Springs Valley Electric Cooperative, Inc., Willcox; Steve Lunt, CEO, Duncan Valley Electric Cooperative, Inc., Duncan; J. Tyler Carlson, CEO and COO, Mohave Electric Cooperative, Inc., Bullhead City; and Patrick Ledger, CEO, Arizona Electric Power Cooperative, Inc., Benson

Sponsored by Patrick Ledger

A California billionaire political activist is spending millions of dollars in an attempt to fool Arizona voters. Are you ready for sky-rocketing electric bills? Are you ready for businesses to lay off workers because they can't afford these higher rates?

That's what we can expect with Prop 127. An ASU study estimates the proposal will kill THOUSANDS of jobs. And, by one estimate, the average household will see its electricity bills double – about \$1,200 in added energy costs over the course of a year.

AMIGOS, a diverse statewide organization of mostly small and mid-sized businesses urges you to oppose Proposition 127. We support renewable energy, but it's important that we have a smart plan that takes into account Arizona's unique needs and opportunities – not a replica of a disastrous California law.

Please join AMIGOS in opposing this initiative. Vote NO on Prop 127.

Sydney Hay, President, AMIGOS, Scottsdale

As Chairman of the Senate Natural Resource, Energy and Water Committee, I have the privilege of working with government officials, experts, and ordinary Arizona residents to reduce regulations and protect the state from radical environmental groups and political activists who want to increase our energy prices and threaten the reliability of our electric grid.

Sadly, a billionaire from California is trying to undo all the work we've done to safeguard the affordability of our energy. In February, he submitted an initiative that would AMEND THE STATE CONSTITUTION to require that Arizona residents significantly increase their utilization of expensive and unreliable renewable energy. This Proposition could DOUBLE your electricity bill by forcing your electric company to spend HUNDREDS OF MILLIONS OF DOLLARS of YOUR money to build new power plants and subsidize the solar industry.

This Proposition is based on a virtually identical regulation in California that has led to electricity bills that are nearly double what we pay in Arizona. This proposition was not conceived in Arizona, but in California, by Tom Steyer and his millionaire attorneys who think that you don't pay enough for electricity.

I want to make it very clear- this Proposition would do NOTHING to clean the air. In fact, by excluding nuclear energy, it would shut down our state's only nuclear plant and replace its clean power with carbon-emitting natural gas generation.

This Proposition would increase our utility bills, shut down our clean affordable plants, kill thousands of jobs, and eliminate tens of millions of dollars in tax revenue for Arizona schools and public safety.

Don't let an out of state billionaire dictate Arizona's energy policy, Please join me in voting AGAINST this costly and dangerous initiative. Thank you.

Senator Gail Griffin

Gail Griffin, Senator, Sierra Vista

The Queen Creek Chamber of Commerce opposes the "Clean Energy for a Healthy Arizona" initiative. We do not believe that energy policy should be set by an amendment to the Arizona Constitution. Current laws will make this amendment nearly impossible to modify in the future, even if we find its consequences unacceptable now or in five, ten or fifteen years from now.

Does anyone know what energy policy will be best for us in fifteen years or more in the future? This constitutional amendment will still be in place regardless. Furthermore, in the near future, electricity bills are expected to rise significantly across Arizona if passed. This will threaten our state's economic recovery and drive businesses away. We urge you to vote NO on this initiative.

Chris Clark, President & CEO, Queen Creek Chamber of Commerce, Queen Creek
Sponsored by Arizonans for Affordable Electricity

As a former California resident, I moved to AZ for better opportunity. California has high costs of living, overgrown regulatory environment and high energy costs. I oppose the Clean Energy ballot initiative because we need affordable and reliable energy. We don't need California policy in AZ.

JR Gabaldon, Casa Grande
Sponsored by Arizonans for Affordable Electricity

As the Mayor of Douglas, affordable, reliable electricity is critical to our business and residents in Southeast Arizona. The Clean Energy ballot initiative would drive power prices up and reliability down, making Arizona a less attractive place for residents and businesses to do business.

Robert Uribe, Mayor, Town of Douglas, Douglas
Sponsored by Arizonans for Affordable Electricity

It is important to keep electricity affordable for low income families. If this ballot initiative passes, families will see electricity bills double by 2030. Low-income families, including children and the elderly, will be hit the hardest. Today, low income customers receive a 25 percent discount on their power bill. The costs of this mandate would wipe that out and drive costs much higher for these families. We need to protect our low income population and keep energy costs low.

Mary Lou Rosales, Casa Grande
Sponsored by Arizonans for Affordable Electricity

We are always suspicious when an out-of-state group promotes a mandate to satisfy their own ideas by telling Arizonans to spend more money. Proposition 127 is one of the worst ideas we have seen. If this proposition is passed, the average Arizona family will find their electricity bill doubling. This mandate will adversely affect businesses which in turn will effect the Arizona economy. Proposition 127 is an unreasonable demand to require regulated electric utilities to generate 50 percent of their energy from renewable resources by 2030. A more reasonable approach is our current standard requiring 15 percent of their energy from renewable resources by 2025.

Mandates are never good, but even more so when an out-of-state group comes in to tell Arizonans what to do and how to do it to satisfy their own extreme ideas. Enough. Please vote no on Proposition 127.

Kimberly Wold, Executive Director, Prosper, Phoenix
Sponsored by Arizonans for Affordable Electricity

Arizonans should vote no against Proposition No. 127 for the following reasons. Arizona's electric service has been safe, reliable, and affordable for residences and businesses for more than seventy-five years. The Proposition's 50% renewable energy requirement is arbitrary and has no relationship to Arizona's energy needs. It will increase costs to Arizonans because it will require unnecessary investments in energy supply. This Proposition would result in electric resources that only work at certain times of the day which will lower the reliability of Arizona's electricity system. Electric systems need various supply options that work all the time to remain reliable. Finally, this Proposition is being funded by a California organization. Arizona's energy future should not be left to California interests. Californians pay over 50% higher electric rates as a result of adopting a similar 50% renewable energy requirement. For these reasons, please vote no on Proposition No. 127

Tom Hall, Director, Reliable Energy Policy, Phoenix

Aerospace Arizona urges you to vote NO on the “clean energy” initiative. As an association representing the aerospace industry, we are proud this is one of our state’s largest economic sectors.

More than 1,200 aerospace-related firms call Arizona home, and our state ranks 5th nationally in terms of aerospace employment. This is a competitive industry, however, and the ballot initiative threatens to significantly increase the cost of doing business in Arizona.

That means fewer aerospace jobs. In addition to increasing costs, voters should know this initiative is being pushed by out-of-state interests who want Arizona to adopt California’s failed energy policies.

California already has a 50% renewable-energy mandate on the books, and its electricity rates are among the highest in the country. California also struggled with rolling blackouts during this summer’s heat wave because its grid couldn’t keep up with demand – our industry relies on a reliable grid to keep aviation safe and secure.

Let’s not follow California’s lead. Arizonans are fortunate to live in a state with affordable, reliable and clean energy. Vote NO on the initiative.

Mignonne Hollis, Chairman, Aerospace Arizona Association, Sierra Vista

The Arizona Regional Economic Development Foundation (AREDF) began in 1985 with the mission to support a thriving, sustainable economy in Arizona. We oppose the “clean energy” initiative because it threatens Arizona’s economy.

This ballot proposal hampers job creation and undermines economic development in our state, especially for small businesses and startups. Why? The initiative will significantly increase energy prices, making the cost of doing business in Arizona prohibitively expensive.

That has been the experience in California, where the exact same 50% renewable-energy mandate is already in place and electricity prices have increased at a rate 3X faster than the national average over the past two years alone. This is part of the reason many employers are now fleeing California.

AREDF supports an energy plan that balances the needs of Arizona families, small businesses and the environment. Vote NO on the initiative.

Mignonne Hollis, Executive Director, Arizona Regional Economic Development Foundation, Sierra Vista

Vote No On California Billionaire Initiative

As the collective voice for Arizona’s residential building professionals for nearly 70 years, our organization has a responsibility to speak out against bad-for-business policy that would devastate homeowners, our industry and Arizona’s economy. That’s why we staunchly oppose the so-called “Clean Energy” initiative – and we’re urging our members and all Arizona voters to do the same. This measure – a pet project of California billionaire and political activist Tom Steyer – will be cast in stone forever if approved by the voters. It is a constitutional amendment that would unreasonably raise the cost of energy for all of our home buyers making it harder for people to purchase their American dream. If approved, these costly and restrictive regulations will drive up housing costs and electricity prices – doubling the monthly energy bill for the average Arizona household. Long-term, the measure will cost Arizona thousands of jobs and billions in economic impact. This is not the future we want for Arizona.

Join us in voting NO on this harmful initiative.

Connie Wilhelm, CEO, Home Builders Association of Central Arizona, Phoenix

Prop 127 has a clean and healthy name, but the good news stops there. This is another example of special interests outside our state with big money invested in this proposition to pull off a con on Arizona voters. The complexities associated with energy policy and planning are manifold, and our states founders set up our Corporation Commission separate from our politically motivated legislative bodies (House & Senate) within our Constitution to specifically address these business issues. What’s needed is analysis and deliberation by qualified elected commissioners rather than a media-hyped emotional appeal to voters. Changing our Constitution by proposition has consequences, and a poorly thought through policy change like this one will have severe consequences. The current renewable energy standard originally targeted for 2025 has already been met. Our states power users are demanding clean energy and they are getting it. The trend is positive and continuing in that direction. Added to this is a

robust technology sector making inroads in battery storage for solar energy, bio-fuels, and creation of micro-grids. Arizona does not need to be forced through use of emotional propaganda into a constitutional straight-jacket. VOTE NO on this very bad idea.

James “Jim” O’Connor, Candidate for AZ Corporation Commission, Scottsdale
Sponsored by O’Connor 4 Corp Comm

This initiative is named “Clean Energy for a Healthy Arizona” yet it fails to acknowledge the value of Arizona’s largest source of carbon-free electricity – Palo Verde Nuclear Generating Station. It only recognizes renewable energy as “clean”. Clean energy mandates need to be done in a responsible manner, through collaboration of Arizona’s leaders and communities. The “Clean Energy” title on this ballot initiative is misleading and would weaken our economic competitiveness by more than doubling commercial and industrial energy costs.

Craig McFarland, Casa Grande
Sponsored by Arizonans for Affordable Electricity

TUCSON METRO CHAMBER OPPOSES MISLEADING CLEAN ENERGY FOR A HEALTHY ARIZONA AMENDMENT

The Tucson Metro Chamber’s Board of Directors voted unanimously to oppose Prop 127, the misnamed and misleading Clean Energy for a Healthy Arizona Amendment. The Amendment would require affected electric utilities to provide at least 50% of their annual retail sales of electricity from renewable energy sources by 2030, an unrealistic goal being pushed by California billionaire Tom Steyer.

Chair of the Board of Directors Barbi Reuter says, “This amendment will be costly and harmful to Southern Arizona businesses and could disadvantage Arizona’s economic competitiveness.” Tucson Electric Power, Southern Arizona’s largest electrical utility, estimates the average increase a year would be \$550 to residential customers, and \$3,400 for commercial customers. Tucsonans, and Arizonans statewide, simply cannot afford this constitutional amendment. Requiring 50% use of renewables (specifically defined in the amendment) would be the largest and most aggressive energy generation requirement, likely placing Arizona at a substantial economic disadvantage. If passed by the voters in Arizona, Prop 127 would represent a drastic shift in the energy portfolio and policy for the entire State of Arizona.

With likely job losses in the hundreds, if not thousands, this is simply an initiative Arizona cannot afford. Vote NO on Prop 127.

Amber Smith
President & CEO
Tucson Metro Chamber

Amber Smith, President & CEO, Tucson Metro Chamber, Tucson
Sponsored by Tucson Metro Chamber

Proposition 127

Navopache Electric Cooperative is a nonprofit rural electric distribution cooperative whose members include consumers in the White Mountains of Arizona. We oppose the ballot initiative of a California billionaire who seeks to undermine Arizona’s energy policy and regulatory framework by amending Arizona’s Constitution. Arizona’s energy policies should be determined by our elected policy makers, the Arizona Corporation Commission, not a political activist from California who has no connection with Arizona other than a willingness to spend tens of millions of dollars to promote his own personal agenda.

The proposed Constitutional Amendment is discriminatory and would only apply to certain Arizona electric utilities (such as rural electric distribution cooperatives). It would NOT apply to all Arizona electric utilities.

The proposed Constitutional Amendment is also misleading in its claim of promoting clean energy. In fact, it only promotes renewable energy sources, specifically wind and solar. Wind and solar generated electricity is intermittent and unreliable. Also, if this initiative passes it will increase the cost for electric distribution cooperatives to provide electric service to our members. It is estimated that this proposal will increase the average electric consumer’s electric bill by approximately \$45 to \$65 per month. Rural and economically depressed communities will be impacted the most by these increased costs.

Join with us in sending the message that Arizonans should determine our own energy policies by voting NO on this proposed Constitutional Amendment.

Chuck Moore, CEO, Navopache Electric Cooperative, Inc., Lakeside

Against Prop 127:

I highly recommend voting against this proposition. Yes, we all want clean energy but let's look at the same initiative that was implemented in California. The initiative is being funded by Billionaire Activist Tom Steyer. The energy companies have had to raise rates to their customers. The middle and low income families have been hurt the worse. New homes built in California are required to have Solar installed, causing an increase in new homes. These solar panels are installed based on the home size and not based on the home owners power usage. Nuclear power would not be allowed. The billions of dollars spent by these companies on Nuclear Power would have to be recovered by these companies and this would mean the residence would have to pay more. Currently, the power companies are trying to sell their Nuclear Power to neighboring states. Plus, the solar companies are lining up to make large amounts of money from this initiative. So, the winners of this proposition are the solar and wind power companies and the losers are the residents of Arizona, especially the middle and low income families.

Glenn Smith, Prescott Valley

Tucson Electric Power is enthusiastically expanding its use of renewable energy at a pace that is both rapid and rational.

We're on track to provide 30 percent of our power from wind and solar by 2030 – double the state's current goal. Our ambition doesn't stem from state standards. Instead, it reflects the highest levels we can achieve without compromising reliability or affordability.

That's why I'm opposed to Proposition 127, which would lock an arbitrary 50-percent renewable requirement into our state constitution. If passed, this proposal would require us to scrap our careful plans and rush to develop more expensive, less reliable systems that increase costs for our customers.

We project that Proposition 127 would increase average residential electric bills by more than \$500 per year by 2030 while boosting the average annual electric bill of local businesses by about \$3,400. These rate hikes would weigh heavily on many families and businesses, stifling our local economy.

The initiative would force TEP to prematurely retire power plants and other infrastructure and to accelerate development of additional renewable resources, energy storage and supporting systems at higher prices. In particular, it would require us to get 20 percent of our renewable power from private rooftop solar arrays at a much higher cost than larger, community-scale solar or wind systems.

Tom Steyer, the California billionaire behind this initiative, clearly didn't consider, or care, how these costs would impact our community. In fact, he admitted to the Arizona Daily Star that he did not even know why the private solar requirement was included. I agree with Star columnist Tim Steller, who called that requirement "a sop to the rooftop solar industry."

Please vote no on Proposition 127 so TEP can continue expanding renewable resources at a pace that allows continued reliable and affordable energy service.

David Hutchens, President and CEO, Tucson Electric Power, Tucson

Paul Hickman, President and CEO, Arizona Bankers Association

The "Clean Energy" initiative does not make economic sense. If approved, it will impose expensive, unreasonable and constitutionally binding regulations on public utilities that will radically raise electricity rates in Arizona. These added costs will be shouldered by businesses, families and industry in the form of higher utility bills, with experts noting the average household will see its current energy price tag more than double. That's in addition to the thousands of jobs and billions of dollars in tax revenue Arizona will hemorrhage over the coming years, as economically-vital power plants are forced to close under these crushing California-style mandates. We can all support a responsible transition toward more renewable energy, and Arizona already has a plan in motion. But passing energy policy at the ballot box – especially one with this many risks and repercussions

– is a mistake Arizona cannot afford. These are among the reasons the Arizona Bankers Association opposes this initiative. Please join us in voting NO.

Paul Hickman, President & CEO, Arizona Bankers Association, Phoenix

Arizona farmers rely on affordable power to run their operations. From pumping water to crops and livestock to powering the machinery that processes the food we eat, energy and agriculture are inextricably connected. As a result, access to affordable power is essential to make sure our families have affordable, abundant food on our tables.

Proposition 127 will only serve to cripple the agricultural industry by limiting access to affordable power and vastly increasing the costs of producing food in Arizona. By ignoring the value of existing, reliable, green energy sources and ignoring the realities of the current energy market, Proposition 127 will only serve to make energy exponentially more expensive – all while providing no appreciable environmental benefit.

Not only will Proposition 127 make food more expensive, it is also expected to significantly increase the average household’s electricity bill. This cost increase will be the most difficult to bear in rural Arizona, where small energy providers have less ability to diversify and modify their existing energy infrastructure. Many Arizona Farm Bureau members are also proud residents of rural Arizona. We cannot support a measure that would devastate their ability to power their homes and businesses.

There is no one who better appreciates the importance of wise environmental stewardship than the farmer or rancher; after all, he relies on the sustainability of his resources not only for his livelihood, but for his very way of life. But by ignoring the needs of agriculture and rural Arizona, Proposition 127 would destroy Arizona’s sustainability rather than improve it. Join us in opposing Proposition 127.

Stefanie Smallhouse, President, Arizona Farm Bureau Federation, Gilbert

Sponsored by Arizona Farm Bureau Federation

No one is against clean energy. But all residents of Arizona should be concerned about this initiative for one reason: Once initiatives pass, they difficult to alter in any meaningful way. Even if you agree with every word in the initiative, the chance to address any unintended consequences will be almost non-existent if it passes.

For example, if this initiative does impact the Palo Verde Generating Station (as has been suggested by some) the consequences could be devastating. For frame of reference, according to the Arizona Republic (source: July 6, 2018, p. 8A, authors Alison Steinbach, Ryan Randazzo and Richard Ruelas) “the nuclear plant is the largest power producer of any kind in the country.”

This initiative should not be taken lightly. With the stakes so high, good intentions should not outweigh the need for thoughtful discussion.

Jim Waring

James Waring, Scottsdale

The Arizona Cotton Growers Association – the state’s leading advocate for Arizona’s cotton producers and agribusiness industry – strongly opposes the “Clean Energy” ballot initiative. If approved, this measure will drastically drive up the price of power in Arizona – hurting farmers and families in every corner of the state, and threatening the viability of an already vulnerable market. Cotton is a commodity and farmers are price takers, not price makers. We don’t have the ability to charge more for our product to compensate for rising energy costs. Adopting California-style energy policy that will increase utility rates by over 100 percent is a financial burden our industry cannot afford. Like most of the business and trade associations who have opposed this measure, we support a responsible transition toward more renewable energy. But this approach is unrealistic, unwise and bad for business. On behalf of Arizona cotton producers and advocates across the state, please join me in voting NO on this initiative.

Art Heiden, President, Arizona Cotton Growers Association, Buckeye

Clean Energy for a Healthy Arizona ballot measure states that private utilities will receive negative energy credits for nuclear generation the same as coal generation. Advertisements have said it wouldn’t affect our states nuclear plant but the wordage in this ballot measure differs from that opinion. This also doesn’t mandate all of AZ’s utilities to comply with the renewable

standard. It also doesn't protect AZ residents from excessive bill charges for the reckless capital improvements. It doesn't support grid storage (which is what renewable energy needs to move forward). Also it assumes solar energy is cheaper than other sources which isn't true if you calculate it for a 24hour capacity factor. To be clear this is a constitutional amendment, it will lock our constitution in today's technology - is hard to believe that clean energy sources will not improve and develop.

Why would we as Arizonans want to set our state back in clean energy generation by shutting down Palo Verde, letting some utilities not follow a standard and lock our constitution into today's technology?

Benjamin Dean, Tonopah

The Duncan Valley Electric Cooperative (DVEC) has been based in Duncan, Arizona for over 70 years and serves many Arizona families, their businesses, churches and schools. As the Board President it is imperative that I speak out against Prop. 127 as it will force our co-op to source 50% of our power from renewables. If passed, this mandate will not only increase our electric rates but the reliability that we're known for offering our members will suffer.

California, which is what this misguided initiative is basing their mandate after, leads the nation with 470 power outages every year. Research points directly to California's reliance on solar and wind energy as the main source of the outages. Reliability of our electricity in a hot desert climate is essential to our lives and livelihood.

At DVEC, we don't mind solar complementing our energy use, but our members want our air conditioners and refrigerators to work all the time – not just when the sun is shining.

I urge you to vote NO on Prop 127. In doing so, we are saying NO to higher electric rates and NO to unreliable energy.

Johnnie Frie, President, Duncan Valley Electric Cooperative, Duncan

Our little community is served by our electrical cooperative. They have been serving us since 1947 as no commercial company wanted our business. Our parents and grandparents started a cooperative to provide us with affordable power to sustain our way of life. We later joined with other local cooperatives and formed a generation and transmission cooperative as that was the most economical way to develop reliable affordable electricity.

We have continually updated our power plant to stay compliant with ever changing environmental regulations at great cost to our members. If this initiative were to pass, our cooperative will be left with a huge debt and facing more cost to provide the mandated renewable power while our present power plant will sit wasting away with us still owing for the mandated upgrades. Our power bills will almost double to pay for new solar plants and the debt on our present power plant. Our little community cannot afford this type of new burden.

I urge you to vote NO on Prop 127. In doing so, we are saying NO to higher electric rates and NO to unreliable energy.

Thomas Powers, Superintendent of Schools, Greenlee County, Arizona, Duncan

Proposition 127 comes from a California billionaire with claims it will solve Arizona's energy problems. The Clean Energy for a Healthy Arizona coalition makes two claims about energy that California's push for renewable energy has proved wrong.

Claims are made that this mandate for renewable energy will provide affordable and reliable energy. Do you know which western state has the highest cost for energy? California, with power costs 45% higher than the U.S average. Do you know which state has to import 33% of its energy from its neighbors? California. In 2010, California only imported 25% of its power. Adding too much renewable energy has reduced California's reliability and ability to provide for itself. Do you know which state leads the nation in power outages? California. California ranks #36 in energy performance, while Arizona ranks #9. Why would we want California's renewable plan?

Wind and solar are not firm producers of electricity. The California Public Utilities Commission President recently issued a warning that if the state doesn't address the lack of firm energy providers, the state will face another energy crisis like that of 2000 and 2001. Remember California's rolling blackouts? Do you want to see that in Arizona?

Only 60% of California homes have air conditioning. In Arizona it is 95%. Arizonan's require more electricity to cool our homes yet our costs for power are lower than California's. Do you want that to change?

So you have to ask yourself. Do you want your energy costs to keep up with California? Do you want the lack of reliability that Californians suffer with?

Claims of this ballot measure solving our energy problems are blatant falsehoods. We must learn from California's experiences and tell them and their billionaire sponsor to keep their problems. Vote NO on this proposed constitutional amendment.

Steven Lunt, Member, Duncan Valley Electric Cooperative, Duncan

A 50% renewable power mandate will cause substantial hikes in energy bills and produce no meaningful environmental benefit.

Wind and solar power are much more expensive than conventional power. The latest data show wind power is 50% more expensive than conventional power, and solar power is triple the cost of conventional power. If wind and solar power were not so expensive, government would not have to impose renewable power mandates to force people to buy renewable energy.

A 50% renewable power mandate would put Arizona on the same energy path as California. California electricity prices are approximately 50% higher than in Arizona. Far-left San Francisco billionaire Tom Steyer is funding this ballot initiative, seeking to export California's high energy prices to Arizona. Perhaps he thinks that making every state as expensive as California will cause some of the many people fleeing California to return.

Yet what are Arizonans receiving in return for 50% higher electricity bills and rapidly rising energy prices? The answer is very little. America is already reducing greenhouse gas emissions faster than any other country in the world. American emissions are down 14% this century, even as global emissions are up 40%. American emissions are lower than they have been since 1992, and emissions continue to decline. Even if global warming were a serious problem, a 50% renewable power mandate is an expensive and unnecessary way to continue the emissions reductions that are already occurring.

James Taylor, Senior Fellow, The Heartland Institute, Arlington Heights

Amending Arizona's constitution to require 50 percent of the state's electricity to come from renewable sources by 2030 is too costly for Arizona families.

Study after study has found that states with renewable portfolio standards experience steep hikes in electricity prices. These increases would come on top of already-sky-high energy bills for Arizonans. More than 433,000 households already pay between 15.7 and 41.5 percent of their annual income on their energy bill. Sixty-five percent of all families would have to spend additional money on home energy bills that would normally be spent on weeks' worth of groceries.

In 2015, the Energy Information Administration found that more than one in five households forewent food, medicine and other necessities to pay their energy bill. That trend will only continue if we make things harder for the many families already struggling to make ends meet – which these unrealistic 50 percent renewable targets undoubtedly will.

We only have to look to other states to see how these energy mandates play out. California passed similar standards in 2015. From 2016 to 2017, the state's electricity prices rose three times more than the rest of the country's.

Some of the same people who pushed these standards in California are trying to do so here. This initiative will only benefit these out-of-state special interests, not the people of Arizona.

Please join me and the Arizona chapter of Americans for Prosperity in voting NO on Prop 127.

Andrew Clark, State Director, Americans for Prosperity, Phoenix
Sponsored by Americans for Prosperity

The Southern Arizona Leadership Council (SALC) strongly encourages the voters of Arizona to vote “NO” on Proposition 127. Do not be fooled by the name. At best, Proposition 127 is a well-intended but incredibly poorly-structured initiative. At worst, it is another case of an out-of-state interest trying to take advantage of Arizona’s initiative process which will lead to increased energy costs and place our reliable and affordable energy at risk.

Prop 127 will result in increased electrical costs for Arizona residents and businesses. Estimates place the increase between \$500-1000 per household and over \$3000 per business. The impact on businesses and the economy could result in a loss of jobs, slowing growth or closure of businesses. Alternatively, businesses can pass their increased costs onto their customers, an option households don’t have. While all users of electricity will face increased costs, the poor will be impacted the most. Utility costs account for a much larger portion of available income to families in poverty.

The Arizona Corporation Committee (ACC), an elected body, sets statewide energy policy. The ACC is actively engaged in expediting Arizona’s move towards clean, renewable energy sources and has a more challenging goal than Prop 127: The ACC is targeting 80% of our power resources be from clean energy by 2050. The ACC also considers each utility provider on a case by case basis, unlike Prop 127 which treats the utility providers, including smaller rural cooperatives, as a “one size fits all.” However, Salt River Project, the state’s second-largest energy provider, is exempted from this initiative. Why should they be exempted?

Prop 127 is not in the best interests of the citizens of Arizona or our energy policy. SALC urges you to vote “NO” on Prop 127.

Edward Maxwell, President/CEO, Southern Arizona Leadership Council, Oro Valley

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ARGUMENTS “AGAINST”
PROPOSITION 127

PROPOSITION 127 *Ballot Format*

PROPOSITION 127

PROPOSED AMENDMENT TO THE CONSTITUTION BY THE INITIATIVE RELATING TO RENEWABLE ENERGY PRODUCTION

OFFICIAL TITLE

AMENDING ARTICLE XV OF THE CONSTITUTION OF ARIZONA TO REQUIRE ELECTRICITY PROVIDERS TO GENERATE AT LEAST 50% OF THEIR ANNUAL SALES OF ELECTRICITY FROM RENEWABLE ENERGY SOURCES

DESCRIPTIVE TITLE

THE CONSTITUTIONAL AMENDMENT WOULD REPLACE ARIZONA’S CURRENT PLAN FOR INCREASING RENEWABLE ENERGY USE BY IMPOSING A NEW MANDATE REQUIRING NONGOVERNMENTAL ELECTRIC UTILITIES TO INCREASE THE PORTION OF THEIR RETAIL ENERGY SALES GENERATED FROM CERTAIN TYPES OF RENEWABLE ENERGY RESOURCES TO 50% BY 2030.

A “YES” vote will replace Arizona’s current plan for transitioning nongovernmental electric utilities to renewable energy with a constitutional mandate that, irrespective of cost to consumers, 50% of the retail energy sales of these utilities come from certain types of renewable energy by 2030 (neither pre-1997 hydropower nor any nuclear generation counts for this percentage); the current plan increases use of the same types of renewable energy from 8% this year to 15% in 2025. A “YES” vote also will mandate that these utilities increase their use of distributed renewable energy (energy locally generated and distributed from customers’ premises) to 10% by 2030; will require the new mandates be met by obtaining renewable energy credits, which may be created through renewable energy production or purchased from others who own existing renewable energy credits; and will require the Arizona Corporation Commission to enact implementing regulations.

YES

A “NO” vote will preserve the existing rules that govern the required annual percentage of retail sales of renewable energy by nongovernmental electric utilities.

NO

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BALLOT FORMAT FOR
PROPOSITION 127

Proposition 305

OFFICIAL TITLE

AN ACT

AMENDING SECTIONS 15-2401, 15-2402, 15-2403 AND 42-2003, ARIZONA REVISED STATUTES; AMENDING LAWS 2013, CHAPTER 250, SECTION 3; RELATING TO EMPOWERMENT SCHOLARSHIP ACCOUNTS.

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

Section 1. Section 15-2401, Arizona Revised Statutes, is amended to read:

15-2401. Definitions

In this chapter, unless the context otherwise requires:

~~1. "Annual education plan" means an initial individualized evaluation and subsequent annual reviews that are developed for a qualified student who meets the criteria specified in paragraph 7, subdivision (a), item (i), (ii) or (iii) of this section to determine ongoing annual eligibility through the school year in which the qualified student reaches twenty-two years of age and whether the student may be eligible pursuant to section 36-2981 and should be referred for eligibility determination.~~

~~2.~~ 1. "Curriculum" means a complete course of study for content areas or grade levels, including any supplemental materials required by the curriculum, approved by the department.

~~3.~~ 2. "Department" means the department of education.

~~4.~~ 3. "Eligible postsecondary institution" means a community college as defined in section 15-1401, a university under the jurisdiction of the Arizona board of regents or an accredited private postsecondary institution.

4. "LOW-INCOME STUDENT" MEANS A CHILD WHO IS OR WAS A WARD OF THE JUVENILE COURT PURSUANT TO PARAGRAPH 7, SUBDIVISION (a), ITEM (viii) OR (ix) OF THIS SECTION OR A CHILD WHO IS A DEPENDENT OF A FAMILY WHOSE FEDERAL ADJUSTED GROSS INCOME AS REFLECTED ON THE LAST STATE INCOME TAX RETURN THAT WAS REQUIRED TO BE FILED DOES NOT EXCEED TWO HUNDRED FIFTY PERCENT OF THE FEDERAL POVERTY GUIDELINES FOR THAT SAME YEAR.

5. "Parent" means a resident of this state who is the parent or legal guardian of a qualified student.

6. "Qualified school" means a nongovernmental primary or secondary school or a preschool for pupils with disabilities that is located in this state and that does not discriminate on the basis of race, color or national origin.

7. "Qualified student" means a resident of this state who:

(a) Is any of the following:

(i) Identified as having a disability under section 504 of the rehabilitation act of 1973 (29 United States Code section 794).

(ii) Identified by a school district or by an independent third party pursuant to section 15-2403, subsection I as a child with a disability as defined in section 15-731 or 15-761.

(iii) A child with a disability who is eligible to receive services from a school district under section 15-763.

(iv) Attending a school or school district that has been assigned a letter grade of D or F pursuant to section 15-241. ~~or~~

(v) A CHILD who is currently eligible to attend kindergarten and who resides within the attendance boundary of a school OR SCHOOL DISTRICT that has been assigned a letter grade of D or F pursuant to section 15-241.

~~(v)~~ (vi) A previous recipient of a scholarship issued pursuant to section 15-891 or this section, unless the qualified student's parent has been removed from eligibility in the program for failure to comply pursuant to section 15-2403, subsection C.

~~(vi)~~ (vii) A child of a parent who is a member of the armed forces of the United States and who is on active duty or was killed in the line of duty. A child who meets the requirements of this item is not subject to subdivision (b) of this paragraph.

~~(vii)~~ (viii) A child who is a ward of the juvenile court and who is residing with a prospective permanent placement pursuant to section 8-862 and the case plan is adoption or permanent guardianship.

~~(viii)~~ (ix) A child who was a ward of the juvenile court and who achieved permanency through adoption or permanent guardianship.

~~(ix)~~ (x) A child who is the sibling of a current or previous empowerment scholarship account recipient or of an eligible qualified student who accepts the terms of and enrolls in the AN empowerment scholarship program ACCOUNT.

~~(x)~~ (xi) A child who resides within the boundaries of an Indian reservation in this state as determined by the department of education or a tribal government.

~~(xi)~~ (xii) A child of a parent who is legally blind pursuant to section 41-1973, subsection C or IS deaf or hard of hearing pursuant to AS DEFINED IN section 36-1941.

(xiii) BEGINNING IN THE 2017-2018 SCHOOL YEAR, A CHILD WHO CURRENTLY ATTENDS OR IS ELIGIBLE

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PROPOSITION 305

TO ATTEND A PUBLIC SCHOOL IN A KINDERGARTEN PROGRAM OR ANY OF GRADES ONE, SIX AND NINE.

(xiv) BEGINNING IN THE 2018-2019 SCHOOL YEAR, A CHILD WHO CURRENTLY ATTENDS OR IS ELIGIBLE TO ATTEND A PUBLIC SCHOOL IN A KINDERGARTEN PROGRAM OR ANY OF GRADES ONE, TWO, SIX, SEVEN, NINE AND TEN.

(xv) BEGINNING IN THE 2019-2020 SCHOOL YEAR, A CHILD WHO CURRENTLY ATTENDS OR IS ELIGIBLE TO ATTEND A PUBLIC SCHOOL IN A KINDERGARTEN PROGRAM OR ANY OF GRADES ONE THROUGH THREE AND GRADES SIX THROUGH ELEVEN.

(xvi) BEGINNING IN THE 2020-2021 SCHOOL YEAR, A CHILD WHO CURRENTLY ATTENDS OR IS ELIGIBLE TO ATTEND A PUBLIC SCHOOL IN A KINDERGARTEN PROGRAM OR ANY OF GRADES ONE THROUGH TWELVE.

(b) And, except as provided in subdivision (a), item (vi) (vii) of this paragraph, who meets any of the following requirements:

(i) Attended a governmental primary or secondary school as a full-time student as defined in section 15-901 for at least ~~the first~~ one hundred days of the prior fiscal year and who transferred from a governmental primary or secondary school under a contract to participate in an empowerment scholarship account. First, second and third grade students who are enrolled in Arizona online instruction must receive four hundred hours of logged instruction to be eligible pursuant to this item. Fourth, fifth and sixth grade students who are enrolled in Arizona online instruction must receive five hundred hours of logged instruction to be eligible pursuant to this item. Seventh and eighth grade students who are enrolled in Arizona online instruction must receive five hundred fifty hours of logged instruction to be eligible pursuant to this item. High school students who are enrolled in Arizona online instruction must receive five hundred hours of logged instruction to be eligible pursuant to this item. THE DEPARTMENT MAY REQUEST A LOCAL EDUCATION AGENCY TO PROVIDE DOCUMENTATION OR CONFIRMATION OF THE STUDENT ATTENDANCE REQUIRED BY THIS ITEM, AND THE SCHOOL SHALL COMPLY WITH THE DEPARTMENT'S REQUEST WITHIN TEN DAYS.

(ii) Previously participated in ~~the AN~~ empowerment scholarship account ~~program~~.

(iii) Received a scholarship under section 43-1505 and who continues to attend a qualified school if the student attended a governmental primary or secondary school as a full-time student as defined in section 15-901 for at least ninety days of the prior fiscal year or one full semester prior to attending a qualified school.

(iv) Was eligible for an Arizona scholarship for pupils with disabilities and received monies from a school tuition organization pursuant to section 43-1505 or received an Arizona scholarship for pupils with disabilities but did not receive monies from a school tuition organization pursuant to section 43-1505 and who continues to attend a qualified school if the student attended a governmental primary or secondary school as a full-time student as defined in section 15-901 for at least ninety days of the prior fiscal year or one full semester prior to attending a qualified school.

(v) Has not previously attended a governmental primary or secondary school but is currently eligible to enroll in a kindergarten program in a school district or charter school in this state or attended a program for preschool children with disabilities. FOR THE PURPOSES OF THIS ITEM, A CHILD IS ELIGIBLE TO ENROLL IN A KINDERGARTEN PROGRAM IF THE CHILD IS AT LEAST FOUR BUT UNDER SEVEN YEARS OF AGE.

(vi) Has not previously attended a governmental primary or secondary school but is currently eligible to enroll in a program for preschool children with disabilities in this state.

8. "Treasurer" means the office of the state treasurer.

Sec. 2. Section 15-2402, Arizona Revised Statutes, is amended to read:

15-2402. Arizona empowerment scholarship accounts; funds

A. Arizona empowerment scholarship accounts are established to provide options for the education of students in this state.

B. To enroll a qualified student for an empowerment scholarship account, the parent of the qualified student must sign an agreement to do all of the following:

1. Use a portion of the empowerment scholarship account monies allocated annually to provide an education for the qualified student in at least the subjects of reading, grammar, mathematics, social studies and science. ~~unless the empowerment scholarship account is allocated monies according to a transfer schedule other than quarterly transfers pursuant to section 15-2403, subsection F.~~

2. Not enroll the qualified student in a school district or charter school and release the school district from all obligations to educate the qualified student. This paragraph does not relieve the school district or charter school that the qualified student previously attended from the obligation to conduct an evaluation pursuant to section 15-766.

3. Not accept a scholarship from a school tuition organization pursuant to title 43 concurrently with an empowerment scholarship account for the qualified student ~~in DURING the same year a parent signs the agreement pursuant to this section.~~ TIME THE QUALIFIED STUDENT IS ACTIVELY ENROLLED IN AN EMPOWERMENT SCHOLARSHIP ACCOUNT. THE DEPARTMENT MAY REQUEST THE QUALIFIED SCHOOL TO PROVIDE CONFIRMATION THAT THE QUALIFIED STUDENT IS IN COMPLIANCE WITH THIS PARAGRAPH.

4. Use the money deposited in the qualified student's Arizona empowerment scholarship account only for the following expenses of the qualified student:

(a) Tuition or fees at a qualified school.
 (b) Textbooks required by a qualified school.
 (c) If the qualified student meets any of the criteria specified in section 15-2401, paragraph 6-7, subdivision (a), item (i), (ii) or (iii) as determined by a school district or by an independent third party pursuant to section 15-2403, subsection I, the qualified student may use the following additional services:

(i) Educational therapies from a licensed or accredited practitioner or provider.
 (ii) A licensed or accredited paraprofessional or educational aide.
 (iii) Tuition for vocational and life skills education approved by the department.
 (iv) Associated services that include educational and psychological evaluations, assistive technology rentals and braille translation services approved by the department.

(d) Tutoring or teaching services provided by an individual or facility accredited by a state, regional or national accrediting organization.

(e) Curricula.

(f) Tuition or fees for a nonpublic online learning program.

(g) Fees for a nationally standardized norm-referenced achievement test, an advanced placement examination or any exams related to college or university admission OR ANY EXAMINATION PURSUANT TO PARAGRAPH 7 OF THIS SUBSECTION.

~~(h) Contributions to a Coverdell education savings account established pursuant to 26 United States Code section 530 for the benefit of the qualified student, except that money used for elementary or secondary education expenses must be for expenses otherwise allowed under this section:~~

~~(i) (h) Tuition or fees at an eligible postsecondary institution.~~

~~(j) (i) Textbooks required by an eligible postsecondary institution.~~

~~(k) (j) Fees for management of the empowerment scholarship account.~~

~~(l) (k) Services provided by a public school, including individual classes and extracurricular programs.~~

~~(m) (l) Insurance or surety bond payments.~~

~~(n) (m) Uniforms purchased from or through a qualified school.~~

~~(o) Beginning January 1, 2017, if the qualified student meets the criteria specified in section 15-2401, paragraph 7, subdivision (a), item (i), (ii) or (iii) and if the qualified student is in the second year prior to the final year of a contract executed pursuant to this article, costs associated with an annual education plan conducted by an independent evaluation team. The department shall prescribe minimum qualifications for independent evaluation teams pursuant to this subdivision and factors that teams must use to determine whether the qualified student shall be eligible to continue to receive monies pursuant to this article through the school year in which the qualified student reaches twenty-two years of age. An independent evaluation team that provides an annual education plan pursuant to this subdivision shall submit a written report that summarizes the results of the evaluation to the parent of the qualified student and to the department on or before July 31. The written report submitted by the independent evaluation team is valid for one year. If the department determines that the qualified student meets the eligibility criteria prescribed in the annual education plan, the qualified student is eligible to continue to receive monies pursuant to this article until the qualified student reaches twenty-two years of age, subject to annual review. A parent may appeal the department's decision pursuant to title 41, chapter 6, article 10. As an addendum to a qualified student's final-year contract, the department shall provide the following written information to the parent of the qualified student:~~

~~(i) That the qualified student will not be eligible to continue to receive monies pursuant to this article unless the results of an annual education plan conducted pursuant to this subdivision demonstrate that the qualified student meets the eligibility criteria prescribed in the annual education plan.~~

~~(ii) That the parent is entitled to obtain an annual education plan pursuant to this subdivision to determine whether the qualified student meets the eligibility criteria prescribed in the annual education plan.~~

~~(iii) A list of independent evaluation teams that meet the minimum qualifications prescribed by the department pursuant to this subdivision.~~

5. Not file an affidavit of intent to homeschool pursuant to section 15-802, subsection B, paragraph 2 or 3.

6. Not use monies deposited in the qualified student's account for any of the following:

(a) Computer hardware or other technological devices.

(b) Transportation of the pupil.

(c) Consumable educational supplies, including paper, pens or markers.

7. BEGINNING IN THE 2017-2018 SCHOOL YEAR AND EACH YEAR THEREAFTER, ANNUALLY HAVE A QUALIFIED STUDENT WHO PAYS TUITION AS A FULL-TIME STUDENT AT A QUALIFIED SCHOOL AND WHO IS IN ANY OF GRADES THREE THROUGH TWELVE TAKE ANY NATIONALLY STANDARDIZED NORM-REFERENCED ACHIEVEMENT EXAMINATION, AN ADVANCED PLACEMENT EXAMINATION THAT ASSESSES READING AND MATHEMATICS, THE STATEWIDE ASSESSMENT PURSUANT TO SECTION 15-741 OR ANY EXAMINATION RELATED TO COLLEGE OR UNIVERSITY ADMISSIONS THAT ASSESSES READING AND MATHEMATICS. A

QUALIFIED STUDENT MAY MEET THE REQUIREMENTS OF THIS PARAGRAPH BY TAKING AN EXAMINATION THAT IS CHOSEN AND ADMINISTERED BY A QUALIFIED SCHOOL, OR A PARENT MAY CHOOSE A SEPARATE EXAMINATION PURSUANT TO THIS PARAGRAPH THAT IS ADMINISTERED OUTSIDE OF THE QUALIFIED SCHOOL. THE EXAMINATION RESULTS SHALL BE REPORTED TO THE PARENT OF THE STUDENT. THIS PARAGRAPH DOES NOT APPLY TO:

(a) A STUDENT WHO IS IDENTIFIED AS HAVING A DISABILITY UNDER SECTION 504 OF THE REHABILITATION ACT OF 1973 (29 UNITED STATES CODE SECTION 794).

(b) A STUDENT WHO IS IDENTIFIED BY A SCHOOL DISTRICT OR INDEPENDENT THIRD PARTY PURSUANT TO SECTION 15-2403, SUBSECTION I AS A CHILD WITH A DISABILITY AS DEFINED IN SECTION 15-731 OR 15-761.

(c) A CHILD WITH A DISABILITY WHO IS ELIGIBLE TO RECEIVE SERVICES FROM A SCHOOL DISTRICT UNDER SECTION 15-763.

C. In exchange for the parent's agreement pursuant to subsection B of this section, the department OF EDUCATION shall transfer from the monies that would otherwise be allocated to a recipient's prior school district OR CHARTER SCHOOL, or if the child is currently eligible to attend kindergarten, the monies that the department OF EDUCATION determines would otherwise be allocated to a recipient's expected school district of attendance, to the treasurer for deposit into an Arizona empowerment scholarship account an amount that is equivalent to ninety percent of the sum of the base support level and additional assistance prescribed in sections 15-185 and 15-943 for that particular student ~~if that student were attending a charter school~~ BASED ON WHETHER THE STUDENT WAS PREVIOUSLY ATTENDING EITHER A CHARTER SCHOOL OR A SCHOOL DISTRICT. NOTWITHSTANDING ANY OTHER LAW, THE FUNDING LEVEL FOR A STUDENT WHO IS A RECIPIENT OF AN EMPOWERMENT SCHOLARSHIP ACCOUNT ON OR BEFORE JUNE 30, 2017 MAY NOT BE REDUCED. The department OF EDUCATION may retain up to five percent of the sum of the base support level and additional assistance prescribed in sections 15-185 and 15-943 for each student with an empowerment scholarship account for deposit in the department of education empowerment scholarship account fund established ~~in~~ BY subsection ~~D~~ E of this section, out of which the department OF EDUCATION shall transfer one percent of the sum of the base support level and additional assistance prescribed in sections 15-185 and 15-943 for each student with an empowerment scholarship account to the ~~state~~ treasurer for deposit in the state treasurer empowerment scholarship account fund established ~~in~~ BY subsection ~~E~~ F of this section AND OUT OF WHICH THE DEPARTMENT OF EDUCATION SHALL TRANSFER AN ADDITIONAL ONE PERCENT OF THE SUM OF THE BASE SUPPORT LEVEL AND ADDITIONAL ASSISTANCE PRESCRIBED IN SECTIONS 15-185 AND 15-943 FOR EACH STUDENT WITH AN EMPOWERMENT SCHOLARSHIP ACCOUNT TO THE DEPARTMENT OF REVENUE FOR DEPOSIT IN THE DEPARTMENT OF REVENUE EMPOWERMENT SCHOLARSHIP ACCOUNT FUND ESTABLISHED BY SUBSECTION G OF THIS SECTION.

D. NOTWITHSTANDING SUBSECTION C OF THIS SECTION, FOR A STUDENT WHOM THE DEPARTMENT OF REVENUE DETERMINES TO BE A LOW-INCOME STUDENT, AND IN EXCHANGE FOR THE PARENT'S AGREEMENT PURSUANT TO SUBSECTION B OF THIS SECTION, THE DEPARTMENT OF EDUCATION SHALL TRANSFER FROM THE MONIES THAT WOULD OTHERWISE BE ALLOCATED TO A RECIPIENT'S PRIOR SCHOOL DISTRICT OR CHARTER SCHOOL, OR IF THE CHILD IS CURRENTLY ELIGIBLE TO ATTEND KINDERGARTEN, THE MONIES THAT THE DEPARTMENT OF EDUCATION DETERMINES WOULD OTHERWISE BE ALLOCATED TO A RECIPIENT'S EXPECTED SCHOOL DISTRICT OF ATTENDANCE, TO THE TREASURER FOR DEPOSIT IN AN ARIZONA EMPOWERMENT SCHOLARSHIP ACCOUNT AN AMOUNT THAT IS EQUIVALENT TO ONE HUNDRED PERCENT OF THE SUM OF THE BASE SUPPORT LEVEL AND ADDITIONAL ASSISTANCE PRESCRIBED IN SECTIONS 15-185 AND 15-943 FOR THAT PARTICULAR STUDENT BASED ON WHETHER THE STUDENT WAS PREVIOUSLY ATTENDING EITHER A CHARTER SCHOOL OR A SCHOOL DISTRICT.

~~D~~: E. The department of education empowerment scholarship account fund is established consisting of monies retained by the department pursuant to subsection C of this section. The department shall administer the fund. Monies in the fund are subject to legislative appropriation. Monies in the fund shall be used for the department's costs in administering empowerment scholarship accounts under this chapter. Monies in the fund are exempt from the provisions of section 35-190 relating to lapsing of appropriations. If the number of empowerment scholarship accounts significantly increases after fiscal year 2012-2013, the department may request an increase in the amount appropriated to the fund in any subsequent fiscal year in the budget estimate submitted pursuant to section 35-113.

E: F. The state treasurer empowerment scholarship account fund is established consisting of monies transferred by the department to the state treasurer pursuant to subsection C of this section. The state treasurer shall administer the fund. Monies in the fund shall be used for the state treasurer's costs in administering the empowerment scholarship accounts under this chapter. If the number of empowerment scholarship accounts significantly increases after fiscal year 2013-2014, the state treasurer may request an increase in the amount appropriated to the fund in any subsequent fiscal year in the budget estimate submitted pursuant to section 35-113. Monies in the fund are subject to legislative appropriation. Monies in the fund are exempt from the provisions of section 35-190 relating to lapsing of appropriations.

G. THE DEPARTMENT OF REVENUE EMPOWERMENT SCHOLARSHIP ACCOUNT FUND IS ESTABLISHED

CONSISTING OF MONIES TRANSFERRED BY THE DEPARTMENT OF EDUCATION TO THE DEPARTMENT OF REVENUE PURSUANT TO SUBSECTION C OF THIS SECTION. THE DEPARTMENT OF REVENUE SHALL ADMINISTER THE FUND. MONIES IN THE FUND SHALL BE USED FOR THE DEPARTMENT OF REVENUE'S COSTS IN ADMINISTERING THE EMPOWERMENT SCHOLARSHIP ACCOUNTS UNDER THIS CHAPTER. IF THE NUMBER OF EMPOWERMENT SCHOLARSHIP ACCOUNTS SIGNIFICANTLY INCREASES, THE DEPARTMENT OF REVENUE MAY REQUEST AN INCREASE IN THE AMOUNT APPROPRIATED TO THE FUND IN ANY SUBSEQUENT FISCAL YEAR IN THE BUDGET ESTIMATE SUBMITTED PURSUANT TO SECTION 35-113. MONIES IN THE FUND ARE SUBJECT TO LEGISLATIVE APPROPRIATION. MONIES IN THE FUND ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190 RELATING TO LAPSING OF APPROPRIATIONS.

F. H. A parent must renew the qualified student's empowerment scholarship account on an annual basis. ~~Notwithstanding any changes to the student's multidisciplinary evaluation team plan;~~ A student who has previously qualified for an empowerment scholarship account ~~shall remain~~ REMAINS eligible to apply for renewal until the student ~~finishes~~ GRADUATES FROM high school, OBTAINS A GENERAL EQUIVALENCY DIPLOMA OR REACHES TWENTY-TWO YEARS OF AGE IF THE STUDENT CONTINUES TO BE ENROLLED IN A QUALIFIED SCHOOL. THE DEPARTMENT MAY REQUEST CONFIRMATION OF A QUALIFIED STUDENT'S PROGRESS TOWARD GRADUATION FROM HIGH SCHOOL OR THE COMPLETION OF A GENERAL EQUIVALENCY DIPLOMA. A QUALIFIED STUDENT WHO IS AT LEAST EIGHTEEN YEARS OF AGE AND WHO HAS BEEN DEEMED ELIGIBLE TO RECEIVE EDUCATIONAL THERAPIES OR SERVICES PURSUANT TO SECTION 15-2403, SUBSECTION I OR HAS BEEN IDENTIFIED AS A STUDENT WITH A DISABILITY PURSUANT TO SECTION 15-2401, PARAGRAPH 7, SUBDIVISION (a), ITEM (i), (ii) OR (iii) REMAINS ELIGIBLE TO APPLY FOR RENEWAL UNTIL THE QUALIFIED STUDENT REACHES TWENTY-TWO YEARS OF AGE OR OBTAINS A GENERAL EQUIVALENCY DIPLOMA WITHOUT BEING ENROLLED IN A QUALIFIED SCHOOL IF THE QUALIFIED STUDENT CONTINUES TO USE AT LEAST FIFTY PERCENT OF AVAILABLE EMPOWERMENT SCHOLARSHIP ACCOUNT MONIES ANNUALLY FOR ELIGIBLE PURCHASES PURSUANT TO SUBSECTION B, PARAGRAPH 4, SUBDIVISION (c) OF THIS SECTION. THE DEPARTMENT MAY REMOVE QUALIFIED STUDENTS WHO ARE NOT IN COMPLIANCE WITH THIS SUBSECTION FROM THE PROGRAM IN THE SUBSEQUENT YEAR.

G. I. A signed agreement under this section constitutes school attendance required by section 15-802.

H. J. A qualified school or a provider of services purchased pursuant to subsection B, paragraph 4 of this section may not share, refund or rebate any Arizona empowerment scholarship account monies with the parent or qualified student in any manner.

F. K. On the qualified student's graduation from a postsecondary institution or after any period of four consecutive years after high school graduation in which the student is not enrolled in an eligible postsecondary institution, the qualified student's Arizona empowerment scholarship account shall be closed and any remaining funds shall be returned to the state.

‡. L. Monies received pursuant to this article do not constitute taxable income to the parent of the qualified student.

M. THE DEPARTMENT OF REVENUE AND THE DEPARTMENT OF EDUCATION SHALL DEVELOP A PROCESS AND PROCEDURES TO DETERMINE WHETHER A STUDENT MAY BE CLASSIFIED AS A LOW-INCOME STUDENT FOR THE PURPOSES OF FUNDING LEVELS. THE DEPARTMENT OF EDUCATION MAY REQUEST THE DEPARTMENT OF REVENUE TO VERIFY THE INCOME LEVEL OF A PARENT USING ALREADY-AVAILABLE INFORMATION AND DATA AT THE DEPARTMENT OF REVENUE. THE DEPARTMENT OF REVENUE MAY VERIFY ONLY THE QUALIFIED STUDENT'S ELIGIBILITY OR INELIGIBILITY FOR INCREASED FUNDING AND MAY NOT TRANSFER ANY OTHER INCOME DATA TO THE DEPARTMENT OF EDUCATION. THE DEPARTMENT OF EDUCATION SHALL ALLOW APPLICANTS TO DESIGNATE WHETHER THEY WOULD LIKE TO BE CLASSIFIED AS LOW-INCOME FOR THE PURPOSES OF FUNDING FOR AN EMPOWERMENT SCHOLARSHIP ACCOUNT. THE DEPARTMENT OF REVENUE AND THE DEPARTMENT OF EDUCATION MAY DEVELOP ALTERNATIVE FORMS OF INCOME VERIFICATION FOR FAMILIES THAT ARE NOT REQUIRED BY LAW TO FILE STATE INCOME TAX RETURNS. IF THE DEPARTMENT OF REVENUE SUBSEQUENTLY RECEIVES INFORMATION THAT INDICATES A STUDENT SHOULD NOT HAVE BEEN CLASSIFIED AS A LOW-INCOME STUDENT, THE DEPARTMENT OF REVENUE SHALL NOTIFY THE DEPARTMENT OF EDUCATION. A STUDENT WHO IS SUBSEQUENTLY NOT CLASSIFIED AS LOW-INCOME SHALL BE FUNDED AT THE LEVEL PRESCRIBED PURSUANT TO SUBSECTION C OF THIS SECTION. A STUDENT MAY BEGIN AND CONTINUE TO RECEIVE THE REGULAR LEVEL OF FUNDING PURSUANT TO SUBSECTION C OF THIS SECTION ON SIGNING THE AGREEMENT TO ENROLL IN AN EMPOWERMENT SCHOLARSHIP ACCOUNT AND MAY BE SUBSEQUENTLY INCREASED TO THE LEVEL OF FUNDING PURSUANT TO SUBSECTION D OF THIS SECTION IF THE STUDENT IS DEEMED A LOW-INCOME STUDENT.

N. THE DEPARTMENT SHALL ALLOW AN APPLICANT FOR AN EMPOWERMENT SCHOLARSHIP ACCOUNT TO IDENTIFY ALL POTENTIALLY APPLICABLE ENROLLMENT ELIGIBILITY CRITERIA DURING THE APPLICATION PROCESS AND MAY NOT RESTRICT THE APPLICANT TO THE IDENTIFICATION OF A SINGLE ENROLLMENT ELIGIBILITY CRITERION. BEGINNING OCTOBER 1, 2017, THE DEPARTMENT SHALL ALLOW AN APPLICANT FOR

AN EMPOWERMENT SCHOLARSHIP ACCOUNT OR A CURRENT EMPOWERMENT SCHOLARSHIP ACCOUNT HOLDER TO GIVE WRITTEN CONSENT AND IDENTIFY A THIRD PARTY TO ASSIST THE APPLICANT OR QUALIFIED STUDENT IN THE APPLICATION PROCESS OR INTERACTING WITH THE DEPARTMENT ON THE APPLICANT'S OR ACCOUNT HOLDER'S BEHALF. FOR THE PURPOSES OF THIS SUBSECTION, "THIRD PARTY" MEANS ANY NONPROFIT OR PRIVATE ENTITY, INCLUDING A QUALIFIED SCHOOL.

O. NOTWITHSTANDING SECTION 15-2404, A QUALIFIED SCHOOL THAT ENROLLS FIFTY OR MORE QUALIFIED STUDENTS AND THAT ADMINISTERS ANY NATIONALLY STANDARDIZED NORM-REFERENCED ACHIEVEMENT EXAMINATION, AN ADVANCED PLACEMENT EXAMINATION THAT ASSESSES READING AND MATHEMATICS, THE STATEWIDE ASSESSMENT PURSUANT TO SECTION 15-741 OR ANY EXAMINATION RELATED TO COLLEGE OR UNIVERSITY ADMISSIONS THAT ASSESSES READING AND MATHEMATICS SHALL ANNUALLY MAKE AVAILABLE TO THE PUBLIC ON REQUEST OR ON THE QUALIFIED SCHOOL'S WEBSITE THE AGGREGATE TEST SCORES OF ALL STUDENTS. A NETWORK OF QUALIFIED SCHOOLS MAY SATISFY THIS REQUIREMENT BY PUBLISHING THE AGGREGATE TEST SCORES BY GRADE LEVEL FOR ALL SCHOOLS WITHIN THE NETWORK.

P. BEGINNING IN FISCAL YEAR 2022-2023, THE NUMBER OF EMPOWERMENT SCHOLARSHIP ACCOUNTS APPROVED BY THE DEPARTMENT EACH FISCAL YEAR MAY NOT EXCEED THE TOTAL NUMBER OF EMPOWERMENT SCHOLARSHIP ACCOUNTS APPROVED BY THE DEPARTMENT DURING THE 2021-2022 SCHOOL YEAR.

Sec. 3. Section 15-2403, Arizona Revised Statutes, is amended to read:

15-2403. Empowerment scholarship accounts; administration; audits; policy handbook; posting

A. The treasurer ~~may~~ SHALL contract with private financial management firms to manage Arizona empowerment scholarship accounts. THE DEPARTMENT SHALL COOPERATE WITH THE TREASURER AND THE FINANCIAL MANAGEMENT FIRM CONTRACTED BY THE TREASURER.

B. The department shall conduct or contract for annual audits of empowerment scholarship accounts to ensure compliance with section 15-2402, subsection B, paragraph 4. The department shall also conduct or contract for random, quarterly and annual audits of empowerment scholarship accounts as needed to ensure compliance with section 15-2402, subsection B, paragraph 4.

C. The department may remove any parent or qualified student from eligibility for an Arizona empowerment scholarship account if the parent or qualified student fails to comply with the terms of the contract or applicable laws, rules or orders or knowingly misuses monies or knowingly fails to comply with the terms of the contract with intent to defraud and shall notify the treasurer. The department shall notify the treasurer to suspend the account of a parent or qualified student and shall notify the parent or qualified student in writing that the account has been suspended and that no further transactions will be allowed or disbursements made. The notification shall specify the reason for the suspension and state that the parent or qualified student has ten days, not including weekends, to respond and take corrective action. If the parent or qualified student refuses or fails to contact the department, furnish any information or make any report that may be required for reinstatement within the ten-day period, the department may remove the parent or qualified student pursuant to this subsection.

D. A parent may appeal, ~~the department's decision~~ pursuant to title 41, chapter 6, article 10, AN ADMINISTRATIVE DECISION MADE BY THE DEPARTMENT PURSUANT TO THIS ARTICLE REGARDING DETERMINATIONS OF ALLOWABLE EXPENSES, REMOVAL FROM THE PROGRAM OR ENROLLMENT ELIGIBILITY. THE DEPARTMENT SHALL NOTIFY THE PARENT OF THE PARENT'S ABILITY TO APPEAL AN ADMINISTRATIVE DECISION AT THE SAME TIME THE PARENT IS NOTIFIED OF AN ADMINISTRATIVE DECISION.

E. The department may refer cases of substantial misuse of monies to the attorney general for the purpose of collection or for the purpose of a criminal investigation if the department obtains evidence of fraudulent use of an account.

F. BEGINNING JANUARY 1, 2018, the department shall make ~~quarterly~~ MONTHLY transfers of the amount calculated pursuant to section 15-2402, subsection C OR D to the treasurer for deposit into the empowerment scholarship account of each qualified student, ~~except the department may make transfers according to another transfer schedule if the department determines a transfer schedule other than quarterly transfers is necessary for the operation of the empowerment scholarship account.~~ THE DEPARTMENT MAY NOT DELAY THE DEPOSIT OF MONIES INTO AN EMPOWERMENT SCHOLARSHIP ACCOUNT UNTIL A SUBSEQUENT MONTH UNLESS MONIES WILL BE RETROACTIVELY PRORATED TO THE TIME THE PARENT AGREED TO THE TERMS AND CONDITIONS PRESCRIBED IN SECTION 15-2402.

G. The department shall accept applications between July 1 and June 30 of each year. The department shall enroll and issue an award letter to ~~eligible applicants~~ within forty-five days AND, BEGINNING JANUARY 1, 2018, WITHIN THIRTY DAYS after receipt of a completed application and all required documentation. IF THE DEPARTMENT DETERMINES THAT AN APPLICANT IS INELIGIBLE FOR AN EMPOWERMENT SCHOLARSHIP ACCOUNT BECAUSE THE APPLICANT DOES NOT MEET THE REQUIREMENTS PRESCRIBED FOR AN QUALIFIED STUDENT, THE DEPARTMENT SHALL NOTIFY THE APPLICANT OF THE SPECIFIC STATUTORY DEFICIENCIES OF THE APPLICATION AND THE RATIONALE FOR THE DENIAL OF THE APPLICATION. On or before May 30 of each year, the department shall furnish to the

joint legislative budget committee an estimate of the amount required to fund empowerment scholarship accounts for the following fiscal year. The department shall include in its budget request for the following fiscal year the amount estimated in section 15-2402, subsection C for each qualified student.

H. The department may adopt ~~rules and~~ policies AND PROCEDURES necessary for the administration of empowerment scholarship accounts. THE POLICIES AND PROCEDURES ADOPTED PURSUANT TO THIS SUBSECTION SHALL BE DEVELOPED AND IMPLEMENTED PURSUANT TO THE INTENT OF THE LAW AND BY GIVING STUDENTS THE MOST EDUCATIONAL OPTIONS AVAILABLE UNDER THE LAW, including:

1. Policies for conducting or contracting for examinations of the use of account monies.
2. Conducting or contracting for random, quarterly and annual reviews of accounts.
3. Establishing or contracting for the establishment of an online anonymous fraud reporting service.
4. Establishing an anonymous telephone hotline for fraud reporting.
5. Policies that require a surety bond or insurance for account holders.

6. POLICIES THAT ESTABLISH EXPENSE REPORTING, ELIGIBLE EXPENSES AND APPLICATION PROCEDURES. THE POLICIES REGARDING ELIGIBLE EXPENSES MAY NOT RESTRICT THE TYPES OR AMOUNTS OF CURRICULUM CHOICES MADE BY PARENTS FOR STUDENTS. THE DEPARTMENT SHALL REQUEST ADDITIONAL DOCUMENTATION AND INFORMATION REGARDING ELIGIBLE EXPENSES AND SHALL PROVIDE A PARENT AN OPPORTUNITY TO RESPOND BEFORE DENYING AN EXPENDITURE.

I. The department shall contract with an independent third party for the purposes of determining if WHETHER a qualified student is eligible to receive educational therapies or services pursuant to section 15-2402, subsection B, paragraph 4, subdivision (c).

J. THE DEPARTMENT SHALL DEVELOP AND PUBLISH AN APPLICANT AND PARTICIPANT POLICY HANDBOOK ON OR BEFORE JULY 1 OF EACH YEAR. THE POLICY HANDBOOK SHALL INCLUDE INFORMATION PERTAINING TO POLICIES RELATING TO INTERACTIONS AND PROCESSES OF EMPOWERMENT SCHOLARSHIP ACCOUNT APPLICANTS AND PARTICIPANTS ADOPTED BY THE DEPARTMENT TO ADMINISTER EMPOWERMENT SCHOLARSHIP ACCOUNTS. ONLY POLICIES THAT ARE INCLUDED IN THE POLICY HANDBOOK MAY BE ADMINISTERED. THE POLICY HANDBOOK DOES NOT APPLY TO INTERNAL AGENCY POLICIES AND PROCEDURES. THE DEPARTMENT MAY NOT PUBLISH THE POLICY HANDBOOK, MAKE ANY REVISIONS OR ENFORCE ANY NEW POLICY OR PROCEDURE BEFORE THE COMPLETION OF BOTH OF THE FOLLOWING:

1. THE COLLECTION OF PUBLIC COMMENTS FOR AT LEAST SIXTY DAYS. THE DEPARTMENT SHALL CONSIDER AND REASONABLY INCORPORATE THESE PUBLIC COMMENTS IN THE POLICY HANDBOOK.
2. THE SUBMISSION OF A COPY OF THE POLICY HANDBOOK AND ANY REVISIONS TO THE POLICY HANDBOOK TO THE GOVERNOR, THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

K. THE DEPARTMENT SHALL POST ON THE DEPARTMENT'S WEBSITE INFORMATION AND DATA THAT ARE UPDATED MONTHLY REGARDING THE EMPOWERMENT SCHOLARSHIP ACCOUNTS, INCLUDING:

1. INFORMATION REGARDING ALL PURCHASES AND EXPENDITURES MADE WITH EMPOWERMENT SCHOLARSHIP ACCOUNT MONIES. THE INFORMATION INCLUDED PURSUANT TO THIS PARAGRAPH MAY NOT VIOLATE THE PERSONAL PRIVACY OF ANY STUDENT OR FAMILY AND SHALL INCLUDE ONLY AGGREGATE DATA.

2. THE NUMBER OF ENROLLED STUDENTS DISAGGREGATED BY ELIGIBILITY.

3. ANY OTHER INFORMATION OR DATA THAT MAY BE PERTINENT TO PROMOTING TRANSPARENCY AND ACCOUNTABILITY OF EMPOWERMENT SCHOLARSHIP ACCOUNTS.

Sec. 4. Section 42-2003, Arizona Revised Statutes, is amended to read:

42-2003. Authorized disclosure of confidential information

A. Confidential information relating to:

1. A taxpayer may be disclosed to the taxpayer, its successor in interest or a designee of the taxpayer who is authorized in writing by the taxpayer. A principal corporate officer of a parent corporation may execute a written authorization for a controlled subsidiary.

2. A corporate taxpayer may be disclosed to any principal officer, any person designated by a principal officer or any person designated in a resolution by the corporate board of directors or other similar governing body.

3. A partnership may be disclosed to any partner of the partnership. This exception does not include disclosure of confidential information of a particular partner unless otherwise authorized.

4. An estate may be disclosed to the personal representative of the estate and to any heir, next of kin or beneficiary under the will of the decedent if the department finds that the heir, next of kin or beneficiary has a material interest that will be affected by the confidential information.

5. A trust may be disclosed to the trustee or trustees, jointly or separately, and to the grantor or any beneficiary of the trust

if the department finds that the grantor or beneficiary has a material interest that will be affected by the confidential information.

6. Any taxpayer may be disclosed if the taxpayer has waived any rights to confidentiality either in writing or on the record in any administrative or judicial proceeding.

7. The name and taxpayer identification numbers of persons issued direct payment permits may be publicly disclosed.

B. Confidential information may be disclosed to:

1. Any employee of the department whose official duties involve tax administration.

2. The office of the attorney general solely for its use in preparation for, or in an investigation that may result in, any proceeding involving tax administration before the department or any other agency or board of this state, or before any grand jury or any state or federal court.

3. The department of liquor licenses and control for its use in determining whether a spirituous liquor licensee has paid all transaction privilege taxes and affiliated excise taxes incurred as a result of the sale of spirituous liquor, as defined in section 4-101, at the licensed establishment and imposed on the licensed establishments by this state and its political subdivisions.

4. Other state tax officials whose official duties require the disclosure for proper tax administration purposes if the information is sought in connection with an investigation or any other proceeding conducted by the official. Any disclosure is limited to information of a taxpayer who is being investigated or who is a party to a proceeding conducted by the official.

5. The following agencies, officials and organizations, if they grant substantially similar privileges to the department for the type of information being sought, pursuant to statute and a written agreement between the department and the foreign country, agency, state, Indian tribe or organization:

(a) The United States internal revenue service, alcohol and tobacco tax and trade bureau of the United States treasury, United States bureau of alcohol, tobacco, firearms and explosives of the United States department of justice, United States drug enforcement agency and federal bureau of investigation.

(b) A state tax official of another state.

(c) An organization of states, federation of tax administrators or multistate tax commission that operates an information exchange for tax administration purposes.

(d) An agency, official or organization of a foreign country with responsibilities that are comparable to those listed in subdivision (a), (b) or (c) of this paragraph.

(e) An agency, official or organization of an Indian tribal government with responsibilities comparable to the responsibilities of the agencies, officials or organizations identified in subdivision (a), (b) or (c) of this paragraph.

6. The auditor general, in connection with any audit of the department subject to the restrictions in section 42-2002, subsection D.

7. Any person to the extent necessary for effective tax administration in connection with:

(a) The processing, storage, transmission, destruction and reproduction of the information.

(b) The programming, maintenance, repair, testing and procurement of equipment for purposes of tax administration.

(c) The collection of the taxpayer's civil liability.

8. The office of administrative hearings relating to taxes administered by the department pursuant to section 42-1101, but the department shall not disclose any confidential information:

(a) Regarding income tax or withholding tax.

(b) On any tax issue relating to information associated with the reporting of income tax or withholding tax.

9. The United States treasury inspector general for tax administration for the purpose of reporting a violation of internal revenue code section 7213A (26 United States Code section 7213A), unauthorized inspection of returns or return information.

10. The financial management service of the United States treasury department for use in the treasury offset program.

11. The United States treasury department or its authorized agent for use in the state income tax levy program and in the electronic federal tax payment system.

12. The Arizona commerce authority for its use in:

(a) Qualifying renewable energy operations for the tax incentives under sections 42-12006, 43-1083.01 and 43-1164.01.

(b) Qualifying businesses with a qualified facility for income tax credits under sections 43-1083.03 and 43-1164.04.

(c) Fulfilling its annual reporting responsibility pursuant to section 41-1511, subsections U and V and section 41-1512, subsections U and V.

(d) Certifying computer data centers for tax relief under section 41-1519.

13. A prosecutor for purposes of section 32-1164, subsection C.

14. The state fire marshal for use in determining compliance with and enforcing title 37, chapter 9, article 5.

15. The department of transportation for its use in administering taxes, surcharges and penalties prescribed by title 28.

16. The Arizona health care cost containment system administration for its use in administering nursing facility provider assessments.

17. THE DEPARTMENT OF EDUCATION FOR THE PURPOSE OF VERIFYING INCOME ELIGIBILITY TO BE CLASSIFIED AS A LOW-INCOME STUDENT PURSUANT TO SECTION 15-2402, SUBSECTION M.

C. Confidential information may be disclosed in any state or federal judicial or administrative proceeding pertaining to tax administration pursuant to the following conditions:

1. One or more of the following circumstances must apply:
 - (a) The taxpayer is a party to the proceeding.
 - (b) The proceeding arose out of, or in connection with, determining the taxpayer's civil or criminal liability, or the collection of the taxpayer's civil liability, with respect to any tax imposed under this title or title 43.
 - (c) The treatment of an item reflected on the taxpayer's return is directly related to the resolution of an issue in the proceeding.
 - (d) Return information directly relates to a transactional relationship between a person who is a party to the proceeding and the taxpayer and directly affects the resolution of an issue in the proceeding.
2. Confidential information may not be disclosed under this subsection if the disclosure is prohibited by section 42-2002, subsection C or D.

D. Identity information may be disclosed for purposes of notifying persons entitled to tax refunds if the department is unable to locate the persons after reasonable effort.

E. The department, on the request of any person, shall provide the names and addresses of bingo licensees as defined in section 5-401, verify whether or not a person has a privilege license and number, a tobacco product distributor's license and number or a withholding license and number or disclose the information to be posted on the department's website or otherwise publicly accessible pursuant to section 42-1124, subsection F and section 42-3401.

F. A department employee, in connection with the official duties relating to any audit, collection activity or civil or criminal investigation, may disclose return information to the extent that disclosure is necessary to obtain information that is not otherwise reasonably available. These official duties include the correct determination of and liability for tax, the amount to be collected or the enforcement of other state tax revenue laws.

G. If an organization is exempt from this state's income tax as provided in section 43-1201 for any taxable year, the name and address of the organization and the application filed by the organization on which the department made its determination for exemption together with any papers submitted in support of the application and any letter or document issued by the department concerning the application are open to public inspection.

H. Confidential information relating to transaction privilege tax, use tax, severance tax, jet fuel excise and use tax and any other tax collected by the department on behalf of any jurisdiction may be disclosed to any county, city or town tax official if the information relates to a taxpayer who is or may be taxable by a county, city or town or who may be subject to audit by the department pursuant to section 42-6002. Any taxpayer information released by the department to the county, city or town:

1. May only be used for internal purposes, including audits.
2. May not be disclosed to the public in any manner that does not comply with confidentiality standards established by the department. The county, city or town shall agree in writing with the department that any release of confidential information that violates the confidentiality standards adopted by the department will result in the immediate suspension of any rights of the county, city or town to receive taxpayer information under this subsection.

I. The department may disclose statistical information gathered from confidential information if it does not disclose confidential information attributable to any one taxpayer. The department may disclose statistical information gathered from confidential information, even if it discloses confidential information attributable to a taxpayer, to:

1. The state treasurer in order to comply with the requirements of section 42-5029, subsection A, paragraph 3.
2. The joint legislative income tax credit review committee, the joint legislative budget committee staff and the legislative staff in order to comply with the requirements of section 43-221.

J. The department may disclose the aggregate amounts of any tax credit, tax deduction or tax exemption enacted after January 1, 1994. Information subject to disclosure under this subsection shall not be disclosed if a taxpayer demonstrates to the department that such information would give an unfair advantage to competitors.

K. Except as provided in section 42-2002, subsection C, confidential information, described in section 42-2001, paragraph 1, subdivision (a), item (ii), may be disclosed to law enforcement agencies for law enforcement purposes.

L. The department may provide transaction privilege tax license information to property tax officials in a county for the purpose of identification and verification of the tax status of commercial property.

M. The department may provide transaction privilege tax, luxury tax, use tax, property tax and severance tax information to the ombudsman-citizens aide pursuant to title 41, chapter 8, article 5.

N. Except as provided in section 42-2002, subsection D, a court may order the department to disclose confidential information pertaining to a party to an action. An order shall be made only on a showing of good cause and that the party seeking the information has made demand on the taxpayer for the information.

O. This section does not prohibit the disclosure by the department of any information or documents submitted to the department by a bingo licensee. Before disclosing the information the department shall obtain the name and address of the person requesting the information.

P. If the department is required or permitted to disclose confidential information, it may charge the person or agency

requesting the information for the reasonable cost of its services.

Q. Except as provided in section 42-2002, subsection D, the department of revenue shall release confidential information as requested by the department of economic security pursuant to section 42-1122 or 46-291. Information disclosed under this subsection is limited to the same type of information that the United States internal revenue service is authorized to disclose under section 6103(1)(6) of the internal revenue code.

R. Except as provided in section 42-2002, subsection D, the department of revenue shall release confidential information as requested by the courts and clerks of the court pursuant to section 42-1122.

S. To comply with the requirements of section 42-5031, the department may disclose to the state treasurer, to the county stadium district board of directors and to any city or town tax official that is part of the county stadium district confidential information attributable to a taxpayer's business activity conducted in the county stadium district.

T. The department shall release to the attorney general confidential information as requested by the attorney general for purposes of determining compliance with or enforcing any of the following:

1. Any public health control law relating to tobacco sales as provided under title 36, chapter 6, article 14.
2. Any law relating to reduced cigarette ignition propensity standards as provided under title 37, chapter 9, article 5.
3. Sections 44-7101 and 44-7111, the master settlement agreement referred to in those sections and all agreements regarding disputes under the master settlement agreement.

U. For proceedings before the department, the office of administrative hearings, the board of tax appeals or any state or federal court involving penalties that were assessed against a return preparer, an electronic return preparer or a payroll service company pursuant to section 42-1103.02, 42-1125.01 or 43-419, confidential information may be disclosed only before the judge or administrative law judge adjudicating the proceeding, the parties to the proceeding and the parties' representatives in the proceeding prior to its introduction into evidence in the proceeding. The confidential information may be introduced as evidence in the proceeding only if the taxpayer's name, the names of any dependents listed on the return, all social security numbers, the taxpayer's address, the taxpayer's signature and any attachments containing any of the foregoing information are redacted and if either:

1. The treatment of an item reflected on such return is or may be related to the resolution of an issue in the proceeding.
2. Such a return or the return information relates or may relate to a transactional relationship between a person who is a party to the proceeding and the taxpayer that directly affects the resolution of an issue in the proceeding.
3. The method of payment of the taxpayer's withholding tax liability or the method of filing the taxpayer's withholding tax return is an issue for the period.

V. The department and attorney general may share the information specified in subsection T of this section with any of the following:

1. Federal, state or local agencies for the purposes of enforcement of corresponding laws of other states.
2. A court, arbitrator, data clearinghouse or similar entity for the purpose of assessing compliance with or making calculations required by the master settlement agreement or agreements regarding disputes under the master settlement agreement, and with counsel for the parties or expert witnesses in any such proceeding, if the information otherwise remains confidential.

W. The department may provide the name and address of qualifying hospitals and qualifying health care organizations, as defined in section 42-5001, to a business classified and reporting transaction privilege tax under the utilities classification.

X. The department may disclose to an official of any city, town or county in a current agreement or considering a prospective agreement with the department as described in section 42-5032.02, subsection F any information relating to amounts subject to distribution required by section 42-5032.02. Information disclosed by the department under this subsection:

1. May only be used by the city, town or county for internal purposes.
2. May not be disclosed to the public in any manner that does not comply with confidentiality standards established by the department. The city, town or county must agree with the department in writing that any release of confidential information that violates the confidentiality standards will result in the immediate suspension of any rights of the city, town or county to receive information under this subsection.

Y. Notwithstanding any other provision of this section, the department may not disclose information provided by an online lodging marketplace, as defined in section 42-5076, without the written consent of the online lodging marketplace, and the information may be disclosed only pursuant to subsection A, paragraphs 1 through 6, subsection B, paragraphs 1, 2, 7 and 8 and subsections C and D of this section. Such information:

1. Is not subject to disclosure pursuant to title 39, relating to public records.
2. May not be disclosed to any agency of this state or of any county, city, town or other political subdivision of this state.

Sec. 5. Laws 2013, chapter 250, section 3 is amended to read:

Sec. 3. New empowerment scholarship accounts authorized in 2014 through 2022; delayed repeal

A. During 2014, 2015, 2016, 2017, 2018, ~~and~~ 2019, 2020, 2021 AND 2022, the number of new empowerment scholarship accounts approved by the department of education each year shall not exceed 0.5 ~~per-cent~~ PERCENT of the total number of pupils enrolled in school districts and charter schools in this state during the previous school year.

B. This section is repealed from and after December 31, ~~2019~~ 2022.

Sec. 6. Empowerment scholarship account review council; annual report; delayed repeal

- A. The empowerment scholarship account review council is established consisting of the following members:
1. Six members who are parents of children who currently receive empowerment scholarship accounts and who have been enrolled in an empowerment scholarship account for at least two years. The governor shall appoint these members.
 2. The chairpersons of the education committees of the senate and the house of representatives.
 3. The superintendent of public instruction or the superintendent's designee.
- B. Appointed members serve at the pleasure of the governor. The members of the council shall select a chairperson from the members appointed pursuant to subsection A, paragraph 1 of this section.
- C. Council members are not eligible to receive compensation, but members appointed by the governor are eligible for reimbursement of expenses under title 38, chapter 4, article 2, Arizona Revised Statutes.
- D. The council shall:
1. Review and make recommendations to the department of education regarding the administration of empowerment scholarship accounts.
 2. Make recommendations to the legislature for changes to the laws regarding empowerment scholarship accounts.
 3. Review any changes to the empowerment scholarship accounts policy handbook pursuant to section 15-2403, Arizona Revised Statutes, as amended by this act.
 4. Submit a report regarding the council's activities and recommendations on or before December 15 of each year to the governor, the president of the senate and the speaker of the house of representatives and provide a copy of this report to the secretary of state.
- E. The department of education shall provide technical assistance to the empowerment scholarship account review council.
- F. This section is repealed from and after December 31, 2020.

LEGISLATIVE COUNCIL ANALYSIS

An empowerment scholarship account (ESA) is an account administered by the Arizona Department of Education that is funded by state tax dollars to provide educational options for qualified Arizona students. A parent may opt to remove a student from the public school system (district and charter schools) and use monies in an ESA to obtain alternative educational services for the student, including private school education, educational therapies, educational aides, braille translation services and tutoring services.

Under current law, students with disabilities, students in foster care, students living on an Indian reservation, students in failing or underperforming school districts, students with a parent who is on active military duty or was killed in the line of duty, students with a parent who is legally blind, deaf or hard of hearing and students with a brother or sister who is a current or former ESA recipient are qualified to receive ESAs.

Proposition 305 refers to the voters the provisions of Senate Bill 1431, which was enacted by the Legislature, signed by the Governor and referred to the voters in 2017. Senate Bill 1431 contains amendments to the laws governing the current ESA program established in Arizona in 2011. If approved by the voters, Proposition 305 would:

1. Subject to the annual growth cap described in paragraph 2 below, phase in the expansion of the current ESA eligibility requirements so that, beginning with the 2020-2021 school year, any student who is eligible to attend kindergarten or who is attending kindergarten through grade 12 in a public school in Arizona would be eligible to receive an ESA. However, a student currently attending a private school would remain ineligible to receive an ESA unless the student already qualifies under current law due to displacement or disability.

2. Allow the number of new ESAs to continue to increase by one-half of one percent of the total public school enrollment in this state each year through the 2021-2022 school year. Beginning July 1, 2022, the number of ESAs could not exceed the total number of ESAs approved for the 2021-2022 school year. Under current law, there is no permanent limit on the number of ESAs that can be approved.

3. Generally require that a student in grade 3 through 12 who receives an ESA and who pays full-time tuition at a private school take an annual test or assessment. The annual test or assessment requirement would not apply to a student who is identified as having a disability. The results of the test or assessment would be reported to the parent of the student and, in addition, a private school that enrolls 50 or more students who receive ESAs would make the aggregate test scores for all students available to the public.

4. Increase the amount of an ESA for low-income students, including students in foster care, from the current 90% of the public school per-student funding calculation to 100% of the public school per-student funding calculation. The public school per-student funding calculation would be required to account for whether the student was previously attending a school district or charter school, except that the funding level for any student receiving an ESA on or before June 30, 2017 could not be reduced.

5. Create a blanket prohibition against a student accepting a school tuition organization scholarship during the same time the student is enrolled in an ESA. Under current law, the prohibition against accepting a school tuition organization scholarship applies only in the same year a parent signs an ESA agreement.

6. Allow any private or nonprofit entity to act on behalf of a student in the ESA application process.

7. Require the Arizona Department of Education to publish an annual policy handbook for ESA applicants and participants and to post a monthly update on the Department's website containing the following information related to ESAs:

a. Purchases and expenditures made with ESA monies, reported in a manner that does not violate the personal privacy of any student or family and that includes only aggregate data.

b. The number of enrolled students, separately categorized by eligibility.

c. Any other information or data that may be pertinent to promoting transparency and accountability of the ESA program.

ARGUMENTS “For” PROPOSITION 305

Arizona’s children are perhaps our most important natural resource. It is, therefore, appropriate that families and communities make tremendous sacrifices so that our children are able to achieve their maximum potential.

We all want our children to succeed and agree that providing a quality education is absolutely essential. Toward this end, it is important to recognize that kids are different and that what works best for one child may not work well for another.

Parents are charged with a tremendous responsibility as the primary educators of their children. This responsibility includes the tough decision of where to educate their children, including the possibility of homeschooling. Ultimately, it is parents who best understand their children’s needs and where they are most likely to succeed.

Historically, however, it has been the case that parents too often are not able to make the optimal choice for their child’s education because of a lack of quality choices.

It is for this reason that we support adequate funding of our entire school system so that parents sending their children to public schools can choose amongst quality district and charter schools. Similarly, our support goes to the parents who find that excellent religious or other private schools are the best options for their children, but who are in need of financial assistance to make this choice a reality.

Proposition 305 is a modest effort to expand the Empowerment Scholarship Account program to help parents, especially those with limited resources, make the best educational choices for their children. When parents have more quality choices, it makes our educational system better and we all win.

Accordingly, the Bishops of the Arizona Catholic Conference are proud to support Proposition 305 so that more children will have the freedom of choice to attend the school that best fits their needs.

The Bishops of the Arizona Catholic Conference, Phoenix

For over two decades Arizona has led the nation in expanding popular school choice options for parents and students in our K-12 system. And the results speak for themselves—over 50% of parents in Arizona are opting to send their child to a school that is NOT their designated district public school!

These education decisions are made for countless reasons, but the important point is they are being made by parents—not lawmakers, district officials or bureaucrats. That is why Prop 305 is a winner for Arizona. This measure offers one more option for parents to consider when choosing a school for their children.

Under Prop 305, students would be able to obtain an Empowerment Scholarship Account that can be used to attend a school of their choice. The program is structured to ensure that funding is not reduced from district schools and can only be used for direct education expenses such as books, tutoring and tuition. Clear oversight exists in the program to guarantee the money is not misspent or used for non-educational purposes.

Prop 305 continues to build on Arizona’s school choice tradition by adding one more option for parents to consider. We encourage everyone to vote YES on 305.

Scot Mussi, President, Arizona Free Enterprise Club, Gilbert

Please vote Yes Prop 305 and support universal school choice! My son is a participant in Arizona’s Educational Saving Account program. I am excited about what prop 305 will mean for Arizona. It will make countless lives better. Every family deserves to know that they have a choice. If public schools and charters are the best fit for their children and are meeting their child’s needs by providing a safe and academically rich environment, that is wonderful. If not, then they can find what they are looking for and will not be locked into a one size fits all approach to education if they desire something different. The fabric of our country and state is built on freedom to choose. Money is meant to follow quality, whether it is in services, business, production, health

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

care and now at last, education. The funding belongs to the children because it's their future and with a plethora of great choices, we will be a stronger community. I am thrilled that Arizona's decision to make ESA universal will give all parents the ability to access the best education for their child like I did for my child.

Holland Hines, Civil Rights & Education Advocate, Chandler
Sponsored by Goldwater Institute

As parents of an autistic child, we witness firsthand the "spectrum" nature of the developmental disorder – no two are alike. Some even overcome the diagnosis to lead normal lives. Our daughter, however, will not be one of them. As heartbreaking as it is to admit, the best option for her education is to focus on developing valuable life skills to get her ready for the "real world" as best we can. Choosing the right school for her – and the different way she learns – is the key to achieving this goal. The ESA gives us the financial flexibility to place her in the best school to address her specific needs. Shortly after she was diagnosed, we began Applied Behavior Analysis (ABA) as the main driver of her therapy. As the only behavioral intervention for autism supported by empirical evidence to be effective, it was a natural choice; however, upon entering the public school system we soon found out, at least in practice, they did not feel the same way.

With the ESA, we receive the funds earmarked for her public school education. This gives us the power of the purse to shop in the marketplace for a private ABA-centric school more in line with her needs as we understand them to be. The discretion to educate our child – is ours. The innovative school she currently attends teaches skills under the ABA umbrella in a real-world situation with a kitchen, living room, backyard and other elements consistent with the already familiar domestic look and feel of her current home, in addition to the home she will spend her adult life. She is doing quite well in this environment.

Jeff Locke, Phoenix
Sponsored by Goldwater Institute

As a former teacher, I know how important it is that ALL students have access to the best education that fits their individual needs. Prop 305 will make that a reality for ALL students in Arizona. Supporting Prop 305 will expand the Empowerment Scholarship Accounts program to all Arizona students and will allow those students to access different schools and educational options decided by the parent. Prop 305 has strong accountability and transparency requirements to ensure that these dollars are being spent in accordance with the law and on the student. This is more transparency and accountability than exists for the traditional school system. In Arizona, we have a long history of putting students first and giving parents choices. Prop 305 will put parents in the driver seat of their children's education and create a system where no child is trapped in a failing school or a school that is not the best fit for them. Prop 305 will save taxpayers money while having the money go directly to the student rather than being wasted on bloated administrations. Let's give all Arizona students the chance to succeed! VOTE YES ON PROP 305!

Matt Simon, Tucson
Sponsored by Goldwater Institute

Please support Prop 305! When my daughter was 3 she received a diagnosis that qualified her for Special Education services from the public school. We worked with wonderful teachers at her public school, however she kept falling behind. Determining that there had to be a better way to meet her educational needs, I relied upon my instincts and accepted an Empowerment Scholarship Account to provide an education for her independent of the public school. We were so impressed we eventually decided to try the ESA program for all three of our children. Her siblings have benefitted just as much as she has. The changes that the ESA has brought about in each of our children, and subsequently our home life, is the reason that I advocate for the Empowerment Scholarship Account program. I know that there are parents throughout Arizona who have children who are struggling or for whom the public school setting just isn't working for anymore. By expanding the ESA program, the changes and growth that our family has experienced can be realized by so many more families. The ESA program provides choices for parents. As a parent participating in the ESA program, I know that it requires hard work, diligence, and transparency, but the rewards to our children are worth it! Doesn't every child deserve that opportunity? Doesn't every parent deserve that choice?

Sarah Greenbank, Phoenix
Sponsored Goldwater Institute

My husband and I are so blessed to live in a state where we have the opportunity to choose the school that best suits our five school-aged children. We believe that every child should have the opportunity to meet their full potential. Not all of our children

thrive in the same educational environment and we are so thankful to have options available to us in making that individual decision for each of our children. Without school choice in Arizona, we may not be able to afford the kind of schooling that best suits the needs of some of our children. We believe strongly that each parent in our state knows his/her child better than anyone else. We know the best educational choices for each one of our children, whether that is public school, private, charter or homeschooling. We believe as parents we should be making that decision. The ESA program provides an opportunity to give that choice back to more parents just like us. We are so grateful and humbled to be part of a community that supports school choice and desires to continue to give school choice back into the hands of who it belongs...parents.

Courtney Gehl, Gilbert and Jason Gehl, Gilbert

The Empowerment Scholarship Account (ESA) program has been an enormous help to our family. One of my sons was diagnosed with a learning disability, requiring an individualized educational plan (IEP). However, his IEP was not served well in the district school he was in at the time so we moved him to a charter school. However, the charter school was also unable to meet his educational needs.

Because of the ESA program, my son now attends a private school where his IEP is served well. He has been thriving for the past four years thanks to the ESA scholarship.

As a parent, I know what is best for my child. I am so grateful that I was able to try different educational models until I found the one that best met my child's needs. The district school nor the charter school were able to serve him, but the private school we found has been a great fit.

I am grateful tax dollars followed my son, allowing him to use them in a private school that can serve his IEP.

It would be great if every parent had this same opportunity. That is why I would urge you to vote yes on Prop 305.

Christine Accurso, Gilbert Mom, Gilbert

Vote "Yes" on Prop 305

My 7-year-old son is a happy and healthy little boy, who loves legos, the beach, and most of all coloring and drawing. But, he was not always this way. He was often angry and distressed when it came to learning and schoolwork, especially letters and reading. He had already been seeing a speech therapist for three years, and had been in the Arizona Early Intervention program as well. I felt his struggles weren't normal, and decided to finally have him tested to see if there might be another learning disability that we didn't know about. After several evaluations through the district and some at our own expense, we finally received an official diagnosis of severe dyslexia and dysgraphia, along with his speech issues. To say we were relieved to finally know why our son was struggling is an understatement.

Unfortunately, in the process of doing a MET report and an IEP (Individualized Education Plan) with the Scottsdale School District, we learned that there are no dyslexia remediation programs available for children in the district. He could receive an hour of extra reading help each week, but nothing that would help him remediate and overcome his dyslexia and dysgraphia. After researching private tutoring programs for him, we realized that it would be too expensive for us to pay for on our own, especially because we have another child with dyslexia as well.

Thank goodness for the ESA program!

The ESA program will allow our son to get the therapy he needs; therapy the schools could not provide. Please vote "yes" on Prop 305, and consider all the children like my son, who would not get the help they need if not for the ESA program.

Jenny Clark, Mom, Scottsdale

Please vote "yes" on Proposition 305 because every child should have the opportunity to reach their full potential.

At Center for Arizona Policy we support parents having a broad range of school options for their children, whether it is district, charter, private, online, or homeschool. We supported Prop 123 to increase education funding, but we have also supported expanding school choice options, like the Empowerment Scholarship Account (ESA) program.

The expansion of the ESA program will help more Arizona children find the educational context that best meets their needs.

Seven-year-old Savana is a great example. She struggled with ADHD in a public classroom of 30 children. Now she thrives, even

reads in front of her class at a private school, thanks to the ESA program. Tim is a father of five adopted foster children, all of whom attend a local private school where they get the extra attention they need. They are thriving there. Tim could never afford to send five children to a private school without the ESA program.

Doesn't every family deserve the same opportunity?

In addition to giving parents more options, Prop 305 also increases accountability and transparency for the ESA program. The Arizona Department of Education would be required to post on its website each month the number of students receiving ESAs and the aggregated amounts on how the ESA funds are being used.

Since 2011, the ESA program has provided critical aid to children whose needs are best met in a nontraditional public school environment. Now with Prop 305, it is time to give all parents the choice to apply for this pioneering program that has benefited so many children.

Michael Clark, VP, Policy and General Counsel, Center for Arizona Policy, Scottsdale

Sponsored by Center for Arizona Policy

Sometimes one size does NOT fit all, especially when it comes to education. I was bullied in school and the ESA could've changed my life.

My own children have thrived with the ESA program. I have created an enriching education that emphasizes their strengths and supports them where they need it most. They enjoy learning and look forward to college. Instead of being saddled with student loans, they will be able to use leftover ESA funds for college to earn a degree, something my husband and I were never able to afford. ESA has provided opportunities for them we never could on our own or with public school.

In addition to giving all children the opportunity to benefit from ESAs, Prop 305 will make the program better for existing ESA families by clarifying intent, policy, implementation, and the addition of an important review counsel of government officials and ESA program parents. It also will add more transparency and accountability for public tax dollars by way of student testing and public reports on ESA spending.

Please vote "yes" on Prop 305

Julie Batt, Scottsdale

Sponsored by Center for Arizona Policy

ESA has changed our lives!

I am writing in support of Prop 305. I live in a very rural town in SE Arizona with a public school that has many budget problems. On my son's first day of Kinder, he was sent to the principal's office because he wouldn't stay in his seat or listen to the teacher. He has since been diagnosed with Autism Spectrum Disorder (ASD) and ADHD, but it was a fight with the school to even get him evaluated. My daughter was also struggling, and by the time my daughter was in the third grade I had to pull her out of her school, and we had to put her in an online public school.

Even though my son had an IEP, the services for my son were limited and often times his teacher said he was having a very hard time in class. I was told he was leaving class every day in tears. I was often never notified when my son was having issues. So, I did what I did with my daughter and enrolled him in an online public school.

While preparing for AZ Merits, I realized everything taught online was going right over his head. I was right there with him, but he retained nothing. This wasn't working either. We live paycheck to paycheck with only my husband working so I can care for my son, and curriculum and services for my ASD son are very expensive. ESA has changed our lives.

I am now able to purchase quality curriculum for my son and get services for him without having to worry about how I am going to pay for them. I feel hopeful for the first time in years. I thank God, every day for having the opportunity

Leslie Contreras, Duncan

Sponsored by Center for Arizona Policy

I support Prop 305 for the expansion of the ESA to make it available for all students.

Public school is not always a good fit for some children. Parents should have the financial resources to choose a different education path for their child. If the student is not attending public school, that money used in the public school system for that specific student should be allocated to the parents for a different education route and resources better fitted for that child.

However, as a one-income family, supported by a public school teacher's salary, it is a strain on our budget to pay for curriculums, supplies, and extracurricular activities. Passing Prop 305 would greatly help our family to fully educate our son and give him more opportunities for learning.

Emily DaVault, Peoria

Sponsored by Center for Arizona Policy

Please vote "yes" on Prop 305

As the mother of twins with special needs, public school has been a challenge. My twins have moderate to severe autism, and there is no autism program in the public school district where we live. Since there was no autism program available to us, our district chose to place the twins in a secluded environment designed for physically disabled students. The teacher and aides in the room were very busy helping the most physically disabled students, so the twins received no help with any type of education or with daily tasks like using the bathroom or opening their lunch boxes so they wouldn't go hungry all day.

Under the current rules, it is necessary for students to complete the first 100 days of the school year at a public or charter school to receive a scholarship, or to complete the required educational hours through online programs. We chose to have our twins complete the online program in order to obtain an ESA scholarship. During this time, they not only qualified for the ESA, but they went from getting straight D's in their former public school to straight A's through online special education.

Now that we have ESA funding, the twins are enrolled in a private school that specializes in teaching students with autism and other learning differences.

Because of the ESA, we now have hope that our special needs children will have the opportunity to make friends, enjoy activities, and most importantly have access to a successful and promising education. We used to be uncertain of their future, and now we have hope. That hope is entirely due to the ESA program.

Please vote "yes" on Prop 305 and give students of all abilities access to the education they need and deserve.

Cherie Higgins, Phoenix

Sponsored by Center for Arizona Policy

My name is Esmeralda Ellis. I am an Air Force Veteran and Arizona resident, having served in the Iraqi War. I am also a military spouse to an Active Duty Member of 19 years. We have 2 children, one was diagnosed with developmental delays and the another one in the Autism Spectrum Disorder.

Our journey to access therapeutic services has been challenging to say the least, even with good insurance and being an active military family. We have had so many barriers just to get our oldest diagnosed with Autism. In the fall of 2016, the military granted us Exceptional Family Member relocation orders to Las Vegas in order for our oldest to have access to better education and medical treatment.

To our surprise, the Las Vegas education system was at the bottom of the rankings when it came to schools. We did the best we could for our oldest child entering Kindergarten and enrolled her in a charter school. The school year was bumpy. The teacher quit within a week of school starting, and the class size and noise were too much for my daughter. I ended up being a volunteer all year inside of the classroom to stay with her to make sure she could get through the curriculum. At the end of the school year, we decided that she needed access to specialized education.

We weighed our options and decided that Arizona would be our retirement home from the military and this is why I'm so passionate about the ESA program.

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

Through the ESA program, military families and any special needs families do not have to go through so many hoops to get funding for their child to receive the education and services that they NEED and DESERVE.

The ESA program should be available for ALL children.

Esmeralda Ellis, Yuma

Sponsored by Center for Arizona Policy

This initiative has been called Save Our Schools; however a more accurate name is Save Our School Administrators. A “No” vote on 305 takes money away from students and puts in under the control of School Administrators. A “Yes” vote allows parent and students to choose the educational experience that provides the best outcome.

Publicly funded education should have one goal, “The Best Outcome for Each Student.” A “Yes” vote on 305 does just that, by allowing parents and students more choices in selecting the educational method that will give that student the best outcome. Both ESAs and Charter school improve student outcome. For example, Arizona currently has more top 10 schools than any other state. Additional funding and effective use of existing funding are also needed for publicly funded education. One method for additional funding is investigating how the public/private partnerships for commercial use, such as the Tempe Townlake Development, can be taxed to make up the hundreds of millions of hundreds of million dollars of taxable assets removed from the school tax roles. As for improving the use of existing funds, the Governor should set up a task force to realign school districts to eliminate overlap, minimize administrative overhead and optimize student outcome, while still allowing local control.

Look at who is funding the “No on 305” initiative. You will find it is groups that want all public educational funding assigned to the current public school establishment. These groups also oppose the ability of parents and students to have other options besides the public school, such as ESAs and Charter Schools. Remember, bad charter schools shut down, but bad public schools go on forever.

Remember the goal is “Student Education, Not Public Education.” Vote “Yes” on 305 to support our students.

Ian Murray, Chairman, Republican Party of Mesa (LD-25), Mesa

As the mother of 3 children who has lived in Arizona for over 40 years, I strongly believe that every family has a responsibility to choose the best possible education for their children. I support every type of education; however, not every child fits the mold of district schools. My children have attended public, private and home school.

Prop 305, which expands the Empowerment Scholarship Accounts program, provides every family with the ability to pick the school that is best for their children, regardless of zip code. That’s why I urge you to vote yes on Prop 305.

When parents choose to get an ESA scholarship, their child only gets 90% of what the state allocates for the child. That’s not only a direct cost saving for the state, but the district school is no longer burdened with providing teachers, administrators, buildings or buses for that child.

Those of us who choose private schools are a small minority of the population. Allowing us the opportunity to choose a private education for our children is a great benefit for our family, the state and the school district. As Arizona’s population continues to grow, the few of us who choose private schools provide a relief for growing school districts, not a drain.

Our Arizona Legislature passed SB1431 and the Governor stood up for families by signing it into law.

Please confirm their decision by voting yes on Prop 305.

Cathy Parisi, Tucson

To say that the ESA program “robs already starving schools of badly-needed funds” has been proven wrong by 42 studies on the fiscal effects of school choice programs. Three studies found the school choice programs as cost-neutral, but the other 39 studies found that the programs generated savings for taxpayers. The student using the ESA program receives 90% of the state money he would receive if he was in the public school. (5% goes to run the program and 5% remains in the pot for the other students.) The federal money that the ESA student would receive if he was in the public school remains in the pot for the other students. The local tax money that the ESA student would receive if he was in the public school remains in the pot for the other students. Charts of some of the savings for taxpayers can be found in the 2017 “Fiscal Effects of School Choice Programs” on edchoice.org. (See slides 23 to 29.)

School choice has worked well for Arizona. US News & World’s list of the top high schools has 6 of Arizona’s charter schools in

the top 10. Many students are thriving in home schools. Arizona students have the choice of open enrollment in other districts. As a state Arizona has been a leader in school choice. This ESA program is just the latest in Arizona’s educational choices. Research shows that parents who can make a choice are happier with their child’s education than parents who do not have a choice of where to send their child.

Florence Smith, Phoenix

All children should have access to a high-quality education that meets their individual learning needs. Prop 305 moves us toward this goal by expanding eligibility for an Empower Scholarship Account (ESA) to all families who opt their child out of his or her zoned district school. This is a fiscally responsible way to expand educational opportunity for our state’s rapidly growing student population without depriving district schools of needed resources. By contrast, failure to enact Prop 305 would deprive students of these opportunities, thereby hurting our children, our communities, and our state.

The ESAs are funded with 90% of the state’s portion of per-pupil funding. ESA students do not receive any local or federal funds, all of which remain with the district schools. Moreover, the state continues to fund the district schools for all the children they’re still educating. The fiscal effect on the district schools is no different than when a child moves to another district or attends a private school or homeschools without an ESA. When a student leaves, the expenses associated with that student leave as well but the district school keeps most of the money.

Most importantly, our public education system should be designed to meet the needs of children, not the other way around. Students are not mere funding units, but individuals with varied aptitudes, interests, and preferences. Different children advance in different subjects at difference paces, and some learn better in certain environments than others. ESAs empower families with greater access to a variety of learning options that best meet their child’s unique needs. Voters who want to ensure that all children have access to educational opportunity should vote YES on Prop 305.

Jason Bedrick, Phoenix

305

ARGUMENTS “FOR”
PROPOSITION 305

ARGUMENTS “Against” PROPOSITION 305

Proposition 305 is the wrong choice for Arizona. We know this not because we’re political insiders or paid lobbyists. In fact, we’re the furthest thing from it. We’re regular Arizona parents and teachers who witnessed politicians pushing through a bad bill even though unprecedented numbers of voters were speaking out against it. We have kids in public schools and in charter schools. We’re military veterans and grandparents. We decided that posting on Facebook wasn’t enough, so six of us who had never been involved in politics before formed Save our Schools Arizona to give voters a chance to be heard. Save our Schools Arizona is opposed to Proposition 305 because it is a massive expansion of an unaccountable, irresponsible voucher program that defunds the public schools our state relies on and it fails to show that our tax dollars are being well spent. Voting no on Proposition 305 sends a loud and clear message to our elected officials and to the nation that integrity matters. Our state relies on a strong public school system to develop a skilled workforce, to maintain a good quality of life in our neighborhoods, and to grow a competitive economy for the future. Instead of expanding the ESA voucher system by a whopping 500 percent like Proposition 305 would do, we should be protecting and improving the public schools that 95 percent of Arizona families choose. Proposition 305 pokes holes in the education funding bucket, so none of our recent re-investments in teacher pay or school funding will matter if we let Proposition 305 drain millions of dollars every year. Vote No on Proposition 305 because Arizona needs strong public schools to build a strong state.

Beth Lewis, Co-founder, Save Our Schools Arizona, Chandler and Dawn Penich-Thacker, Co-founder, Save Our Schools Arizona, Tempe

Sponsored by Dawn Penich-Thacker

Arizona PTA has spoken for EVERY child with ONE voice for 112 years. As the largest child advocacy association in the state, we are against the statewide expansion of school vouchers and against Prop 305. Arizona and National PTA’s legislative platform priorities do not support the use of public funds for private education.

Special interest groups have tried to make vouchers and school choice synonymous. They are not the same. Arizona’s families have had school choice for years. ESA vouchers are the removal of public funds and funneled toward private education. Public funds are meant for public schools; not funneled to schools that are not transparent nor held accountable to anyone to allow people who can well afford private education from paying their fair share. Most of these schools don’t have to accept students with special needs and discriminate against students based on race, creed, sexual orientation, and more. Finally, there is no proof that a private education is better than that in a public school because there is no accountability or transparency to prove that statement one way or the other!

Proposition 305 is an initiative that takes desperately needed funds AWAY from our public schools. Arizonans deserve fully funded public schools, quality teachers, and curriculum that makes sense. Allowing public tax dollars to fund private schools that discriminate by hand selecting the student demographic doesn’t help Arizona’s future. It robs funding from the choice that 90% of Arizonans make to educate their children—public schools! Prop 305 sends teachers AWAY from our classrooms, pulls funding AWAY from repairing our schools, and takes funding AWAY from children by preventing them from receiving the world-class education that they deserve. Please join parents, teachers, and community members to be speak for Every Child with One Voice and say NO on Prop 305!

Beth Simek, President, Arizona PTA, El Mirage and Sergio Chavez, President-Elect, Arizona PTA, Phoenix

ARGUMENT AGAINST

I am a parent with two children on the autism spectrum utilizing the existing ESA voucher system. The services provided under the current ESA program, which I fought for in 2011 and were legally confirmed by the Arizona Supreme Court in 2014, are significantly threatened by Proposition 305. I know that sounds counterintuitive to those of us currently accessing the voucher system for our special needs children, but that is the reality. Like many parents utilizing ESA, I did a lot of research and determined Prop. 305 is the wrong choice for families with special needs children.

While ESA has worked effectively for our defined class, if expanded to all students, it will just repeat the same problems we experienced before. There is a fallacy in the logic that what has worked for our small group will simply benefit more groups when

expanded to everyone. Our specific benefits will be significantly diluted by the addition of a much larger population. Basically, our children will again be placed at the back of the line.

Those in favor of Prop. 305 are exploiting our children to crack open the funding door for private religious education. Our children were paraded around as the justification for a voucher expansion for those seeking a private religious education. ESA benefits will not go away for children with disabilities if Prop. 305 is rejected. However, if Prop. 305 is approved, it threatens the services currently provided to us, as the monetary incentive diminishes with more “typical” children availing themselves of ESAs.

Do not allow our children to once again be used by another group for their agenda. Vote No on Prop. 305.

Susan Edwards, Parent of 2 Children Utilizing ESA Funding, ESA Family Network, Tempe

I am strongly opposed to Prop. 305 and will be voting NO. I founded and run a small but successful 25-person company in Arizona. We design and make specialized factory equipment for in Tempe and sell it to medical device companies worldwide. Our company is totally dependent on a well-educated workforce. We employ engineers, highly skilled toolmakers, precision electromechanical assemblers, IT specialists and accountants.

Almost every person employed by my company was educated in public schools. I hired them for their knowledge, skill and ability to work well in a diverse and changing world.

We are a very technical company, and we make real things that benefit humanity. We have carefully built up a workforce of people who regularly use skills like: Trigonometry, algebra, and calculus, Basic science, Computer programming, Financial accounting, Technical writing, Metalworking, Website design, Art and photography and all kinds of engineering analysis.

The people in my company, including myself, went to public schools many years ago. In Arizona, the vast majority of career and technical education happens in public schools. To develop a workforce like the one I employ, you need highly qualified math and science teachers. You need updated computers, AP classes, magnet programs and tutoring.

When we fail to fund our public schools, we are failing to develop the workforce needed to stay competitive in the national and global economy. Our company, like most, has no shortage of financial capital. Financial capital is easy. HUMAN capital is the hard thing. HUMAN capital is the bottleneck. Prop. 305 cuts funding from the public schools that are developing Arizona’s future engineers, scientists, technicians and entrepreneurs.

As an employer and voter, I join you in calling for a strong public education system by voting No on Prop. 305.

Ed Goff, CEO, Blockwise Engineering, Phoenix

I am a longtime school choice advocate. That is why I urge you to vote NO on Proposition 305. If approved, Prop. 305 would do two things that are bad for the future of school choice in Arizona.

First, while I am a believer in the ESA program, Proposition 305 is not well thought out. They could have written the bill in a much more responsible way that fixed existing flaws in the ESA program and made accessing ESAs more just. Second, Proposition 305 is should be rejected because it “voter protects,” or locks in, enrollment rates and a cap that we may want to change in the future but won’t be able to due to Arizona law. Voting “NO” on Proposition 305 ensures the cap on the ESA program is defeated and the program can be expanded by the Legislature in the future, ensuring ESAs can be made more widely available to all Arizona children who need it.

The families already benefiting from ESAs, those with children with disabilities, children of active duty military personnel, children attending a D or F rated school, children with a blind or deaf guardian, children residing on an Indian Reservation, children who are wards of the Court, and siblings of ESA students, won’t be impacted by a NO vote on Proposition 305. Voting NO on Proposition 305 does not change the current ESA program or disrupt students currently using it.

All pro-school choice and pro-ESA Arizonans should vote NO on Proposition 305 to ensure our state has the flexibility to provide families with the best options in the future.

Charles Siler, Former External Affairs Manager, Goldwater Institute, Scottsdale

Public education has been the corner stone of our society since the formulation of the Latin Grammar School in 1635. But now...this cornerstone upon which our society was built is in jeopardy. Through their non-support for public schools, some Arizona politicians have demonstrated a lack of social conscience by stripping funds from public schools to give to private schools. The actions of these politicians ...some from LD 14...harm the community where I live....Sierra Vista. We face a tremendous challenge recruiting physicians for our new hospital. Recently at a school board meeting in Sierra Vista, two wives of local physicians were “spot on” when they talked about the impact an education system has on physician recruiting for Canyon Vista Medical Center. Physicians... along with other health care professionals... want a positive quality of life for their family....and adequately funded education and quality health care are major ingredients in that life style. As the board chair of the former Sierra Vista Regional Health Center, I experienced difficulty recruiting physicians because of the negative impact from low financial support of our public school system. We lost several physicians because they and their wives were concerned about the lack of financial support for education. When they reviewed the Sierra Vista school budget and saw how little funding was available for their children, they simply located elsewhere and deprived the community of their health care skills. And in a rural community like Sierra Vista... failure to recruit physicians is devastating to population health. Just as citizens have a right to quality health care coverage, they also have the right to an adequately and permanently funded education system for their children. I urge you to veto the legislature’s action by voting NO on proposition 305.

Lanny A. Kope, EdD., Past Board Chair Sierra Vista Regional Health Center, Retired High School Principal, Sierra Vista

This year, we witnessed a public outcry unlike anything in recent memory when public education advocates stormed the capitol, demanding better wages and better conditions in our state’s public schools. As a result, our elected officials made meaningful progress towards restoring the recession-era budget cuts and funding freezes that have paralyzed our schools for a decade. But there’s still a long way to go. Proposition 305, the universal expansion of school vouchers, could not come at a worse time. In the midst of what can only be described as a financial crisis in our public school system that we have just begun to address this year, Proposition 305 aims to take even more money out of an account that’s already overdrawn. Everyone knows you don’t buy a more expensive house if you can’t afford your current mortgage. The taxpayers of Arizona simply can’t afford to fund both a public and private school system for our children.

Further, the lack of accountability that comes with vouchers should concern every taxpayer. Funds awarded through ESAs have no meaningful or consistent oversight to ensure that the funds are used for approved educational expenses. By the time we find out the money has been misspent, it’s already gone. With no meaningful income-based eligibility, it’s just as likely that a voucher would be a taxpayer subsidy for someone who can easily afford to send their child to private school without the state’s help. Vouchers take badly-needed revenue from neighborhood schools and proven programs and give it away with no oversight and no way to measure results. Vote NO on Proposition 305 and keep our taxpayer dollars where we can see them: in our public school classrooms.

Timothy L. Ogle, Ph.D., Friends of ASBA, Phoenix

The Secular Coalition for Arizona encourages a “NO” vote on Proposition 305, the Expansion of Empowerment Scholarship Accounts (ESAs) bill passed by the Senate last year. ESAs are often referred to as a school voucher program that was declared unconstitutional in 2011 by the state Court of Appeals because “vouchers” were earmarked for private and sectarian schools violating Arizona’s Constitution that prohibits state aid to private and religious schools. It was only some “legal engineering” that brought ESAs into being because ESAs are supposedly state funds earmarked for parents of qualifying students to purchase “educational services.” No additional educational services were created as destinations for state funds after the name was changed from school vouchers to Empowerment Scholarship Accounts, only more avenues for use for private profit rather than public good.

The inability to adequately supervise the expenditures made by ESA recipients has been documented through investigations by the Arizona Republic and the admission of the Department of Education that they do not have adequate resources to do a meaningful audit of program expenditures. Some parents were reported transferring scholarship funds into 529 college-savings accounts and then immediately leaving the program. Others pocketed the money and continued sending their kids to public schools. We believe that public education dollars would be more wisely spent on public schools where accountability is evident and there is no question about money being diverted to private and religious schools, directly or indirectly. ESA funds going to public

schools would improve the state's educational outcomes and help bolster the economic potential in Arizona.

Zenaido Quintana, Chair, Secular Coalition for Arizona, Phoenix

The non-partisan League of Women Voters of Arizona urges a NO vote on Proposition 305 in order to stop a law passed by the AZ Legislature in 2017. That law expands the AZ Empowerment Scholarship Account program (known as ESA) to all students in AZ.

Passage of Proposition 305 would result in a major step toward privatizing education in our state. The League of Women Voters and the AZ Constitution both speak to ensuring that the state provides adequate funds for a PUBLIC education for all AZ students. Neither the League of Women Voters nor the AZ Constitution speak to a state role in providing funds for private education.

Expanding Empowerment Scholarship Accounts (ESA), also known as vouchers, to more students will take away public money badly needed for our already underfunded public schools both traditional and charter. The public schools monies given to the child for an ESA are put on a debit card and given to the parent for payment of private school tuition including religious schools, home schooling or other 'qualified' expenses. There is little or no accounting by the state of how these monies are actually used.

Also almost all private/religious school tuition is significantly more than the amount on the debit card. As a result, the ESA/voucher program has been used almost exclusively by wealthy families to subsidize the cost of the private education they would be using for their children in the first place. Passage of Proposition 305 will continue a frightening trend toward a dual education system – one for the very wealthy and one for those the rest of us.

The League of Women Voters believes a strong democracy includes a free and quality public education for all children. Vote NO on Proposition 305.

Robyn Prud'homme-Bauer, Co-President, League of Women Voters of Arizona, Clarkdale

I'm against Proposition 305. Proposition 305 would expand Educational Savings Accounts (ESA's) and put more state funds into private schools. How does this effect local schools? It makes the amount of money available to schools STATE WIDE smaller. Even if money is not taken directly from your local district and charter schools (both publicly funded), money is taken from the education budget on the state level. That effects EVERY public district, charter, school, teacher, and student in the state of Arizona.

A February 2018 study published in USA Today states, "The large share of ESL students and low graduation rate may suggest Arizona needs to invest more in its education system."

Every student in the state of Arizona deserves a high quality education. That requires FULL state funding for all aspects of education in all districts throughout the state. Students deserve teachers who are fully present and invested in their classroom, not distracted by stresses that are avoidable. Students deserve a safe place with consistent adult involvement, where they can count on their teacher, counselor, cafeteria worker, custodian, principal, ect. being present and available for any crisis or celebration they come to school with. They deserve for their parents to have gainful employment that is consistent. Strong schools are a key tool to bringing industry and manufacturing into communities. They deserve quality healthcare. Attracting health care providers depends on strong schools, especially in rural areas that are currently underserved. Full funding of public schools, competitive pay for all adults who work in a school system, building maintenance, transportation, health care benefits, retirement, etc...because our ENTIRE population deserves it!

I am against prop 305 because our state deserves the BEST public education system, and to become the best requires putting money INTO that system, NOT taking it out.

Susan Collins, Private Citizen, Kingman

Arizonans should vote NO on Proposition 305 because the expanded voucher program will undermine the financial structure of our educational system. I support religious education, but I believe in the separation of church and state. Empowerment Scholarship Accounts (ESA) are a vehicle that moves public money into the hands of parents to use for secular and religious private schools or homeschooling without financial or achievement accountability. This is a violation of the spirit of our Constitution.

As a retired high school administrator, I keep up to date with state and local events especially as they relate to education. I love that we're a nation of opportunity, a nation that helps people realize their dreams. Fewer things play a bigger role in our democracy than our public schools. A strong country needs an educated population.

I have experienced the impact that the fiscal cuts made to our state's education budget have had on the campuses where I have worked. I am disheartened by the negative rhetoric from our state's leaders about our public schools. Proposition 305 is simply the latest line in the steady attacks.

While my kids graduated from both public and private schools, sending my older daughter was a choice. I have grandkids in parochial schools now. Again that is a choice. It is important that there are well-funded public schools ready to educate all children and prepare them for the future. Don't let special interests drain our education budget. Vote NO with me on Proposition 305.

M. Lisa Scinto, Retired Educator, Phoenix

Quality universal education has long been a benchmark of democracies and developed nations. In fact it's required by Article 11 of the Arizona Constitution. Section 1.A says the government shall provide a general and uniform public school system. Article 6 says that both sexes shall be allowed to attend these schools that shall be as nearly free as possible. Article 7 says that no sectarian education shall be allowed and no religious or political test shall ever be required for student or teacher.

To improve the economic status of any country, the first act is to ensure that all children, rich and poor, no matter what color or ethnicity or tribe or from what region receive quality education from an early age. Especially in the United States, one of the most diverse countries in the world, a common education is the major thread that ties us all into one nation.

The use of vouchers to create a separate education system has been a popular tactic to keep people apart. Whites used it in the South after the Civil War to create segregated and very unequal schools. Many religious denominations have used it to separate boys from girls and restrict what girls could learn. Even publicly funded universities have in the past refused education to women in certain professions. All of these gambits have been found not only to be illegal, but also to be harmful to the individual and the society. One of the major obligations of a government is to provide a quality, universal education for all its constituents. That is the only way we can weave together a unified nation. We need to focus on improving our public schools not creating a separate system.

Dianne Post, Legislative Action Coordinator, National Organization for Women Arizona, Phoenix
Sponsored by National Organization for Women Arizona

As leaders in our faith communities, we believe all children have a right to a quality public education. We believe our teachers deserve a just and competitive wage for their labors. We believe all our children and all our teachers deserve public school buildings and school buses that are well maintained and safe. We believe all our children and all our teachers deserve learning and teaching environments that are dignified and properly cared for. We believe a well-funded and maintained public school system is the bedrock of our democracy and we value robust funding of our public district and charter schools. That is why we urge a no vote on Prop. 305. We believe Prop. 305 is wrong for Arizona because we believe we cannot afford to lose one more dollar from our already alarmingly underfunded public education system in Arizona. We believe a no vote on Prop. 305 to be in the best interest of the common good and most especially in the best interest of the families, children, teachers and communities who rely on public district and charter schools.

Fr. Enrique Cadena
 Vicar
 Iglesia Episcopal de San Pablo, Phoenix

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 ARGUMENTS "AGAINST"
 PROPOSITION 305

The Rev. Dr. Kristin Hansen
Pastor
Desert Foothills United Methodist Church

The Rev. Anne K. Ellsworth
Priest
Episcopal Diocese of Arizona

Father Enrique Cadena, Iglesia Episcopal de San Pablo, Phoenix; The Rev. Dr. Kristin Hansen, Desert Foothills United Methodist Church, Phoenix; and The Rev. Anne Ellsworth, Episcopal Diocese of Arizona, Tempe
Sponsored by The Rev. Anne Ellsworth

I urge Arizonans to vote No on Proposition 305. Most Arizonans attended public schools, and today, more than 90% of our families continue to attend them. While we have challenges, our public schools are required to follow strict accountability measures and adhere to a universal Progress Meter for important outcomes. Proposition 305 takes taxpayer dollars out of the public school system and gives them to private interests. This approach lacks accountability, oversight and provides no way to assess outcomes; all things any business leader knows are essential for success.

The education challenges we face in Arizona are not unlike other issues we've faced in the past. Yet, outside national forces see Arizona as ground zero to influence education policy in a radical direction that could seriously damage our future. The forces promoting Proposition 305 intend to move aggressively toward a model that provides every family with a low, flat monetary amount per child, that can be used for private education at the expense of public schools.

This approach leaves our public schools even further eroded by the reduction in funding per pupil. Teacher salaries will yet again stagnate or even diminish as cost of living rises, and the teacher shortage will continue or increase. With less money in public education, already declining infrastructure and technology will erode further and businesses will face an under-prepared workforce.

Budget challenges across the nation and within Arizona are not easy. However, expanding Prop. 305 at the expense of public education is a march in the wrong direction. Without a strong public education system that encourages all Arizona children to reach their full potential, not only will our current issues remain unresolved, Arizonans risk more challenges our future leaders will be unprepared to conquer. Let's prepare Arizona for success by voting No on Proposition 305.

Lisa Urias, Business Leader, Phoenix

Vote No on Proposition 305

This proposition expands Empowerment Scholarship Accounts (ESAs) to all children in the state, which will hurt the 95% of Arizona children who attend public schools. Millions of dollars will be taken from our public school classrooms each year--dollars that are sorely needed for salaries, instructional materials and building maintenance.

ESA vouchers will divert tax revenue to subsidize private school tuition. The cost of tuition at most private schools is considerably higher than the value of a voucher. Wealthy families, who can afford the balance, will be the primary beneficiaries of ESA vouchers, at taxpayers' expense.

ESA vouchers take money from rural schools and neighborhoods which lack private schools, shifting funds to wealthy areas. Also, special needs students will suffer as they will no longer have priority for vouchers.

ESA vouchers lack accountability and transparency. Private schools are not held to the same standards that are required of public school districts. We will not know how our taxpayer dollars are being used.

All our children deserve a world-class education. The economic future of Arizona depends on a well-educated public. This proposition undermines the ability of public schools to deliver quality education.

We urge you to vote no on this proposition.

Mary Daly, alliance 4 action, Green Valley

Voices for Education urges you to Vote NO on Proposition 305. Prop 305 expands Empowerment Scholarship Accounts (ESAs)-Vouchers. Every penny that goes to vouchers takes money from the 94% of Arizona students who attend public schools. The millions to fund ESA-Vouchers support just 5% of students. Arizona classrooms are already overcrowded and teachers underpaid because Arizona under-funds our schools.

We need to invest our tax dollars where the students are. Funneling money out of public school funds means larger classes, greater numbers of teachers leaving, limited foreign language and advanced math classes, fewer librarians, counselors and school nurses and cuts of art, music and PE classes.

For twenty years, Voices for Education has advocated for a great education for every Arizona child. Proposition 305 makes that impossible by gutting public school funding in Tucson and throughout Arizona. Vote No on Proposition 305 to ensure every Arizona child has access to a high quality education, not just a few.

Robin Hiller, Executive Director, Voices for Education, Tucson

Save our schools from “VOUCHER VULTURES”

VOTE “NO” ON PROPOSITION 305 -SAVE OUR SCHOOLS ARIZONA. The wording is deceptive and hides the “money vultures” who continue to devour our tax payer school dollars to pay for private schools. Public schools and public school teachers need ALL our taxpayer dollars.

Vouchers take our taxpayer public money to support private schools. As a parent, I can take taxpayer dollars from the public school fund and apply it to the tuition for my child at a private school. Can all parents afford to make that choice? NO! Public schools were created to serve “all the students” --those with average, above average or below average abilities and their needs. (It’s the American way) Private schools can pick and choose the students they will accept while at the same time not being required to meet state law requirements.

VOTE “NO” ON PROPOSITION 305 -SAVE OUR SCHOOLS ARIZONA. The wording is deceptive and hides the “money vultures” who continue to devour our tax payer school dollars in support of private schools. Public schools and public school teachers need ALL our taxpayer dollars.

Diane Uhl, Retired Teacher/Taxpayer, Oro Valley

As a parent who will send my children to public school, a hard working member in the private sector, and a former educator who understands the intricacies of public education, I am asking my fellow Arizonans to soundly reject Prop 305. We need to tell those who are assaulting public education that we will not stand for it anymore.

We owe those brave teachers who walked out a debt of gratitude. They took a stand, and in doing so they helped expose our lawmakers for who they are: People who didn’t happen upon a school system in distress, but rather that they are the architects of such a system.

Now, those same lawmakers who refused to listen to the teachers are asking for Arizonans to buy into another ruse of voting in favor of Proposition 305. We need to continue forcing those leaders to do better for our children.

I left teaching in 2012. At that time, it was normal to have class sizes that were 50+ students. My school turned off hallway lights during classes to save on utilities, thereby creating unsafe environments for students. With nearly 1,300 high school students, we could only afford one security guard, rationed teacher supplies excessively, and were forced to ration toilet paper. This was at a school in a middle class community. Schools in impoverished areas have it way worse.

This is what our lawmakers did, by design. If they starve public schools, charters become more desirable. Many of our lawmakers own charter schools.

In other words, they are profiting off of hurting kids. And those same individuals are asking you to vote “yes” on prop 305.

The only logical, compassionate, and ethical step to take as an electorate is to vote “no” on prop 305.

Our schools deserve better!

Dr. Jason Thompson, Chandler

Greater Phoenix Leadership (GPL) opposes Prop. 305, a proposition that if passed would enable private school tuition to be funded with public taxpayer money. GPL stood firmly against the expansion of vouchers in the 2017 legislative session and believes that we must expand resources for traditional public education to all Arizonan’s before we expand the voucher system.

GPL members have worked to develop and support the Arizona Progress Meter which incorporates strict accountability, goals and measures for public schools. Currently, public schools must meet a level of transparency and accountability and have a consistent set of rules as they are funded by taxpayer dollars. Private schools are not required to meet those same standards.

Taxpayer dollars must remain accountable and all funds administered from the Arizona General Fund should be held to the same level of scrutiny.

Neil Giuliano, President and CEO, Greater Phoenix Leadership, Tempe

Here are the 7 reasons I’m voting NO on Prop 305--expansion of vouchers:

- 1) It will cost our state more because the amount given per voucher exceeds the per pupil amount given to districts.
- 2) It will cost families more because a voucher for a typical student will not cover the full cost of private school tuition.
- 3) There is no accountability for student achievement.
- 4) There is no accountability for how our taxpayer dollars are spent.
- 5) Those with special needs lose the preference they receive under the current ESA program.
- 6) Students in private schools do not have the same rights under the Individuals with Disabilities Education Act that they have in public schools.
- 7) Our state constitution, established in 1912, states “No tax shall be laid or appropriation of public money made in aid of any church, or private or sectarian school, or any public service corporation.”—Art. IX, Sec. 10.

Please join me in voting NO on Prop 305!

Jill Humpherys
 Mother
 Grandmother
 Private Citizen
 Gilbert Public Schools Board Member

Jill Humpherys, Mother, Grandmother, Citizen, Gilbert Public Schools Board Member, Gilbert

Stand for Children Arizona Urges You to Vote NO on Proposition 305.

Stand for Children Arizona is a non-partisan education advocacy organization focused on ensuring all Arizona students receive a high-quality education.

Prop 305 expands funding for private schools through the ESA program, taking dollars away from our public school students - both in district and charter schools.

Arizona spends almost a billion dollars less on our public schools now than it did in 2008. We need to invest in underfunded public schools, not take away their funding and give it to private schools.

Also, while public schools - both district and charter - are held accountable for student progress, private schools that receive ESA funds have no accountability. In fact, there is no way to determine if taxpayer funds going to private schools are being misused.

Proposition 305 is bad for Arizona public schools and bad for Arizona taxpayers.

Please vote NO on Proposition 305.

Rebecca Gau, Arizona Executive Director, Stand for Children, Mesa

This coming November Proposition (Prop) 305 ESA Vouchers will be on the ballot. Citizens will be protecting public education funding by voting NO on Prop 305!

When ESA voucher money leaves our state treasury, and is diverted to private schools it will not go to our public school teachers, support staff and school facilities - because 95 percent of Arizona's children don't even attend private schools.

Prop 305 is on the ballot is because when this big government giveaway was originally passed by the political hacks in the state legislature, as the Senate Bill (SB) 1431 ESA vouchers bill, many Arizona residents immediately recognized what an educational funding scam it was. Arizona residents then mobilized into the Save Our Schools Arizona (SOS Arizona) referendum petition committee. On August 7, 2017, when SOS Arizona delivered 111,540 anti-SB 1431 signatures to the Arizona Secretary of State Office, the SB 1431 ESA vouchers were on their way to the November ballot as Prop 305, so we can vote it down.

The NO on Prop 305 forces are your local neighbors, parents, teachers, business leader and many others. In contrast to these groups, the main financial backers of Prop 305, do not even live in Arizona. Two of these nonresident plutocrats, are the billionaire brothers Charles and David Koch, who fund the ESA Voucher support organization named the Americans for Prosperity. Another such support organization is named the American Federation for Children, which was organized and financed by out-of-state billionaire Betsy DeVos.

Many of Arizona's citizens see through this dark money charade. These residents are demanding excellent Arizona public schools and will be voting NO on Prop 305 this November.

Mario Martinez, Tempe

Prop 305 is bad for Arizona kids. It takes desperately needed dollars away from public district and charter schools, even though 95% of Arizona families choose public schools. Here are reasons to vote NO on Prop 305:

- Having a voucher doesn't guarantee admission into any private school. Legally, private schools can discriminate and deny admission based on sex, religion, disability, income, political party, LGBTQ, discipline history or almost any other reason.
- Vouchers lack financial accountability. During just a 6-month period in 2016, there was over \$100,000 in fraudulent ESA spending.
- Vouchers lack academic accountability. Private schools don't have to teach state standards, or publish results of any standardized testing like public schools do.
- Vouchers rarely cover the cost of private school, making it NOT a true choice for middle class or low-income families.
- There are no income limits for vouchers. Wealthy families that could already afford a private education can get private school tuition subsidized by your tax dollars. In fact, 75% of current ESA recipients come from wealthier families.
- Vouchers send public tax dollars to religious institutions, like Islamic and Christian schools.
- ESA was designed to help kids with special needs, foster kids, kids of active duty military, kids from failing schools. Currently, only a few thousand students use ESA.
- Prop 305 wants to expand it to 30,000 kids, an increase of 500%!
- Prop 305 would make ESA first come first served. This means that the kids it was designed to help, like kids with special needs, could lose out on an ESA if they didn't apply fast enough. The majority of those 30,000 recipients of tax dollars could end up being wealthy kids with no disabilities.

Voucher expansion is bad for Arizonans. Vote NO on Prop 305!

Monica Gellman, Phoenix

The Southern Arizona Leadership Council (SALC) strongly encourages the voters of Arizona to vote “NO” on Proposition 305. Proposition 305 expands the use of Empowerment Scholarship Accounts (ESAs) beyond their intended purpose and will siphon money from our already under-funded public education system. Empowerment Scholarship Accounts were originally established to help those in need: Those with special learning and physical requirements, those attending a D or F rated school, those who are a ward of the court as well as a few other special cases. Currently just over 23,000 students are eligible for ESAs. Prop 305 would make all 1 million students in Arizona eligible for this “voucher” system, not just those with special needs. Should these newly-eligible students apply and use the available ESAs up to the cap, it could eliminate the availability of an ESA for those it was originally intended to help – children with special circumstances.

Arizonans agree that our public education system is currently in need of more funding. Prop 305, however, will take money out of the system. Current students with approved ESAs take approximately \$55 million out of the available monies for public school funding. Passage of Prop 305 could increase that amount to more than \$240 million. This would result in less support for our public schools and further growth for private schools eligible to receive the ESA funds.

SALC urges you to prioritize proper funding of our public school education system by voting “NO” on Proposition 305.

Edward Maxwell, President/CEO, Southern Arizona Leadership Council, Oro Valley

The title of this Proposition is deceptive! Last summer, grassroots “Save our Schools Arizona” collected 100,000+ signatures so we would have a chance to VOTE NO on this drain of our public tax money. I am a Republican teacher who, along with many, decided we’d had enough and walked out this year. I did it because funding for schools is being sneakily diverted by organizations and legislators who make money from these ESA vouchers.

“We the People” decide, right? Not if the Legislature had its way this past year. The attorney for “voucher”/ESA supporters stated the “expanded program deserved a day in court.” However, what they did NOT want was this referendum to go to the voters! Their plan was to get the 111,540 ballot signatures thrown out! The Supreme Court said “NO,” so now we have a chance to VOTE NO!

Here are the facts...

In 2006, the AZ Supreme Court ruled tax money could not go directly from government to private/religious schools.

To do it “indirectly,” ESA supporters/legislators started non-profit companies, then sent the donations through a voucher broker (who charges 10%). The owner of one of the largest voucher brokers was our AZ Senate President who employed his wife and son and rented his own building from himself! (\$17 million was collected in 2013/14 = \$1.7 million!) Conflict of interest? Not in Arizona!

First touted as being for special needs children, this new plan was to make “vouchers” UNIVERSAL. A NO Vote means that there will STILL be vouchers available for special needs and low-income kids, but that no ADDITIONAL money may be siphoned off from public tax funds and used in a way that has little/no oversight.

VOTE NO on Prop 305! If you don’t, we may not have any public schools left to save!

Bonnie Hickman, (Formerly a Candidate for LD16 House 2018), Mesa

Arizona families are rightfully demanding transparency in government, accountability and responsible stewardship of our tax dollars, and deserve to have school choice. Expanding Empowerment Scholarship Accounts (ESAs) does none of those things.

1.) Voucher expansion creates an uneven playing field by paying more to families whose children were enrolled in a charter school. A family from a public school would receive less money than a family from a charter school even though both are funded by tax money.

2.) Voucher funds comes directly out of the budget of the school the child attends. When one student leaves your neighborhood public school or selected charter school, your local community is negatively impacted by taking away needed funds from your teachers and classrooms.

3.) AZ Politicians supporting this proposition have financial interests tied directly to for profit schools that already are receiving most of the exiting ESA dollars. A YES vote directly increases their personal bank accounts on your tax payer dime.

4.) Prop 305 eliminates personal accountability because it eliminates State audits on how disbursed funds are being spent. Funds could be used by a family to take an “educational” trip to San Diego just as easily as they could to help offset costs of a private education.

5.) If a family is found to have abused voucher money – there is NO WAY to make them pay it back. This incentivizes people to abuse the system

6.) A NO vote will NOT stop the current program that serves developmentally delayed students from having access to extra funds to support their educational needs. The existing voucher program has oversight to make sure money is spent properly, and provides real options for Arizona families.

Vote “No” on Prop 305.

Preserve your individual choices and make sure our tax dollars cannot be abused.

Valerie Lim, Voter, Indivisible AZCD5, Gilbert and Rebecca McHood, Voter, Indivisible AZCD5, Gilbert
Sponsored by Rebecca McHood

As a parent and an engineer, I believe Prop 305 will harm Arizona public schools. The funding for the new ESAs / vouchers comes from the general education fund, so increasing ESAs / vouchers is dollar for dollar less money for public schools, which serve 90% of students in Arizona. The state legislature just added \$300 million to the education budget to give the teachers a raise and we cannot afford to take \$120 million a year back out of that fund. These vouchers are far more than the incremental cost of adding one child to the classroom, so disproportionately more money will be taken from public schools and given to private schools. At the same time, the vouchers will not cover the full costs of private school so low income families still won't be able to afford to send their children. Studies have shown that private schools don't actually improve outcomes for low income students. This program lacks oversight and once the money is provided to the parents there is no accountability for the use. There IS a need for vouchers for children who cannot be served in the public or charter school setting, however that need is best met with the current program that provides vouchers for children with special needs and assigned to failing schools. A no vote will keep the status quo and keep the vouchers in the hands of the children who really need them. A yes vote will open the program to 30,000 new children on a first come, first served basis without any priority given to children who actually NEED them. Better public schools also increase property values. Strong schools means a strong state! Please protect our future and vote NO on Prop 305!!!

Krista McKinney, Parent and Engineer, Chandler

I urge everyone who wants their tax money to support public schools, not private and parochial schools, to vote NO on more vouchers.

This proposition is confusing for many because voting NO means supporting the public schools, while voting YES means sending more of our tax money to send kids to private and parochial schools.

Voting NO rejects a law the Republican majority in the Legislature passed that would give away even more money than we already do to benefit private (usually for-profit) and parochial schools at the expense of our public schools, that are already struggling to pay teachers and support staff decent wages, to repair aging schools, and to keep up with the times.

Voting YES keeps the law in place and uses your tax money to expand the voucher program for non-public schools and the (often higher income) families that use them.

I have nothing against private and parochial schools and families who use them, but they should not benefit from my tax money. They already get too much of that through far more generous tax credits than we can get for helping public schools.

Please vote NO, but then vote YES on the other education proposition that slightly increases income tax on wealthier people to support our public schools.

Barbara Tellman, parent of an underpaid and overworked public school teacher, and grandparent of three who got a good education in public schools before the Legislature drove Arizona to the bottom in public school funding.

Ms. Barbara Tellman, Grandparent, Retired, Tucson

I oppose Prop 305 ESA expansion because it does not provide enough accountability or transparency to ensure taxpayer dollars are used to support Arizona children’s educational outcomes. Further, ESA expansion will leave too many children behind, when adequate, accountable investment in accessible public schools would be a better way to address our existing lack of adequate education options for all Arizona children.

I am a mother of 2 children with learning and developmental differences. As a special education parent, I manage challenges that appear impossible every day. I have spent hours, days and months pretending everything is okay as we navigated our children’s educational options inside the public district, public charter, and private schools. We have done our best to work with school staff to overcome our children’s academic, mental, and social challenges with atypical peers. But sometimes our choices come from a place of despair, and we seek guidance or options that we did not plan for. Sometimes, the existing options inside public schools are not enough. Empowerment Scholarships Accounts (ESA) have provided previously unavailable alternatives for families that have tried most available options. The flexibility of ESAs is why they can work well. However, there is not enough accountability or transparency to ensure that tax dollars for ESAs support adequate and appropriate educational outcomes for Arizona children...

ESA expansion under Prop 305 is a cash giveaway to third-party payment services and merchants. With no accountability for return on investment in our children’s education. ESA expansion navigate’s a progressive path of lack thereof in financial transparency & accountability. ESAs are only accessible by some parents who are able to patch together services for their children. For these reasons, I urge you to vote No on Prop 305.

Onida Perkel, Parent, Public Ed. Defender, Scottsdale

305

ARGUMENTS “AGAINST”
PROPOSITION 305

PROPOSITION 305 *Ballot Format*

PROPOSITION 305

REFERENDUM ORDERED BY PETITION OF THE PEOPLE RELATING TO EXPANSION OF EDUCATION EMPOWERMENT SCHOLARSHIP ACCOUNTS

OFFICIAL TITLE

AMENDING SECTIONS 15-2401, 15-2402, 15-2403 AND 42-2003, ARIZONA REVISED STATUTES; AMENDING LAWS 2013, CHAPTER 250, SECTION 3; RELATING TO EMPOWERMENT SCHOLARSHIP ACCOUNTS.

DESCRIPTIVE TITLE

THE LAW WOULD EXPAND ELIGIBILITY FOR EDUCATION EMPOWERMENT SCHOLARSHIP ACCOUNTS TO INCREASE THE NUMBER OF ELIGIBLE STUDENTS ENROLLED IN KINDERGARTEN THROUGH TWELFTH GRADE, WITH GREATER FUNDING PROVIDED FOR LOW-INCOME STUDENTS.

A “YES” vote would allow Senate Bill 1431 (2017) to go into effect, which would gradually increase for four years the percentage of students in kindergarten through twelfth grade eligible to receive an empowerment scholarship account to spend on tuition, textbooks, educational therapies, tutoring, or other qualified forms of instructional assistance at a private or home-based school in an amount equal to 90% of the allotted funding that otherwise would have been allocated to the student’s public school district or charter school (for low-income students, the amount would be equal to 100% of the allotted funding); make changes to the existing empowerment scholarship program by requiring a policy handbook to be published for program applicants and participants, clarifying parental rights to appeal Department of Education eligibility decisions, and placing scholarship spending information on the Department’s website; and control the growth of the scholarship program by limiting new scholarship accounts each year through 2022 and eventually capping the number of new scholarship accounts at 2021-2022 fiscal year levels.

YES

A “NO” vote will preserve the existing law regarding empowerment scholarship accounts.

NO

305

BALLOT FORMAT FOR PROPOSITION 305

Proposition 306

OFFICIAL TITLE

A CONCURRENT RESOLUTION

ENACTING AND ORDERING THE SUBMISSION TO THE PEOPLE OF A MEASURE RELATING TO THE CITIZENS CLEAN ELECTIONS ACT.

Be it resolved by the House of Representatives of the State of Arizona, the Senate concurring:

1. Under the power of the referendum, as vested in the Legislature, the following measure, relating to the citizens clean elections act, is enacted to become valid as a law if approved by the voters and on proclamation of the Governor:

AN ACT

AMENDING SECTIONS 16-948 AND 16-956, ARIZONA REVISED STATUTES; RELATING TO THE CITIZENS CLEAN ELECTIONS ACT.

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

Section 1. Section 16-948, Arizona Revised Statutes, is amended to read:

16-948. Controls on participating candidates' campaign accounts

A. A participating candidate shall conduct all financial activity through a single campaign account of the candidate's campaign committee. A participating candidate shall not make any deposits into the campaign account other than those permitted under section 16-945 or 16-946.

B. A candidate may designate other persons with authority to withdraw funds MONIES from the candidate's campaign account. The candidate and any person so designated shall sign a joint statement under oath promising to comply with the requirements of this title.

C. The candidate or a person authorized under subsection B of this section shall pay monies from a participating candidate's campaign account directly to the person providing goods or services to the campaign and shall identify, on a report filed pursuant to article 1-1.4 of this chapter, the full name and street address of the person and the nature of the goods and services and compensation for which payment has been made. THE FOLLOWING PAYMENTS MADE DIRECTLY OR INDIRECTLY FROM A PARTICIPATING CANDIDATE'S CAMPAIGN ACCOUNT ARE UNLAWFUL CONTRIBUTIONS:

1. A PAYMENT MADE TO A PRIVATE ORGANIZATION THAT IS EXEMPT UNDER SECTION 501(a) OF THE INTERNAL REVENUE CODE AND THAT IS ELIGIBLE TO ENGAGE IN ACTIVITIES TO INFLUENCE THE OUTCOME OF A CANDIDATE ELECTION.

2. A PAYMENT MADE DIRECTLY OR INDIRECTLY TO A POLITICAL PARTY.

D. Notwithstanding the previous sentence SUBSECTION C OF THIS SECTION, a campaign committee may establish one or more petty cash accounts, which in aggregate shall not exceed one thousand dollars at any time. No single expenditure shall be made from a petty cash account exceeding one hundred dollars.

~~D~~: E. Monies in a participating candidate's campaign account shall not be used to pay fines or civil penalties, for costs or legal fees related to representation before the commission, or for defense of any enforcement action under this chapter. Nothing in this subsection shall prevent a participating candidate from having a legal defense fund.

~~E~~: F. A participating candidate shall not use clean elections monies to purchase goods or services that bear a distinctive trade name, trademark or trade dress item, including a logo, that is owned by a business or other entity that is owned by that participating candidate or in which the candidate has a controlling interest. The use of goods or services that are prohibited by this subsection is deemed to be an unlawful in-kind contribution to the participating candidate.

Sec. 2. Section 16-956, Arizona Revised Statutes, is amended to read:

16-956. Voter education and enforcement duties

A. The commission shall:

1. Develop a procedure for publishing a document or section of a document having a space of predefined size for a message chosen by each candidate. For the document that is delivered before the primary election, the document shall contain the names of every candidate for every statewide and legislative district office in that primary election without regard to whether the candidate is a participating candidate or a nonparticipating candidate. For the document that is delivered before the general election, the document shall contain the names

of every candidate for every statewide and legislative district office in that general election without regard to whether the candidate is a participating candidate or a nonparticipating candidate. The commission shall deliver one copy of each document to every household that contains a registered voter. For the document that is delivered before the primary election, the delivery may be made over a period of days but shall be sent in time to be delivered to households before the earliest date for receipt by registered voters of any requested early ballots for the primary election. The commission may deliver the second document over a period of days but shall send the second document in order to be delivered to households before the earliest date for receipt by registered voters of any requested early ballots for the general election. The primary election and general election documents published by the commission shall comply with all of the following:

(a) For any candidate who does not submit a message pursuant to this paragraph, the document shall include with the candidate's listing the words "no statement submitted".

(b) The document shall have printed on its cover the words "citizens clean elections commission voter education guide" and the words "primary election" or "general election" and the applicable year. The document shall also contain at or near the bottom of the document cover in type that is no larger than one-half the size of the type used for "citizens clean elections commission voter education guide" the words "paid for by the citizens clean elections fund".

(c) In order to prevent voter confusion, the document shall be easily distinguishable from the publicity pamphlet that is required to be produced by the secretary of state pursuant to section 19-123.

2. Sponsor debates among candidates, in such manner as determined by the commission. The commission shall require participating candidates to attend and participate in debates and may specify by rule penalties for nonparticipation. The commission shall invite and permit nonparticipating candidates to participate in debates.

3. Prescribe forms for reports, statements, notices and other documents required by this article. The commission shall not require a candidate to use a reporting system other than the reporting system jointly approved by the commission and the office of the secretary of state.

4. Prepare and publish instructions setting forth methods of bookkeeping and preservation of records to facilitate compliance with this article and explaining the duties of persons and committees under this article.

5. Produce a yearly report describing the commission's activities and any recommendations for changes of law, administration or funding amounts and accounting for monies in the fund.

6. Adopt rules to implement the reporting requirements of section 16-958, subsections D and E.

7. Enforce this article, ensure that money from the fund is placed in candidate campaign accounts or otherwise spent as specified in this article and not otherwise, monitor reports filed pursuant to this chapter and financial records of candidates as needed and ensure that money required by this article to be paid to the fund is deposited in the fund. The commission shall not take action on any external complaint that is filed more than ninety days after the postelection report is filed or ninety days after the completion of the canvass of the election to which the complaint relates, whichever is later.

B. The commission may subpoena witnesses, compel their attendance and testimony, administer oaths and affirmations, take evidence and require by subpoena the production of any books, papers, records or other items material to the performance of the commission's duties or the exercise of its powers.

C. The commission may adopt rules to carry out the purposes of this article and to govern procedures of the commission. ~~Commission rule making is exempt from title 41, chapter 6, article 3.~~ The commission shall propose and adopt rules in public meetings, with at least sixty days allowed for interested parties to comment after the rules are proposed. The commission shall also file ~~a notice of exempt rule making and~~ the proposed rule in the format prescribed in section 41-1022 with the secretary of state's office for publication in the Arizona administrative register. After consideration of the comments received in the sixty day comment period, the commission may adopt the rule in an open meeting. Any rules given final approval in an open meeting shall be filed in the format prescribed in section 41-1022 with the secretary of state's office for publication in the Arizona administrative register. Any rules adopted by the commission shall only be applied prospectively from the date the rule was adopted.

D. Rules adopted by the commission are not effective until January 1 in the year following the adoption of the rule, except that rules adopted by unanimous vote of the commission may be made immediately effective and enforceable.

E. If, in the view of the commission, the action of a particular candidate or committee requires immediate change to a commission rule, a unanimous vote of the commission is required. Any rule change made pursuant to this subsection that is enacted with less than a unanimous vote takes effect for the next election cycle.

F. Based on the results of the elections in any quadrennial election after 2002, and within six months after such election, the commission may adopt rules changing the number of qualifying contributions required for

any office from those listed in section 16-950, subsection D₇, by no more than twenty ~~per-cent~~ PERCENT of the number applicable for the preceding election.

2. The Secretary of State shall submit this proposition to the voters at the next general election as provided by article IV, part 1, section 1, Constitution of Arizona.

ANALYSIS BY LEGISLATIVE COUNCIL

Proposition 306 would make the following changes to the Citizens Clean Elections Act (the voluntary system of public funding of election campaigns for candidates for statewide and state legislative offices):

1. A participating candidate would be prohibited from making a direct or indirect payment from the candidate's campaign account to:

- a. A political party.
- b. A private tax-exempt organization that is eligible to engage in activities to influence the outcome of a candidate election.

2. The Citizens Clean Elections Commission would be required to follow the rulemaking requirements of the administrative procedures act (title 41, chapter 6, article 3) to adopt the rules for carrying out the Citizens Clean Elections Act, except as otherwise provided by law. Under current law, the Commission is exempt from the rulemaking requirements of the administrative procedures act but is required to propose and adopt rules in a public meeting after giving public notice and the opportunity for public comment. The administrative procedures act generally requires public notice, an opportunity for public comment and approval from the Governor's Regulatory Review Council (whose duty is to review and approve or reject proposed rules) or the Attorney General before a proposed rule becomes final. Under current law, Commission rules are not subject to approval from the Governor's Regulatory Review Council or Attorney General.

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PROPOSITION 306

ARGUMENTS “For” PROPOSITION 306

The Clean Elections system has enabled some fine people who are not beholden to political parties or special interests to be elected to the legislature – candidates who may not have been able to run without this taxpayer funding. The law is subject to abuse, however, by candidates who get the taxpayer money and then turn around and transfer some or most of it to the very political parties and special-interests the law was intended to circumvent. This measure closes that loophole. Vote yes to keep the CLEAN in Clean Elections.

Sydney Hay, Scottsdale

I am voting for Proposition 306 because I believe the government must behave transparently when it does business. A year ago, a government agency called the Arizona Clean Elections Commission approved a rule that gave candidates the ability to give government money (such as your tax dollars) to political parties and dark money groups.

The only people who showed up to this hearing were the political party officers and the operatives they hire to work for them. The media did not cover this hearing and so people around the state know virtually nothing about it, but it has huge ramifications for all us.

I support Proposition 306 because it will stop the government from giving money to political parties and partisan party politics. Parties will no longer be able to receive hundreds of thousands of dollars in public money to pay for their consultants. But Proposition 306 will also send a message. It will send a message that the government should not try to pass laws and rules when nobody is looking. It will let the government know there are consequences when they try to go secretly behind the backs of the public.

In November send the government a message. Send a message for transparency. Vote Yes on Proposition 306.

Wesley Harris, Phoenix

Sponsored by Stop Taxpayer Money For Political Parties

I support Proposition 306 because we have a lot of pressing problems in Arizona. Whether it is low performance in our schools or the terrible state of our roads and highways, we have important problems that need to be addressed. Often it feels like the citizens who are demanding answers are ignored. But of all the problems I have heard people complain about in Arizona, I have ever once heard someone say the political parties need more money.

That is why it is strange that the Arizona Clean Elections Commission voted to give government money—your money—to political parties so they could afford to send you campaign advertisements and robo-calls. No citizen who wasn't running for office or being paid by a political party ever asked for this. Ever.

The political parties in Arizona are not victims. If they need money they can raise it from private citizens. They certainly do not need the State of Arizona giving them a direct handout, but that is what is happening since last year.

I'm voting for Proposition 306 because it will stop the government from giving my money/YOUR money to political parties. No government fees, fines or taxpayer dollars will be spent on the political parties in Arizona. That's the way it used to be, that's the way it should be and if you vote yes on Proposition 306 in November that is the way it finally will be.”

Henry Ritter, Scottsdale

Sponsored by Stop Taxpayer Money For Political Parties

I support Proposition 306 because I think the government needs to focus its priorities. How do you think government money should be spent? Should it go to pay for schools? How about fixing Arizona's roads? Or even keeping our neighborhoods safe? Or maybe you take the view that government spends too much, and the money should go back to taxpayers. Whatever point of view

you have, I am willing to bet you do not think the government should be giving away free money to political parties. But that is exactly what is happening in the State of Arizona.

I support Proposition 306 because the political parties have figured out how to exploit a crazy loophole in the law. They have figured out a way to take government money—money that could be going to schools or roads or even back to the taxpayers—and give that money to political parties.

If you are a Republican, imagine your tax dollars are going to fund the Democrat party. If you are a Democrat, imagine your tax dollars are going to fund the Republican party. Can you believe it?

I support Proposition 306 because it will permanently end the practice of the government giving away free money to the political parties. These parties can still raise money. They can still get donations, but they will not be able to get money from the government or you the taxpayer. It will permanently end the practice of the State of Arizona subsidizing political parties at the expense of the taxpayers. The only way to stop this is to vote Yes on Proposition 306.

Steven Julian, Avondale

Sponsored by Stop Taxpayer Money For Political Parties

In 1998 the voters of Arizona voted to create the Clean Elections Commission. The purpose was to put a stop to the scandals—like AZ Scam—that were corrupting state government. The idea was that this commission would clean up Arizona politics from all the dirty money influencing the politicians and political parties.

Unfortunately, this past year the Commission took a major step backwards and voted not to limit the power and cash of the political parties, but instead voted to give the parties government money. This is antithetical to why the Commission was created in the first place. Giving government money to political parties will make them more powerful, make them even dirtier and will encourage them to create even more nasty ads to smear one another.

I support Proposition 306 because I do not want my tax dollars used to fund the forces of corruption. I do not want my government to fund some of those corrupt institutions in the state—the political parties and the dark money groups.

Eileen Danko, Fountain Hills

Sponsored by Stop Taxpayer Money For Political Parties

I urge everyone to support Proposition 306, which will stop our tax dollars going to political parties and special interest groups to influence elections. The initiative will also reign in the Clean Election Commission, a politically appointed body that is heavily invested in pushing their partisan agenda. For years this radical commission has ignored the law and have invented their own secretive rule-making process that avoids transparency and stomps out legitimate public input. Following the same rule making process as every other federal and state government agency is good for citizens and will make sure that the commission no longer allows our tax dollars to be laundered to political parties. Please vote YES on Proposition 306.

Nancy Cottle, Mesa

Sponsored by Stop Taxpayer Money For Political Parties

I am voting for Proposition 306 because I believe in transparency in how government does its business. Last year the Arizona Clean Elections Commission passed a rule that would allow government money to be given over to political parties and dark money groups.

It was a hearing in which virtually no one showed up. The newspapers did not cover it. The television stations did not cover it. Virtually no one even knew it was happening, but what they did will have huge ramifications for Arizona for years to come.

Proposition 306 will reverse what this unelected commission did. It will prevent the political parties from receiving government money in the future. It will also make sure no group of unelected bureaucrats can just pass a huge rule like this without an extensive oversight process. The Citizens of Arizona deserve to know what their government is doing. They deserve to know how their tax dollars are being spent.

If you care about the rule of law or preventing the political parties from taking over our democracy, please vote for Proposition 306.

Steve Hestler, Mesa

Sponsored by Stop Taxpayer Money For Political Parties

Republicans and Democrats. Supposedly, they are different. That is what they claim, but the more and more I observe them, it has become obvious that these two parties are just two sides of the same coin. Their party leaders don't care about America. They don't care about Arizona. They only care about getting their fat cat politician friends elected than they do about solving problems in America. And now they want us to pay for their party salaries too???

I support Proposition 306 because I don't want one dime of taxpayer dollars going to political parties for any reason. The government has absolutely no business giving public money from hardworking taxpayers to pay for political operatives to continue to ruin America.

But unfortunately that is not the way it works. The political parties have figured out a way to take money that should be going to fix roads, educate our kids and police our neighborhoods and give it away to political parties. These parties spend the money on sleazy advertisements, annoying robo-calls and ugly signs littering our streets. They are using our tax dollars to pay for sketchy political consultants and operatives to lie and tear Americans apart.

Proposition 306 is really, really simple: it says that absolutely no public, government or taxpayer money can go to a registered political party in Arizona. They can still raise money through contributions, but they cannot take money from taxpayers or the government. You would not think we need a law to do to that, but because of corrupt party leaders, we do. Vote Yes on Proposition 306!

Susan Lopotko, Peoria

Sponsored by Stop Taxpayer Money For Political Parties

Vote Yes on Proposition 306! Last year, there was a meeting you probably never even heard about. It is not surprising because hardly anyone attended. The only attendees were bureaucrats and political operatives. The political operatives apparently believed the biggest problem was that the political parties did not have enough money to pay consultants and political hacks to work in politics. I wish I was making this up. I wish this was not true, but unfortunately, it is true.

Incredibly, the bureaucrats voted to give government money—your money, taxpayer money—to pay political operatives to work on campaigns. You read that correctly. The government will now use your tax dollars to pay political operatives to smear their opponents, litter Arizona with campaign signs and annoy you with robo-calls.

I support Proposition 306 because it will tell the political operatives and the bureaucrats and the politicians and the party bosses, that you do not want public money—your money—to go to subsidize Arizona's political parties.

I support Proposition 306 because we need to clean up dirty money in Arizona politics. The political parties and their lobbyists and their consultants have a corrupting influence on Arizona State Government. Proposition 306 will stop them. Vote Yes on Proposition 306!

Shane Levinson, Chandler

Sponsored by Stop Taxpayer Money For Political Parties

I am voting for Proposition 306 because it is simple and straightforward. It says that the government of the state of Arizona cannot spend public money (i.e. taxpayer money) on political parties. It does not stop you or me from contributing to political parties. We are still allowed to donate to them as a private citizen, but it prevents the government from taking money from you or me and giving it to political parties or causes we do not agree with.

I am voting for Proposition 306 because this is a free country. If I agree with a political party's platform, I should be allowed to support causes and candidates that I like, but I should not have the right to force you to give to those causes or parties, any more than you should have the right to force me to give to support your political side. Unfortunately, this past year the government

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

changed the law. It said that from now on the government was going to get involved in party politics. It was going to give the parties government money—your money—whether you agreed with them or not.

Vote Yes on Proposition 306 because this is not how government should work. Government should not get involved in giving your money to the causes and parties you oppose. Keep government money out of party politics. Vote Yes on Proposition 306.

Neland Nobel, Phoenix

Sponsored by Stop Taxpayer Money For Political Parties

Have you ever thought about what political parties do? They create a party platform of issues. Those issues include all kinds of things—abortion, taxes, education, you name it. Then the parties get people elected to implement their agenda. This is a free country and you should have the right to support a party and its nominees when you agree with them. But should you be forced to support a party and its nominees when you do not agree with them?

I support Proposition 306 because last year, unelected bureaucrats decided that you do have to support parties that you disagree with. The government was going to take taxpayer money—your money—and spend it on political parties, whether you agree with those parties or not.

What is your position on abortion? Do you call yourself pro-life or pro-choice? What about education? Do you think the government should give more money to public schools? Or do you think there should be less money? Whatever your position is, the government doesn't care. The government ordered that public money should go to parties and their candidates who do not share your values, regardless whether you are conservative or liberal.

I support Proposition 306 because it will stop the government from giving money political parties. Period.

Robert Jamison, Black Oak Institute, Phoenix

Sponsored by Stop Taxpayer Money For Political Parties

I support Proposition 306 because I believe in the rule of law. This past year a complaint was filed at the Clean Elections Commission against a group of political candidates, who used government money to help fund their political party. They spent over one hundred thousand dollars of public money on political activities for their party.

Ignoring state law and the ballot measure passed by the voters to clean up politics in Arizona, the Commission not only allowed the candidates to contribute over one hundred thousand dollars of your money to a political party, they passed a law so that all candidates could do this in the future. None of your elected officials ever voted on this rule, it was never subject to any public oversight. Essentially, a group of unelected bureaucrats decided it would be state policy to have public funding of political parties. In this particular case it was money given to the Democrat Party, but the principle applies to the Republican, Libertarian and all other parties as well.

I support Proposition 306 because we elect people for a reason. Our lawmakers and the governor are supposed to pass laws—not unelected bureaucrats. Proposition 306 is your opportunity to tell those bureaucrats they cannot just pass laws outside of the legislative process. Vote Yes on Proposition 306.

Dave Kuenzi, Mesa

Sponsored by Stop Taxpayer Money For Political Parties

One of the biggest complaints from opponents to Proposition 306, is that it forces every executive agency—including the Clean Elections Commission—to obey the same rules.

The bulk of Proposition 306 is stopping government agencies from giving government money to political parties and political committees. The reason why it requires every commission to follow the same rules, is that the Commission created a loophole in order to be able to fund their friends in the political parties.

Everyone in the state should follow the same rules. Appointed bureaucrats should not follow their own rules. They should not get special treatment. They should follow the law.

I support Proposition 306 because it requires government agencies and commissions to follow the same rules and will prohibit them from getting in to the campaign business by contributing government funds to political parties.

Sandy Kuenzi, Mesa

Sponsored by Stop Taxpayer Money For Political Parties

If you read the newspapers or watch the nightly news, you will see story after story about how the political parties are corrupt. You will see the stories about how politicians do not vote their conscience but instead they vote the way their party tells them to vote. It happens to both major political parties. But what if the political parties have even more power than they have now? What if in addition to the contributions they receive from powerful donors, they also were able to take your tax dollars as well?

I am voting for Proposition 306 because that has become a reality in Arizona. Recently, the state ruled that the major political parties can receive government money and there is practically a gold rush to see which party can get more of your tax dollars.

A vote for Proposition 306 will stop the practice in its tracks. The State of Arizona will be prohibited from giving any of your money to the political parties. You can still contribute to them on your own, but the government cannot use any money it receives for that purpose.

Vote Yes on Proposition 306.

John Lopotko, Phoenix

Sponsored by Stop Taxpayer Money For Political Parties

The language of Proposition 306 is pretty simple. It states basically three things: first government money cannot be given directly or indirectly to a political party. Second, it states that government money cannot be given either directly or indirectly to a political committee (like one of those sketchy dark money groups, labor unions or corporate political action committees or PACs). Finally, it states that all executive state agencies have to abide by the same rules, so we do not have this kind of political tomfoolery any more.

What I like about Proposition 306 is that is very straightforward and your decision about it is clear. If you oppose your tax dollars being spent on political parties and secretive political committees, vote for Proposition 306.

Olivier Mirza, Chandler

Sponsored by Stop Taxpayer Money For Political Parties

Are you tired of all the negativity in politics? Do you hate those negative ads on TV that pits Americans against one another? Did you know that the Arizona Clean Elections Commission just voted to makes things even worse? It's true, the commission charged with cleaning up dirty politics just voted to give government money to the political parties and political committees. That's on top of the money they already receive in contributions. This government money will give them the ability to produce even more ads that tear America and Arizona apart.

If you vote for Proposition 306, you will send a message to the Commission and the political parties that you do not want to see public money being used to divide the public even more. You do not want public money funding nasty advertisements and unscrupulous campaign consultants who try to smear candidates in both parties.

If you vote Proposition 306, you will send a message that Arizona wants its leaders to work together and not fight with one another. Vote Yes on Proposition 306!

Kimber Hattendorf, Tempe

Sponsored by Stop Taxpayer Money For Political Parties

When the founders of America created this country, they warned future generations to beware of factionalism. The factionalism they warned about was really about political parties. They worried that political parties would divide America more than it would unite America.

Over two hundred years later, Americans only know too well how right our Founders were. We see it in the lack of civility politicians and pundits treat each other with. We see it in a divided Congress that cannot seem to get anything done.

Our Founders would be horrified to know that Arizona now gives out money to political parties from the public coffers. The State itself is underwriting the very factionalism our Founders warned us about.

It is a free country. You can belong to a party and contribute to a party, but the government should not be able to fund a party itself.

I'm voting for Proposition 306 because I do not want my tax dollars to pay political parties to split my country and my state apart. Vote Yes on Proposition 306.

Leslie White, Phoenix

Sponsored by Stop Taxpayer Money For Political Parties

From time to time the government of Arizona does something stupid. It's times like these that requires the people to step up and act. That is why I support Proposition 306. About a year ago the Arizona Clean Elections Commission heard a case that candidates were using money that the state had given them to fund their own political party. To most people this is a gross misuse of public funds. The Commission, however, thought it was fine. They allowed the transfer of hundreds of thousands of dollars of state money to go to the Democratic Party.

But even Democrats do not support giving public money to a party, because this money could have just as easily gone to the Republican Party.

This action was taken by the Commission with no regard to how people across Arizona feel about it. There was not an extensive process of public comment. They simply voted to allow this to happen.

If you feel that our government is often out of control and does not listen to the people, then you should vote for Proposition 306. It simply forbids the State of Arizona giving money to a political party—regardless whether it is the Republican or Democratic Party. It also says that in the future, state agencies, like the Commission, have to follow the same rules as everybody else when they created new regulations.

Vote Yes on Proposition 306.

Neal Andres, Gilbert

Sponsored by Stop Taxpayer Money For Political Parties

What is more important to you—people or political parties? It has become more obvious to many Americans that the problem in this country is not individuals but the major political parties who do not listen to their own members.

I support Proposition 306 because it prohibits the State of Arizona from giving money to the Republican, Democrat or any other political parties or political committees.

Both major parties are completely out of touch. The establishment of both parties do not listen to the people who are most affected by their policies. Why should we then reward the Democrat and Republican Parties with government money? Will that somehow make them more accountable? Make them more in tune with the people they claim to represent? I believe it will make them even more out of touch and oblivious to the problems of ordinary Americans.

Proposition 306 is a response to a local group of bureaucrats who are trying to inject new life into the political parties, by giving handouts to them. Proposition 306 would outlaw giving government money to the leadership of these political parties. When it comes time to vote in November, vote for People over Political Parties. Vote for Proposition 306.

Asma Isack, Phoenix

Sponsored by Stop Taxpayer Money For Political Parties

I support Proposition 306 because I want candidates for the Arizona State Legislature, Governor and all other state offices to think for themselves and not for what the parties want them to think.

Recently, the State of Arizona allowed the political parties to receive government money. That money can be used to influence candidates for the legislature and other offices. When the parties are able to control money then they are able to control candidates too.

Proposition 306 will stop this practice. It will prohibit all state government money from ever being used to support a political party. This will prevent the parties from using government money to get the candidates to vote and act the way they want, instead of the interest of the citizens of Arizona.

If you believe the political parties in Arizona have too much power already, then I would urge you to vote in favor of Proposition 306. It will prevent your tax dollars from being used to support political party hacks and using that money to corrupt politicians. Vote yes on Proposition 306.

Colette Pikosz, Gilbert

Sponsored by Stop Taxpayer Money For Political Parties

I support Proposition 306 because we have a lot of needs in Arizona. Our schools have some of the lowest scores in national rankings. Our jails are crowded. Our streets are falling apart. Citizens in Arizona feel more and more disconnected to those in government who control their lives. But one problem we don't have is political parties not having enough money.

Recently, the Arizona Clean Elections Commission voted to give government money—taxpayer dollars—to political parties so they could afford to send you campaign mail, start calling you with telemarketers and put up ugly campaign signs on every corner. Does anyone believe that is a real problem in Arizona?

Nobody in this State sees political parties as victims in need of a hand out, so why would we allow the government to give them anything?

Proposition 306 prohibits government funding of political parties and political committees and puts a stop to government bureaucrats from finding a loophole to give their friends in the political parties your money to run their operations.

Whether you vote by mail or in person at the polls in November, be sure to vote for Proposition 306.

Josh Stockton, Mesa

Sponsored by Stop Taxpayer Money For Political Parties

The opponents of Proposition 306 have two complaints. First, they say that political parties should receive money from the government. In addition, they say that some government agencies should be able to pass rules without any government oversight. I completely disagree. Government money has no business being used to buy junk mail and yard signs for political parties. It should not be used to pay for political consultants and it certainly should not be used as leverage of political parties controlling politicians. In addition, a government agency should not be able to pass rules about letting political parties receive government money without any oversight.

I support Proposition 306 because I want the State of Arizona out of the political campaigns business. People on both sides of the aisle can agree to disagree on what we should do with taxpayer dollars, but we can agree on one thing: they have no place in funding political parties and no agency should be able to give that kind of power to the parties without going through the legislative process or – even better – going to us, the Voters of Arizona.

Vote Yes on Proposition 306!

Mark Towns, Phoenix

Sponsored by Stop Taxpayer Money For Political Parties

When the State of Arizona recently allowed government money to be given to political parties, it unwittingly gave political parties a huge hammer in controlling the candidates in their party. I support Proposition 306 because it will outlaw all government money being given to political parties or other dark money groups.

We all want our politicians to be independent and to think for themselves. We do not want political parties to be able to have undo influence over them, but by allowing the government to give money to political parties, Arizona is giving the parties a huge amount of power. Parties can control the spigot of money to candidates. It can direct other resources (personnel, etc.) to flow to candidates it likes and away from candidates it does not like.

That is not how our political system should work. Proposition 306 would prevent that from happening again. It will take government out of how political parties are funded for good. In November vote yes on Proposition 306.

Steven Julian, Avondale

Sponsored by Stop Taxpayer Money For Political Parties

Last year the Arizona Clean Election Commission voted to allow political parties, like the Republican and Democrat Parties, to receive government money. What are the parties likely to do with that money?

Political parties typically spend money on salaries for staffers. They also pay campaign consultants. These are the people who design all of those negative political ads you see on television, for example. Parties pay for rent, but the bulk of their money goes to producing content. That content could be television ads, campaign signs, mailers and even those annoying robo-calls you receive during campaign season.

I am voting for Proposition 306 because it will prohibit all government dollars from going to political parties to pay for these kinds of things. The critics of Proposition 306 may argue that the money the parties will receive will not all go to all of these expenses. Technically, they may be correct, but the money the parties receive in any one category will offset costs in another category.

I do not think it is in the public interest for the government to give money for parties to spend in this way. I support Proposition 306 because it will outlaw all government money in party political.

Justin Yentes, Gilbert

Sponsored by Stop Taxpayer Money For Political Parties

Support Ending Taxpayer Money Going to Political Parties

One of the most corrupt practices in American history was the infamous Tammany Hall, where party bosses were able to have absolute control over politicians in New York City. Boss Tweed used money to bribe politicians and hold power until he was finally arrested.

But what if Boss Tweed had access to government money that he could use to pay off politicians? And what if that was all legal? Unfortunately, that is the new law in Arizona. It was passed this last year at the urging of party insiders. It creates a virtually unlimited supply of cash to the political parties with absolutely no oversight and it is all perfectly legal.

I support Proposition 306 because it will outlaw this practice and prevent the government from ever doing it again. Stand up for a clean government and not the corruption of the past. Vote Yes on Proposition 306.

Nate Porter, Gilbert

Sponsored by Stop Taxpayer Money For Political Parties

Stop Dirty Money in Politics, Vote Yes on Prop 306

When America was founded, politics consisted of pamphlets and speeches, but in the course of a few hundred years it has become a huge business. We have set records in Arizona in spending for congressional, senate and state legislative races. The winners in

these contests are not the voters, they are the politicians, the political parties and the campaign consultants they hire.

Some bright campaign consultant realized that it was difficult to raise money the old fashioned way and came up with a plan to get more money, more quickly and more efficiently. All they had to do was force you the taxpayer to subsidize their political business. That's right, under Arizona law political parties and political parties actually receive hundreds of thousands of government dollars to run their operations.

I support Proposition 306 because it makes this practice illegal. It prohibits government agencies from giving government money to fund political parties and makes sure they never pull another stunt like this by making all government agencies subject to the same rules.

In November vote Yes on Proposition 306!

Jayson Clausen, Gilbert

Sponsored by Stop Taxpayer Money For Political Parties

It is hard not to pick up the newspaper these days and see things that divide us as a country and as a state. People disagree on immigration, social issues, how to spend our money. It is hard to find a government policy where people actually agree on something. I am voting for Proposition 306 because it is something that brings people together. We might not be able to agree on much, but we can all agree that the government has no business getting involved in—let alone funding—partisan politics.

Proposition 306 says that government money cannot be spent on funding the Democratic or Republican Parties. Whether the money comes from taxpayers, traffic fines or fees, if it is government money, it would not be able to make its way into a political party's hands. Hard core conservatives and liberals agree they do not want to see the government getting involved with funding political parties, because most people recognize the parties are a big part of the problem in our society.

Help bring Arizona together this November by voting for Proposition 306.

Kirsten Mussi, Gilbert

Sponsored by Stop Taxpayer Money For Political Parties

I support Proposition 306 because I believe the government needs to get its priorities straight. Of all the things the government spends money on—schools, roads, police, fire—giving money to political parties should not be one of them! Proposition 306 bans government money from being spent on political parties.

This is not a conservative versus progressive issue. I happen to believe the government is too big and spends too much money. You might think that the role of government should be bigger and that it does not spend enough. While we may disagree on that, I do not think there is much argument as to whether the government should get involve in political campaigns and take the extra step of giving political parties government resources. Spend the money on roads, law enforcement, education or give it back to the people, but whatever we do, we should not be giving it to the political parties who pull the strings of our politicians. That is why I am asking you to vote yes on Proposition 306 and get the government out of partisan politics.

We need to prioritize our tax dollars and makes sure the government is spending its money wisely. Giving money to corrupt political parties is not wise management of taxpayer dollars.

In November Vote Yes on Proposition 306!

Justin Walsh, Phoenix

Sponsored by Stop Taxpayer Money For Political Parties

Please Vote Yes on Proposition 306! Voters passed the Clean Elections law in 1998 to clean up the influence of dirty money in political campaigns. One of the biggest sources of that corruption comes from the political parties themselves. They have tremendous power over the candidates. Recently, the parties have figured out a loophole in the law to retain the influence they

have lost in Arizona. They now can get government money to pay for their operations! Voters NEVER intended that to happen, but it is happening right now in our state.

On election day please vote Yes on Proposition 306. It does two things: first it outlaws state money from being used to fund political parties and second, it says that all agencies (including the one that allowed state money to go to political parties) are subjected to the same rules and oversight. A Yes Vote on Proposition 306 will mean that none of your Arizona State dollars will ever go to fund a political consultant or operative for a political party again. It will mean that an unelected state agency cannot quietly pass these kinds of rules in the future without any oversight. Please Vote Yes on Proposition 306.

Rich Rutkowski, Fountain Hills

Sponsored by Stop Taxpayer Money For Political Parties

I support Prop 306 because public tax dollars should not be used to support the private interests of political parties. The Arizona Republic reported in November 2017 that 34.6 percent of Arizonans are registered as Republicans and 30.2 percent are registered as Democrats. That leaves 35.2 percent of the population, the majority of which are registered as independents who don't wish to support a political party. Yet under the current system, the tax dollars of these independents are funneled to political parties. While perhaps some measure public support for candidates is necessary, this public support should be as narrowly tailored as possible so as to prevent public tax dollars going toward the general interests of the political parties. Prop 306 effectively does this while still allowing for the public support of certain candidates, not parties.

Stephen Richer, Phoenix

Sponsored by Stop Taxpayer Money For Political Parties

I support Proposition 306 because I support the Administrative Procedures Act. This act requires all Arizona State agencies to follow the same procedures when they change a rule or make a new rule. Why is this necessary? It is necessary because for most citizens there is really no difference between a rule and a law.

When Arizona passes a law it has to go through the legislative process—meaning it is introduced in the House or Senate, heard by a series of committees, is debated on the floor, voted on and then goes to the other chamber to repeat the this whole process. Finally, it must be signed by the Governor. It is an exhaustive process, but it is a good one because the public gets several chances to be heard by lawmakers. Ideas get to be properly vetted. This is important because changes in the law and new laws can have a huge impact on Arizona citizens.

But rules are different. When an agency makes a rule there is no legislative process. There is a lot less citizen input. There are no public votes, normally. The people making the decisions are bureaucrats—and not elected officials—so they are not held accountable for bad decisions. Because of this Arizona follows the Administrative Procedures Act. It creates a process with some accountability—maybe not as much as the legislative process—but better than nothing. Recently, however, some agencies, like the Clean Elections Commission, have tried to go around this process altogether. They hold a vote when no one is there and the rules they adopt essentially become law.

It is important for our government to be open, transparent and accountable to the people. That's why I support Proposition 306.

John Wittrock, Scottsdale

Sponsored by Stop Taxpayer Money For Political Parties

I am supporting Proposition 306 because of the polarization recently. It is hard to watch the nightly news these days. Whether you watch Fox or MSNBC you see people yelling at each other. This election season promises to be one of the worst in recent memory. Whether you are a Republican, Democrat or Independent, you are probably dreading seeing all the negative ads and watching candidates make outrageous claims against each other. Incredibly, our state government has recently voted to makes things even worse by giving government money to the political parties who are creating most of the ads and vitriol.

If you want people to be more civil to one another, please vote for Proposition 306. It would outlaw any government money from being given to a political party—whether to the Democrat, Republican or any other party.

306

ARGUMENTS "FOR"
PROPOSITION 306

Proposition 306 also outlaws government money from being spent on so-called “dark money” groups that create ads as well.

In November please vote Yes on Proposition 306.

Marcus Huey, Phoenix

Sponsored by Stop Taxpayer Money For Political Parties

I’m voting yes on Proposition 306 because the people should run the government, not bureaucrats. This past year a group of bureaucrats decided to allow political parties in Arizona to receive government money to run their operations. I do not want the money that the government collected on behalf of all of us to be used to support a party than many of us do not agree with. I think that is morally wrong.

Proposition 306 would forbid the government from giving money to any political party—Republican, Democrat, Libertarian, etc. If those parties want money they can raise it the old-fashioned way from private individuals, but not from my tax dollars.

By giving my money to a political party, the State of Arizona is basically compelling me to support something I don’t believe in. The parties have the right to free speech, they have the right to assemble and they have the right to petition the government for a redress of grievances, but they don’t have the right to take money away from me against my will to run their campaigns.

If you think our state government is out of control and that Arizona should stay out of partisan politics, then join me in voting yes on Proposition 306.

Roy Miller, Phoenix

Sponsored by Stop Taxpayer Money For Political Parties

Please Vote YES on Prop 306

I am sincerely asking for your support for Proposition 306, which would prohibit publicly funded Clean Election candidates from giving money to political parties or to non-profit organizations that can engage in candidate elections.

In 2016, it was discovered that several clean election candidates had contributed over \$100,000 to the State Democrat Party. This was an obvious abuse of the system and opens up the possibility that both state parties could look to place candidates on the ballot for the sole purpose of providing clean election funds to the party. This is not an imagined threat to the intent of the voters, it was evident in the 2016 LD-11 House election when a faux candidate wrote checks for thousands of dollars to the Democrat Party, instead of fully prosecuting the race she was in.

In response, Rep. Coleman last year sponsored legislation to end the practice, which ultimately failed when it did not receive the 3/4 vote required for voter protected measures. Additionally, Clean Elections promised to correct the issue over the interim to address the concerns brought up by lawmakers. Unfortunately, instead of ending this abuse of the system Clean Elections passed a rule codifying the practice.

Even more interesting, Clean elections included language in the rule to permit participating candidates to contribute to 501(C) organizations. The practical effect of this change is that a candidate is now allowed to give money to a non-profit (for example, a labor union) that could use the money to support and oppose candidates for office. This activity is far afield from the intentions of the voters to fund individual candidates, not political machines.

Mark Finchem, Representative LD11, Oro Valley

Sponsored by Stop Taxpayer Money For Political Parties

NO MORE TAXPAYER MONEY FOR POLITICAL PARTIES!

Proposition 306 is a common-sense measure that would prevent your taxpayer dollars from being funneled to political parties.

Prop 306 would do the following:

- 1) prohibit participating candidates from contributing their Clean Election funds to political parties;
- 2) prohibit participating candidates from contributing their Clean Election funds to non-profit organizations, such as social welfare groups and labor unions; and,
- 3) require the Clean Elections commission to follow the rule-making requirements of the Administrative Procedures Act, a standard that applies to other federal and state government agencies.

Under Arizona’s so-called Clean Elections system, politicians are given taxpayer money to run for office. By collecting a small number of \$5 contributions from individual voters, Clean Elections candidates can qualify for much larger amounts of taxpayer money for their campaigns. Unfortunately, the Clean Elections commission has allowed politicians to turn around and give that taxpayer money to their political parties.

In 2016, over \$100,000 in taxpayer money was given to political parties through the Clean Elections system. In some cases, candidates ran in districts in which they had no real opposition, and once they qualified for taxpayer money, they turned that money over to their political machines to create slush funds for use in other districts.

The Clean Elections commission has also allowed citizens to give taxpayer money to non-profit organizations such as the NRA, the Sierra Club and labor unions!

Independents should be especially appalled by these abuses. But the same is true for people of any party who don’t trust political party machines. It is time to end this corrupt and unethical use of taxpayer money. Please join the Arizona chapter of Americans for Prosperity (www.afpaz.com) in voting YES on Prop 306.

Andrew Clark, State Director, Americans for Prosperity, Phoenix
Sponsored by Americans for Prosperity

ARGUMENTS “Against” PROPOSITION 306

This ballot measure is an attempt to horribly weaken Arizona’s Clean Elections Commission. Many years ago Arizona citizens wisely voted to create a public financed alternative for candidates that chose not to be funded by special interests or their lobbyists. This proposition removes rulemaking and enforcement authority from the commission and gives it to a politically appointed, special interest body that can and will weaken the Clean Elections Commission.

Don’t let this happen. Protect our existing Clean Elections Commission. Don’t let corporate special interests destroy its enforcement authority.

I urge you to vote NO.

Chris Herstam, Proud Arizona Resident for 60 years, Phoenix

The non-partisan League of Women Voters of Arizona urges a NO vote on Proposition 306, the Arizona Legislature’s attempt to weaken the AZ Clean Election Law by limiting the independence of the AZ Citizens Clean Elections Commission and making it subject to partisan control.

The League of Women Voters helped draft the original initiative that created the AZ Clean Elections Law and worked for its passage in 1998. The AZ Clean Elections Law is a model nationwide for public financing of elections. It is the Voters’ Voice in the enforcement of our campaign finance laws and it provides objective and timely voter information to all Arizona voters.

The statewide Commission that oversees the AZ Clean Elections Law was intentionally created to be a nonpartisan and independent entity. The commission’s rule making authority granted to it by the initiative has maintained its independence while providing adequate opportunities for public comment on such rules.

The Arizona Legislature’s proposed revision to the AZ Clean Elections Commission’s rule making process will allow a totally partisan entity, appointed only by the Governor, to oversee the Commission’s rule making, thus removing its independence. Passage of Proposition 306 will likely weaken the commission’s ability to oversee the enforcement of campaign finance laws, to maintain adequate oversight of the funding it provides to Clean Election Candidates and could even curtail its valuable voter education program.

We need to Strengthen NOT weaken the AZ Clean Elections Law and keep partisan politics out of campaign financing. Vote NO on Proposition 306.

Robyn Prud’homme-Bauer, Co-President, League of Women Voters of Arizona, Clarkdale

Arizona voters created the Clean Elections system in 1998 because they were fed up with corruption in our politics. Clean Elections is non-partisan. It educates voters about candidates and the electoral process, and it funds candidates who run without the corrupting influence of outside donors and corporate cash. The Clean Elections Commission also oversees campaign contributions to make sure they follow the law and creates new rules when needed. Our Clean Elections system has become a national model for fighting corruption in politics and encouraging candidates to focus on voters, not big donors.

People with big money to spend on elections and the politicians who depend on their cash don’t like Clean Elections or controls on corporate campaign contributions. Prop. 306 is designed to cripple the clean-elections system in two ways. It would hamstring clean-elections candidates by eliminating their access to party-maintained voter databases, an essential tool for anyone running for office. And Prop. 306 would eliminate the authority of the Clean Elections Commission to oversee campaign contributions. In its place would be a highly partisan board of corporate elites and partisan politicians hand-picked by the governor, a veritable black hole for dark-money politics.

Dr. Doris Marie Provine, Individual, Tempe

Clean Elections – a real Arizona success story – makes politicians focus on voters, not dollars, to get elected. That’s why the political establishment hates it so much. Prop 306 is their latest ploy to take the teeth out of Clean Elections and get back to corrupt politics-as-usual.

The non-partisan Citizens’ Clean Elections Commission does a lot for Arizona voters. It gives Arizonans of all walks of life the chance to run for office. It educates voters about how to get registered, when and where to vote, and who and what is on the ballot. But what really bothers the elite big-money crowd is the Commission’s duty to track campaign spending, and to expose and punish illegal contributions.

Clean Elections is our watchdog, and Prop 306 is the establishment’s attempt to defang it. How? By giving an obscure board of political insiders hand-picked by the Governor the power to overrule the watchdog. That’s right – they want to trick voters into weakening our own independent Clean Elections Commission.

If the political establishment gets their way, greedy corporations and billionaires will be free to mess with our elections, leaving our voices unheard.

Clean Elections is one of the best ideas to come from Arizona’s voters. We cannot let the political establishment tear it down.

Say NO to more secret money in our elections.

Say NO to a political and corporate takeover of our Clean Elections Commission.

Say NO to Prop 306.

Joel Edman, Arizona Advocacy Network, Phoenix and Morgan Dick, Arizona Advocacy Network, Phoenix
Sponsored by Arizona Advocacy Network

Twenty years ago, Arizona voters approved formation of the Arizona Citizens Clean Election Commission, to “improve the integrity of Arizona state government and promote public confidence in the Arizona political process.”

Now the Arizona Legislature wants to trick you into doing away with the nonpartisan Clean Elections Commission’s core mission– and turn the process over to a shadow group of political appointees, representing only the governor.

Legislators opposed to the public knowing who gave them campaign money have long hated Clean Elections. To them, sunshine is not a disinfectant but an irritation.

But those legislators have been stymied in doing away with Clean Elections because you – the voters of Arizona – established it.

Enter Prop. 306. It was placed on the ballot by legislators to essentially neuter Clean Elections. But unless you are a legal scholar, it would be difficult to figure that out, with the odious intent cloaked with a bland title: “Clean Elections; Unlawful Contributions; Rulemaking.”

The Clean Elections Commission is made up of five people. The state’s top elected Republican and Democrat alternate making appointments. There can be no more than two members of any party. The current commission has two Republicans, two Democrats and an Independent.

That kind of bipartisanship – imposed by you, the voter – is bothersome to strongly partisan legislators. But knowing they cannot do away with Clean Elections, they came up with a sneaky alternative: Make them subservient to a group of partisans.

Prop. 306 would allow the little-known Governor’s Regulatory Review Council to have the final word on Clean Election rules. That council is made up of people appointed only by the governor and his political insiders.

Don’t be fooled by this legislative flim-flam. Don’t let politicians appoint their friends to write campaign rules. Vote no on Prop. 306 and

Mark Kimble, Tucson

Vote NO on Proposition 306

This referendum from the Legislature is a power grab by the Governor and legislators who resent the good work that the Clean Election Commission (CCEC) does to (1) require disclosure of corrupting dark money in elections, (2) educate voters about elections, (3) and create more opportunities for people to run for office.

The legislative analysis, above, omits two important facts:

1) If voters accept this referendum, the Governor, through his Governor’s Regulatory Review Council, will force the CCEC to over-turn its own rules, which require disclosure of dark money and its corrupting influence.

Please bear in mind that the CCEC’s rule-making authority is something that the public passed in the original proposition that created the Commission. That rule-making authority was put in place in order prevent political power grabs from the Governor and the Legislature.

There is a long history of the Legislature and Governor attempting to neuter the work of the CCEC. This proposition is nothing but a clever way to try to get you to allow the Governor and Legislature to clip the CCEC’s wings.

2) The proponents imply that this amendment is designed to prohibit Clean Elections candidates from “giving” money to political parties. What they don’t tell you is the CCEC already prohibits candidates from giving money to political parties. Through existing rules adopted by the CCEC, candidates cannot give money to a political party or “pool” money with other candidates.

These two elements are designed to undermine the CCEC, a voter-approved body that has been the only entity in government that actually works for true campaign finance disclosure, while educating the public and creating opportunities for more people to run for office.

Say no to this power grab.

Ken Clark, State Representative, Legislative District 24, Phoenix

Prop 306 Will Harm Clean Elections!

Proposition 306 is just one more bad idea from an Arizona Legislature that is out of touch with the people. Sierra Club’s Grand Canyon Chapter supported Clean Elections in 1998, when it was placed on the ballot via a citizen initiative, and has consistently supported it as the Legislature has sought to neuter its enforcement in order to discourage candidates who would rely on the people rather than big money interests to fund their campaigns.

The Citizens Clean Elections Commission is an important part of the Clean Elections program as it serves as a key watchdog, helping to safeguard our elections. It is a nonpartisan entity and doesn’t do the bidding of one party or another. It has enforced against Democratic and Republican candidates alike.

This proposal from the Arizona Legislature would weaken the Citizens Clean Elections Commission and subject it to more control by whoever is governor, via a governor-appointed board. This could make it difficult for the Clean Elections Commission to fulfill its responsibilities to voters, including providing accurate and nonpartisan information on the candidates and enforcing key elections rules.

Make no mistake, Prop 306 is a direct attack on Clean Elections and will serve the interests of a few deep pockets at the expense of voters and our democracy. Tell the Arizona Legislature you don’t support its proposal to undermine Clean Elections and the Citizens Clean Elections Commission by voting NO on Proposition 306.

Clean Elections are important to our democracy and our democracy is essential to helping us work more effectively for clean air, clean water, clean energy, and a healthy environment for all. The Grand Canyon Chapter of the Sierra Club opposes Prop 306 for these reasons.

Keith Bagwell, Chapter Chairperson, Sierra Club - Grand Canyon (Arizona) Chapter, Tucson and Don Steuter, Conservation Chairperson, Sierra Club - Grand Canyon (Arizona) Chapter, Phoenix
Sponsored by Sierra Club - Grand Canyon (Arizona) Chapter

For the last 20 years, Arizona’s nonpartisan and voter-approved Citizen’s Clean Elections Commission (CCEC) has shined a constant light on the unaccountable and untraceable campaign money flowing into Arizona. CCEC performs a unique and important duty to enforce campaign finance laws, independent of whatever political party is in power.

Unfortunately the passage of Prop 306 threatens that independence. Prop 306 will empower political insiders, appointed by the Governor, to suppress CCEC’s regulatory and enforcement powers in state elections. It will stop Clean Elections from bringing more transparency to our elections. Make no mistake, Prop 306 is a power grab by special interest groups that want to further flood our elections with more unaccountable dark money (aka – dirty money).

As city leaders, we value the role Clean Elections performs in state elections, and we champion campaign finance reform in our respective cities to give voters the right to know who is trying to influence our local elections.

Despite overwhelming popular support, efforts for disclosure are being challenged at every level of government. Although 91% of Tempe’s voters said “NO” to secret spending and “YES” to disclosure, and before Phoenix voters even have had a chance to vote on the issue, politicians at the Arizona Capitol who benefit from dark-money contributions are trying to stop reform. Prop 306 is a further assault on campaign finance disclosure laws that the public overwhelmingly demands.

We cannot let Clean Elections become a tool for the special interests to further hide dark money from Arizona voters. The public has a right to know who is paying for political speech in our elections.

Arizona, this vote is your opportunity to say enough is enough.

Vote NO on Prop 306.

Phoenix Councilwoman Kate Gallego and Tempe Councilmember Lauren Kuby.

Kate Gallego, Phoenix Councilwoman, Phoenix and Lauren Kuby, Tempe Councilmember, Tempe

As a member-led organization advocating on the issues impacting our most vulnerable communities, Our Voice Our Vote Arizona stands in strong opposition of Prop 306. Prop 306 would let the Governor reject Clean Elections rules he/she doesn’t like through an appointed board of powerful corporate elites and partisan politicians. If we truly want to transform our political system we cannot continue to allow the same political operatives to dismantle the systems put in place to protect the best interest of our communities.

The Clean Elections Commission has played a vital role in advocating for Arizona Voters by helping voters to get registered, providing information on elections and informing citizens of the issues at stake. If Prop 306 passes, it will give a green light to outside groups to take more control over our elections. It’s been proven time and time again- when corporate elites and partisan politicians wield too much influence in our political system, the results are typically at the expense of average Americans.

The Clean Elections Act was meant to restore citizen participation and confidence in our political system. As an Organization we have daily conversations with voters and we can tell you- this is still what Arizonans want and deserve. Approving this initiative would lead us in the exact opposite and wrong direction. In order to protect the balance of power in favor of the people, we implore you to vote no on Prop 306.

Cymone Bolding, Co-Executive Director, Our Voice Our Vote Arizona, Laveen

Proposition 306, the so-called “Clean Elections, Unlawful Contributions Rulemaking” is an attempt to fool voters into approving an attempt to gut the Citizens Clean Election Commission and undermine Arizona’s popular anti-corruption law to the benefit of wealthy special interests. Proposition 306 eliminates the Commission’s independent, nonpartisan authority to enforce the law, and instead gives the final say to the Governor’s Regulatory Review Council, a hyper-partisan group stacked with corporate elites and professional political operatives. The Governor appoints six of the Review Council’s members. It’s not an independent review council at all. Quite the opposite.

Supporters of Proposition 306 love their dark money donors and want to operate without independent oversight, just like they did in the bad old days before the Clean Elections Commission was established in 1998. They hate the fact that the Clean Elections Commission operates independently and want to destroy its ability to shine a little light on an often-corrupt political process. Why else would Proposition 306 supporters sneak this misleading piece of corrupt legislation on to the ballot in the middle of the night, three minutes before the legislature adjourned on May 4th?

Proposition 306 proponents hope to sucker you, claiming it keeps Clean Elections money from flowing to political parties. That's sleight of hand designed to keep your eye off its real purpose: to destroy the Clean Elections Commission's independence. Don't be fooled by this corrupt and misleading initiative. Vote "NO" against Proposition 306. When you vote "No" you support clean elections in Arizona, and say "no" to the corrupt, dark money interests who want to see it passed.

P.S. The Clean Elections Commission is suing the legislature, claiming it's trying to mislead Arizona voters.

Robert Allen, Arizona Voter, Marana

Chispa Arizona: No on Prop 306

Arizona voters approved the establishment of the Citizens' Clean Elections Commission to protect our democracy and fight the corrupting influence of money in politics. The electorate chose to create an independent agency twenty years ago to operate above the political fray and oversee our campaign finance laws. Since then the amount of money in politics has exploded, creating an environment where campaigns are more expensive than ever, and candidates are more responsive to special interest dollars than the average voter. In times like these we need transparent and impartial oversight to preserve our faith in the political process.

This proposal would rob the Commission of its independent, voter-approved ability to oversee campaign finance laws, instead handing it to a board appointed by a partisan elected official - the sitting Governor.

Chispa Arizona, a program of the League of Conservation Voters, believes that democracy should be about putting people first. We oppose any proposition that dilutes the voices of our community in the democratic process. This plan is a gift to corporations, inviting them to exert even greater sway over our elections and undermine our rights as Arizonans. This does not create a solution to improve democracy -- it undermines it altogether. We need a Commission that is fair, impartial, and defends the interests of everyday Arizonans, not an appointed body of friendly regulators. Our elections cannot and should not be sold to the highest corporate bidder. Join us in rejecting this proposal and defending our right to a free and fair democracy. We oppose this proposition.

Laura Dent, Executive Director, Chispa AZ, Tucson

Incumbent politicians support Prop. 306, but ordinary citizens should vote NO!

Voters passed the popular Clean Elections Act 20 years ago to reduce the corrupt practice of "buying politicians" with campaign "donations."

Incumbent politicians don't like that the Citizens Clean Election Commission is independent and represents people, not politicians. This proposition is the latest attack, proposed without asking Arizonans to sign petitions.

The proposition deletes just a few words, but ones with big impact! This would damage the Commission's independence by allowing political appointees to veto Commission rules against campaign-funding tricks. The Commission must remain independent, unlike other agencies, which should be subordinate to the elected governor.

The powers behind this proposal are trying to hide the significance of this change with an uninformative description and a deletion buried in a measure adding words about another subject.

Some are trying to fool you by pretending that approval is needed to block funneling money to political parties, but the Commission already has rules against that. Worse, this proposal bars all purchases, even fair ones, and applies only to challengers who use the "clean" system. Politicians who get money from those who seek influence can still "funnel" with political parties.

We are ordinary citizens, of both major political parties, who served on the Commission. One of us served as State Elections Director. Another wrote the Clean Elections Act. None of us has run for office. We have worked hard for an even-handed Commission serving the people's interests. We urge everyone - no matter what party you support or if you are independent - to keep Clean Elections the way it is - don't be tricked into giving away your right to an independent Commission!

Amy B. Chan – Republican, Phoenix
 Louis J. Hoffman – Democrat, Scottsdale
 Timothy J. Reckart – Republican, Tucson

Amy Chan, Phoenix; Louis Hoffman, Scottsdale; and Timothy Reckart, Sr., Tucson
Sponsored by Louis Hoffman

Arizona’s democracy is in trouble. We see it every day at the state capitol. Lobbyists for greedy corporations get the special favors they want from a political establishment that benefits from maintaining this unequal status quo. Meanwhile pleas from students, teachers and parents for well-funded schools go unheard, and working class families struggle to find good-paying jobs in an economy whose rules are rigged in favor of the elite.

Clean Elections is the one public body shining a light in all this darkness. That’s why we ask you to vote NO on Prop 306.

We ran for office to put people before profits. We knew that wouldn’t be popular with the political establishment, but thanks to the voter-created Clean Elections program, we could run without being independently wealthy or having the “right” connections.

Clean Elections means that leaders are accountable to their voters, NOT to greedy corporations and lobbyists. Clean Elections is the only agency that consistently holds politicians and greedy interest groups accountable, and exposes illegal campaign contributions. That’s exactly why the political establishment has been trying to get rid of Clean Elections ever since you, the voters, created it.

Prop 306 is their latest trick to undermine Clean Elections. Don’t fall for it. We fought against Prop 306 as the politicians at the state capitol passed it (literally) in the middle of the night, because you deserve better.

Keep the light shining on Arizona’s democracy. Vote NO on Prop 306.

Juan Mendez, Senator, Legislative District 26, Tempe; Athena Salman, Representative, Legislative District 26, Tempe; and Isela Blanc, Representative, Legislative District 26, Tempe

If you’re like me, you’re sick of how corrupt and divisive our state and national politics have become. Our elections are awash in so much money these days, and every year it gets harder to know who’s trying to influence us - and our elected leaders.

Our current Secretary of State and the entrenched political establishment are complicit, doing everything they can to let even more unaccountable “dark” money into our elections. These politicians see partisan advantage to be gained from flooding our state with money from out-of-state billionaires and secretive interest groups. That’s plain wrong.

We can’t hand our democracy over to a handful of billionaires, no matter which party benefits. Democracy is too important. That’s why I fought against big money as a state lawmaker, and why I’m running to be the next Secretary of State.

Clean Elections is an independent, bipartisan guardian for our elections. Its job is to protect democracy for ALL of us, not just billionaires and greedy corporations. It’s part of what makes Arizona great - most states don’t have anything like Clean Elections to hold their politicians accountable.

It’s no surprise politicians like our current Secretary of State want to undercut Clean Elections. That’s exactly what Prop 306 is designed to do. Prop 306 would put Clean Elections under the control of a group of political insiders chosen by the Governor. That’s a recipe for less transparency in our state government, and more corruption.

Join me in standing up to big money. Vote NO on Prop 306.

Katie Hobbs, Senate Minority Leader, Phoenix

Since 2013, Tom Collins has been the executive director of the Arizona Citizens Clean Elections Commission. This statement is by Mr. Collins personally, not an official act of the Commission.

Voters approved the Arizona Citizens Clean Elections Act 20 years ago. The Act created the Citizens Clean Elections Commission, a bipartisan, independent board serving Arizona voters by fighting corruption and increasing informed participation in elections.

The Commissioners take their role seriously. They do not make the law—the voters did that in 1998 – rather, they apply and interpret the Clean Elections Act faithfully and fairly. The Commission has enforced the law without regard to party or politics, but according to its text. The Commission has fought to ensure politicians and independent spenders are accountable to the law and to voters.

Proposition 306 betrays these values. First, it bars candidates who run in the voter-created Clean Funding program from making the same purchases ordinary candidates can make—even with their own money. Clean Candidates refuse to take large special interest donations that ordinary candidates regularly accept and collect most of their contributions from voters in their districts. Prop. 306 punishes Clean Candidates for holding themselves to a higher standard.

It gets worse. A small group of special interests lobbyists and lawmakers want to undermine the Commission’s independence. They want to pile on new, confusing rulemaking requirements. Worse, according to this small group, Prop. 306 would subject the Commission’s decisions to the Governor’s Regulatory Review Commission (GRRRC), a partisan body appointed exclusively by the Governor. GRRRC is made up former politicians, special interest groups, and dark money players. These are the insiders voters wanted Clean Elections insulated from. Voters set up Clean Elections to be independent and to apply the law fairly, as written by the voters. Vote no on Proposition 306.

Tom Collins, Tempe

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ARGUMENTS “AGAINST”
PROPOSITION 306

PROPOSITION 306 *Ballot Format*

PROPOSITION 306

REFERRED TO THE PEOPLE BY THE LEGISLATURE RELATING TO RESTRICTIONS ON USE OF CAMPAIGN FUNDS BY PUBLICLY FUNDED CANDIDATES AND TO CLEAN ELECTIONS COMMISSION RULEMAKING

<p><u>OFFICIAL TITLE</u> AMENDING SECTIONS 16-948 AND 16-956, ARIZONA REVISED STATUTES; RELATING TO THE CITIZENS CLEAN ELECTIONS ACT.</p>
<p><u>DESCRIPTIVE TITLE</u> THE LAW WOULD PROHIBIT CANDIDATES WHO FINANCE THEIR POLITICAL CAMPAIGNS WITH PUBLIC FUNDING FROM THE CITIZENS CLEAN ELECTIONS COMMISSION FROM TRANSFERRING ANY CAMPAIGN FUNDS TO A POLITICAL PARTY OR PRIVATE TAX-EXEMPT ORGANIZATION THAT ATTEMPTS TO INFLUENCE ELECTIONS AND SUBJECTS THE COMMISSION’S RULEMAKING PROCEDURES TO REGULATORY OVERSIGHT.</p>

<p>A “YES” vote will prohibit statewide and legislative candidates who receive public funding to finance their political campaigns from transferring campaign funds to a political party or a private tax-exempt organization that attempts to influence elections, and will subject the Citizens Clean Elections Commission’s rulemaking procedures to the regulatory oversight that applies to other state agencies by repealing the Commission’s exemption from the Administrative Procedures Act.</p>	<p>YES <input type="checkbox"/></p>
<p>A “NO” vote will allow the Citizens Clean Elections Commission to determine whether publicly-funded candidates are permitted to transfer their campaign funds to political parties or private tax-exempt organizations that influence candidate elections, and will leave current law unchanged regarding administrative oversight of the Commission’s rulemaking.</p>	<p>NO <input type="checkbox"/></p>

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BALLOT FORMAT FOR PROPOSITION 306



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For More Information Visit: www.azjudges.info

WHO JUDGES THE JUDGES? YOU DO! WE CAN HELP.

Voters! Finish the Ballot!

Use the following summary and report by the Commission on Judicial Performance Review (JPR) to Finish the Ballot! The JPR Commission was established by voters to evaluate judges' performance during retention elections. While judges initially are appointed, this report can help you decide whether these judges meet judicial performance standards and should be retained. Which judges appear on your ballot depends on your county and the court on which the judge serves. By using this report to finish your ballot, you will help ensure Arizona's strong and impartial judiciary!

Some Arizona judges are appointed through Merit Selection and rated by the JPR Commission.

Merit Selection and Retention

In 1974, Arizona voters decided that for Arizona's Supreme Court, Courts of Appeal, and Superior Courts in counties with populations over 250,000 (currently Maricopa, Pima, and Pinal) judges would be appointed by the Governor from a list of qualified candidates. The Arizona Constitution directs commissions to nominate candidates based primarily on their merit, with consideration given to the diversity of Arizona's population. Arizona voters then periodically vote whether to retain these judges as their terms expire. This system is known as Merit Selection and Retention.

JPR Commission Evaluations & Report

Created by a constitutional amendment, the 34-member JPR Commission conducts standards-based performance evaluations of judges. Most of the JPR Commissioners are public members, not lawyers or judges. JPR reports its results to the public. This report provides JPR Commission findings, survey results, and states whether each judge in a retention election "meets" or "fails to meet" judicial performance standards.

Judicial Performance Standards

The JPR Commission evaluates each judge up for retention election to assess the judge's:

- Legal Ability: Decides cases based on applicable law, demonstrating competent legal analysis.
- Integrity: Free from personal bias. Administers justice fairly, ethically, and uniformly.
- Communication Skills: Issues prompt and understandable rulings and directions.
- Judicial Temperament: Dignified, courteous, and patient.
- Administrative Performance: Manages courtroom and office effectively. Issues rulings promptly and efficiently.

Public Input Throughout the Process

This year, as every election year, the JPR Commission sought public input from citizens who have had direct experience with judges and made its decisions using that input. In 2017, approximately 46,000 surveys on judges were distributed to attorneys, jurors, litigants and witnesses. The JPR Commission held public hearings open to anyone wishing to speak about the judges up for retention this year. The JPR Commission accepts signed, written comments about merit-appointed judges at any time.

Use JPR Results and Checklist

Every voter can take an active role in this judicial review process. Use this JPR summary and report to guide your votes for judges up for retention. After reviewing a judge's information, mark "Yes" or "No" next to the judge's name on the Judge Checklist tear-off sheet in this pamphlet. Refer to your checklist to **Finish Your Ballot!**

Visit www.azjudges.info for more information
or email jpr@courts.az.gov.



For More Information Visit: www.azjudges.info

Reading This Data

Judicial Performance Commission results indicate how JPR Commissioners voted, whether a judge “MEETS” Judicial Performance Standards based on survey information as well as all other information submitted by the public or the judge. Judicial Performance Surveys percentages show results of surveys completed by respondents based on the averaged results of the survey respondents who rated the judge “satisfactory” or better in combined Judicial Performance Standards categories.

Judicial Performance Standards include:

- Legal Ability: Decides cases based on applicable law, demonstrating competent legal analysis.
- Integrity: Free from personal bias. Administers justice fairly, ethically, and uniformly.
- Communication Skills: Issues prompt and understandable rulings and directions.
- Judicial Temperament: Dignified, courteous, and patient.
- Administrative Performance: Manages courtroom and office effectively. Issues rulings promptly and efficiently.

RESULTS OF THE COMMISSION’S VOTE ON THE APPELLATE COURT JUSTICES AND JUDGES

The following judges DO NOT MEET Judicial Performance Standards

NONE

The following judges MEET Judicial Performance Standards

ARIZONA SUPREME COURT:

Clint Bolick
John Pelander, III

COURT OF APPEALS DIVISION I:

Peter Swann

COURT OF APPEALS DIVISION II:

Peter Eckerstrom
Philip Espinosa
Christopher Staring

Appellate Judge	JPR Votes “Meets” Judicial Standards	JPR Votes “Does Not Meet” Judicial Standards	Did Not Vote*	JPR Commission Member Did Not Vote on Self*	Details Page
Clint Bolick	27	0	2	0	165
John Pelander, III	27	0	2	0	165
Peter Swann	27	0	2	0	165
Peter Eckerstrom	27	0	2	0	166
Philip Espinosa	27	0	2	0	166
Christopher Staring	26	0	2	1	166

*Voting abstentions are procedural matters within the Commission and should not be viewed in any way as a negative factor with respect to a judge’s performance.

For More Information Visit: www.azjudges.info

Reading This Data

Judicial Performance Commission results indicate how JPR Commissioners voted, whether a judge “MEETS” Judicial Performance Standards based on survey information as well as all other information submitted by the public or the judge. Judicial Performance Surveys percentages show results of surveys completed by respondents based on the averaged results of the survey respondents who rated the judge “satisfactory” or better in combined Judicial Performance Standards categories.

<p><u>BOLICK, CLINT</u> Appointed to Supreme Court: 2016</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 2 Commissioners Did Not Vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Superior Court Judge Responses
	Legal Ability	100%	No Responses
	Integrity	100%	No Responses
	Communication Skills	87%	No Responses
	Judicial Temperament	83%	No Responses
Administrative Performance	100%	No Responses	

<p><u>PELANDER, III, JOHN</u> Appointed to Supreme Court: 2009</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 2 Commissioners Did Not Vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Superior Court Judge Responses
	Legal Ability	100%	100%
	Integrity	100%	100%
	Communication Skills	98%	No Responses
	Judicial Temperament	99%	No Responses
Administrative Performance	100%	100%	

<p><u>SWANN, PETER</u> Appointed to Court of Appeals Division I: 2008</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 2 Commissioners Did Not Vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Superior Court Judge Responses
	Legal Ability	91%	93%
	Integrity	97%	99%
	Communication Skills	97%	No Responses
	Judicial Temperament	95%	No Responses
Administrative Performance	100%	97%	

*Voting abstentions are procedural matters within the Commission and should not be viewed in any way as a negative factor with respect to a judge’s performance.



For More Information Visit: www.azjudges.info

Reading This Data

Judicial Performance Commission results indicate how JPR Commissioners voted, whether a judge “MEETS” Judicial Performance Standards based on survey information as well as all other information submitted by the public or the judge. Judicial Performance Surveys percentages show results of surveys completed by respondents based on the averaged results of the survey respondents who rated the judge “satisfactory” or better in combined Judicial Performance Standards categories.

<p><u>ECKERSTROM, PETER</u> Appointed to Court of Appeals Division II: 2003</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 2 Commissioners Did Not Vote*</p>		
	<p>Judicial Performance Surveys</p>	<p>Attorney Responses</p>	<p>Superior Court Judge Responses</p>
<p>Legal Ability</p>	<p>84%</p>	<p>98%</p>	
<p>Integrity</p>	<p>98%</p>	<p>100%</p>	
<p>Communication Skills</p>	<p>100%</p>	<p>No Responses</p>	
<p>Judicial Temperament</p>	<p>100%</p>	<p>No Responses</p>	
<p>Administrative Performance</p>	<p>98%</p>	<p>100%</p>	

<p><u>ESPINOSA, PHILIP</u> Appointed to Court of Appeals Division II: 1992</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 2 Commissioners Did Not Vote*</p>		
	<p>Judicial Performance Surveys</p>	<p>Attorney Responses</p>	<p>Superior Court Judge Responses</p>
<p>Legal Ability</p>	<p>82%</p>	<p>91%</p>	
<p>Integrity</p>	<p>98%</p>	<p>94%</p>	
<p>Communication Skills</p>	<p>100%</p>	<p>No Responses</p>	
<p>Judicial Temperament</p>	<p>No Responses</p>	<p>No Responses</p>	
<p>Administrative Performance</p>	<p>97%</p>	<p>87%</p>	

<p><u>STARING, CHRISTOPHER</u> Appointed to Court of Appeals Division II: 2015</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 26 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 2 Commissioners Did Not Vote* 1 JPR Commission Member-Did Not Vote on Self*</p>		
	<p>Judicial Performance Surveys</p>	<p>Attorney Responses</p>	<p>Superior Court Judge Responses</p>
<p>Legal Ability</p>	<p>96%</p>	<p>100%</p>	
<p>Integrity</p>	<p>100%</p>	<p>100%</p>	
<p>Communication Skills</p>	<p>100%</p>	<p>No Responses</p>	
<p>Judicial Temperament</p>	<p>No Responses</p>	<p>No Responses</p>	
<p>Administrative Performance</p>	<p>96%</p>	<p>100%</p>	

*Voting abstentions are procedural matters within the Commission and should not be viewed in any way as a negative factor with respect to a judge’s performance.

JUDICIAL PERFORMANCE REVIEW



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Reading This Data

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Judicial Performance Standards include:

- Legal Ability: Decides cases based on applicable law, demonstrating competent legal analysis.
- Integrity: Free from personal bias. Administers justice fairly, ethically, and uniformly.
- Communication Skills: Issues prompt and understandable rulings and directions.
- Judicial Temperament: Dignified, courteous, and patient.
- Administrative Performance: Manages courtroom and office effectively. Issues rulings promptly and efficiently.

RESULTS OF THE COMMISSION’S VOTE ON THE PINAL COUNTY SUPERIOR COURT JUDGES	
The following judges DO NOT MEET Judicial Performance Standards	
NONE	
The following judges MEET Judicial Performance Standards	
Steven Fuller	Daniel Washburn
Delia Neal	Kevin White

Pinal County Superior Court Judge	JPR Votes “Meets” Judicial Standards	JPR Votes “Does Not Meet” Judicial Standards	Did Not Vote*	JPR Commission Member Did Not Vote on Self*	Details Page
Steven Fuller	19	4	6	0	168
Delia Neal	27	0	0	0	168
Daniel Washburn	27	0	2	0	169
Kevin White	27	0	2	0	169

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<p>FULLER, STEVEN Elected to Pinal County Superior Court: 2010</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 19 Commissioners Voted “Meets” Judicial Standards 4 Commissioners Voted “Does Not Meet” Judicial Standards 6 Commissioners Did Not Vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	100%	No Responses
	Integrity	100%	100%
	Communication Skills	100%	100%
	Judicial Temperament	85%	100%
Administrative Performance	95%	98%	

<p>NEAL, DELIA Appointed to Pinal County Superior Court: 2016</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 0 Commissioners Did Not Vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	96%	No Responses
	Integrity	99%	100%
	Communication Skills	97%	100%
	Judicial Temperament	91%	100%
Administrative Performance	100%	100%	

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<p><u>WASHBURN, DANIEL</u> Elected to Pinal County Superior Court: 2010</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 2 Commissioners Did Not Vote*</p>		
	<p>Judicial Performance Surveys</p>	<p>Attorney Responses</p>	<p>Litigant/Witness Responses</p>
	Legal Ability	93%	No Responses
	Integrity	98%	100%
	Communication Skills	92%	100%
	Judicial Temperament	100%	100%
Administrative Performance	98%	100%	

<p><u>WHITE, KEVIN</u> Appointed to Pinal County Superior Court: 2005</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 2 Commissioners Did Not Vote*</p>		
	<p>Judicial Performance Surveys</p>	<p>Attorney Responses</p>	<p>Litigant/Witness Responses</p>
	Legal Ability	100%	No Responses
	Integrity	96%	93%
	Communication Skills	100%	100%
	Judicial Temperament	99%	95%
Administrative Performance	100%	100%	

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Judicial Performance Standards include:

- Legal Ability: Decides cases based on applicable law, demonstrating competent legal analysis.
- Integrity: Free from personal bias. Administers justice fairly, ethically, and uniformly.
- Communication Skills: Issues prompt and understandable rulings and directions.
- Judicial Temperament: Dignified, courteous, and patient.
- Administrative Performance: Manages courtroom and office effectively. Issues rulings promptly and efficiently.

RESULTS OF THE COMMISSION’S VOTE ON THE PIMA COUNTY SUPERIOR COURT JUDGES	
The following judges DO NOT MEET Judicial Performance Standards	
NONE	
The following judges MEET Judicial Performance Standards	
Jeffrey Bergin	Cynthia Kuhn
Janet Bostwick	Danelle Liwski
Christopher Browning	James Marner
Javier Chon-Lopez	Kathleen Quigley
Charles Harrington	Catherine Woods
Peter Hochuli	

Pima County Superior Court Judge	JPR Votes “Meets” Judicial Standards	JPR Votes “Does Not Meet” Judicial Standards	Did Not Vote*	JPR Commission Member Did Not Vote on Self*	Details Page
Jeffrey Bergin	27	0	2	0	171
Janet Bostwick	27	0	0	0	171
Christopher Browning	23	0	6	0	171
Javier Chon-Lopez	27	0	2	0	172
Charles Harrington	27	0	2	0	172
Peter Hochuli	27	0	0	0	172
Cynthia Kuhn	27	0	0	0	173
Danelle Liwski	26	0	2	1	173
James Marner	27	0	2	0	173
Kathleen Quigley	26	0	2	1	174
Catherine Woods	27	0	2	0	174

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Reading This Data

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<p><u>BERGIN, JEFFREY</u> Appointed to Pima County Superior Court: 2011</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 2 Commissioners Did Not Vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	95%	No Responses
	Integrity	99%	100%
	Communication Skills	98%	100%
	Judicial Temperament	100%	100%
Administrative Performance	99%	100%	

<p><u>BOSTWICK, JANET</u> Appointed to Pima County Superior Court: 2016</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 0 Commissioners Did Not Vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	94%	No Responses
	Integrity	99%	100%
	Communication Skills	97%	100%
	Judicial Temperament	97%	100%
Administrative Performance	90%	100%	

<p><u>BROWNING, CHRISTOPHER</u> Appointed to Pima County Superior Court: 1998</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 23 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 6 Commissioners Did Not Vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	92%	No Responses
	Integrity	92%	87%
	Communication Skills	84%	83%
	Judicial Temperament	85%	83%
Administrative Performance	93%	88%	

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<p><u>CHON-LOPEZ, JAVIER</u> Appointed to Pima County Superior Court: 2007</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 2 Commissioners Did Not Vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	93%	No Responses
	Integrity	99%	96%
	Communication Skills	95%	91%
	Judicial Temperament	93%	88%
Administrative Performance	98%	95%	

<p><u>HARRINGTON, CHARLES</u> Appointed to Pima County Superior Court: 1999</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 2 Commissioners Did Not Vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	99%	No Responses
	Integrity	98%	98%
	Communication Skills	94%	88%
	Judicial Temperament	92%	94%
Administrative Performance	95%	97%	

<p><u>HOCHULI, PETER</u> Appointed to Pima County Superior Court: 2015</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 0 Commissioners Did Not Vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	97%	No Responses
	Integrity	98%	100%
	Communication Skills	98%	100%
	Judicial Temperament	97%	100%
Administrative Performance	98%	100%	

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<p><u>KUHN, CYNTHIA</u> Appointed to Pima County Superior Court: 2016</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 0 Commissioners Did Not Vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	99%	No Responses
	Integrity	99%	100%
	Communication Skills	100%	100%
	Judicial Temperament	97%	100%
Administrative Performance	100%	100%	

<p><u>LIWSKI, DANELLE</u> Appointed to Pima County Superior Court: 2011</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 26 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 2 Commissioners Did Not Vote* 1 JPR Commission Member-Did Not Vote on Self*</p>		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	91%	No Responses
	Integrity	96%	100%
	Communication Skills	94%	100%
	Judicial Temperament	93%	100%
Administrative Performance	99%	100%	

<p><u>MARNER, JAMES</u> Appointed to Pima County Superior Court: 2012</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 2 Commissioners Did Not Vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	96%	No Responses
	Integrity	97%	98%
	Communication Skills	96%	100%
	Judicial Temperament	92%	96%
Administrative Performance	99%	100%	

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<p><u>QUIGLEY, KATHLEEN</u> Appointed to Pima County Superior Court: 2012</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 26 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 2 Commissioners Did Not Vote* 1 JPR Commission Member-Did Not Vote on Self*</p>		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	100%	No Responses
	Integrity	100%	99%
	Communication Skills	98%	98%
	Judicial Temperament	99%	98%
Administrative Performance	100%	99%	

<p><u>WOODS, CATHERINE</u> Appointed to Pima County Superior Court: 2011</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 2 Commissioners Did Not Vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	92%	No Responses
	Integrity	99%	100%
	Communication Skills	94%	100%
	Judicial Temperament	97%	100%
Administrative Performance	98%	100%	

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- Integrity: Free from personal bias. Administers justice fairly, ethically, and uniformly.
- Communication Skills: Issues prompt and understandable rulings and directions.
- Judicial Temperament: Dignified, courteous, and patient.
- Administrative Performance: Manages courtroom and office effectively. Issues rulings promptly and efficiently.

RESULTS OF THE COMMISSION’S VOTE ON THE MARICOPA COUNTY SUPERIOR COURT JUDGES

The following judge DOES NOT MEET Judicial Performance Standards

NONE

The following judges MEET Judicial Performance Standards

- | | |
|---------------------|-----------------------|
| Arthur Anderson | Ronee Korbin Steiner |
| Bradley Astrowsky | Joseph Kreamer |
| Alison Bachus | Kerstin LeMaire |
| Cynthia Bailey | Daniel Martin |
| Janet Barton | Frank Moskowitz |
| Dawn Bergin | Rosa Mroz |
| Michael Blair | Samuel Myers |
| Mark Brain | Karen O’Connor |
| Roger Brodman | Erin Otis |
| Theodore Campagnolo | Susanna Pineda |
| Gregory Como | Jay Polk |
| Katherine Cooper | John Rea |
| Janice Crawford | Laura Reckart |
| Kristin Culbertson | Joshua Rogers |
| David Cunanan | Jeffrey Rueter |
| Sally Duncan | Jennifer Ryan-Touhill |
| Dean Fink | Joan Sinclair |
| Geoffrey Fish | James Smith |
| George Foster | Howard Sukenic |
| Dewain Fox | Pamela Svoboda |
| Warren Granville | Danielle Viola |
| Jennifer Green | Randall Warner |
| Hugh Hegyi | Joseph Welty |
| Michael Herrod | Roy Whitehead |
| Stephen Hopkins | |



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Maricopa County Superior Court Judge	JPR Votes “Meets” Judicial Standards	JPR Votes “Does Not Meet” Judicial Standards	Did Not Vote*	JPR Commission Member Did Not Vote on Self*	Details Page
Arthur Anderson	22	1	6		178
Bradley Astrowsky	27	0	2		178
Alison Bachus	20	0	7		178
Cynthia Bailey	23	0	6		179
Janet Barton	27	0	2		179
Dawn Bergin	27	0	2		179
Michael Blair	27	0	0		180
Mark Brain	27	0	2		180
Roger Brodman	27	0	2		180
Theodore Campagnolo	27	0	0		181
Gregory Como	27	0	0		181
Katherine Cooper	23	0	6		181
Janice Crawford	27	0	2		182
Kristin Culbertson	20	0	7		182
David Cunanan	23	0	6		182
Sally Duncan	22	0	7		183
Dean Fink	23	0	6		183
Geoffrey Fish	23	0	6		183
George Foster	23	0	6		184
Dewain Fox	27	0	0		184
Warren Granville	22	1	6		184
Jennifer Green	27	0	2		185
Hugh Hegyi	27	0	2		185
Michael Herrod	27	0	2		185
Stephen Hopkins	27	0	0		186

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Maricopa County Superior Court Judge	JPR Votes “Meets” Judicial Standards	JPR Votes “Does Not Meet” Judicial Standards	Did Not Vote*	JPR Commission Member Did Not Vote on Self*	Details Page
Ronee Korbin Steiner	27	0	0		186
Joseph Kreamer	27	0	2		186
Kerstin LeMaire	27	0	0		187
Daniel Martin	27	0	2		187
Frank Moskowitz	27	0	2		187
Rosa Mroz	27	0	2		188
Samuel Myers	27	0	2		188
Karen O’Connor	27	0	2		188
Erin Otis	27	0	0		189
Susanna Pineda	27	0	2		189
Jay Polk	27	0	2		189
John Rea	27	0	2		190
Laura Reckart	27	0	0		190
Joshua Rogers	27	0	0		190
Jeffrey Rueter	26	0	1		191
Jennifer Ryan-Touhill	27	0	2		191
Joan Sinclair	27	0	2		191
James Smith	27	0	0		192
Howard Sukenic	18	1	8		192
Pamela Svoboda	27	0	2		192
Danielle Viola	27	0	2		193
Randall Warner	27	0	2		193
Joseph Welty	27	0	2		193
Roy Whitehead	27	0	0		194

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<p><u>ANDERSON, ARTHUR</u> Appointed to Maricopa County Superior Court: 1999</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 22 Commissioners Voted “Meets” Judicial Standards 1 Commissioners Voted “Does Not Meet” Judicial Standards 6 Commissioners Did Not Vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	77%	No Responses
	Integrity	89%	95%
	Communication Skills	78%	89%
	Judicial Temperament	79%	92%
	Administrative Performance	65%	87%

<p><u>ASTROWSKY, BRADLEY</u> Appointed to Maricopa County Superior Court: 2012</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 2 Commissioners Did Not Vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	100%	No Responses
	Integrity	96%	97%
	Communication Skills	98%	100%
	Judicial Temperament	92%	100%
	Administrative Performance	99%	100%

<p><u>BACHUS, ALISON</u> Appointed to Maricopa County Superior Court: 2015</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 20 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 7 Commissioners Did Not Vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	97%	No Responses
	Integrity	98%	90%
	Communication Skills	96%	88%
	Judicial Temperament	91%	79%
	Administrative Performance	100%	89%

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<p><u>BAILEY, CYNTHIA</u> Appointed to Maricopa County Superior Court: 2011</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 23 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 6 Commissioners Did Not Vote*</p>		
	<p>Judicial Performance Surveys</p>	<p>Attorney Responses</p>	<p>Litigant/Witness Responses</p>
	Legal Ability	99%	No Responses
	Integrity	97%	81%
	Communication Skills	98%	81%
	Judicial Temperament	96%	75%
Administrative Performance	100%	92%	

<p><u>BARTON, JANET</u> Appointed to Maricopa County Superior Court: 2000</p> <p><i>Judge Barton is the Maricopa County Presiding Judge</i></p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 2 Commissioners Did Not Vote*</p>		
	<p>Judicial Performance Surveys</p>	<p>Attorney Responses</p>	<p>Litigant/Witness Responses</p>
	Legal Ability	No Responses	No Responses
	Integrity	No Responses	No Responses
	Communication Skills	No Responses	No Responses
	Judicial Temperament	No Responses	No Responses
Administrative Performance	No Responses	No Responses	

<p><u>BERGIN, DAWN</u> Appointed to Maricopa County Superior Court: 2007</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 2 Commissioners Did Not Vote*</p>		
	<p>Judicial Performance Surveys</p>	<p>Attorney Responses</p>	<p>Litigant/Witness Responses</p>
	Legal Ability	97%	No Responses
	Integrity	99%	100%
	Communication Skills	95%	100%
	Judicial Temperament	95%	100%
Administrative Performance	99%	100%	

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<p><u>BLAIR, MICHAEL</u> Appointed to Maricopa County Superior Court: 2016</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 0 Commissioners Did Not Vote*</p>		
	<p>Judicial Performance Surveys</p>	<p>Attorney Responses</p>	<p>Litigant/Witness Responses</p>
Legal Ability	100%	No Responses	
Integrity	95%	71%	
Communication Skills	98%	79%	
Judicial Temperament	99%	77%	
Administrative Performance	99%	95%	

<p><u>BRAIN, MARK</u> Appointed to Maricopa County Superior Court: 2011</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 2 Commissioners Did Not Vote*</p>		
	<p>Judicial Performance Surveys</p>	<p>Attorney Responses</p>	<p>Litigant/Witness Responses</p>
Legal Ability	96%	No Responses	
Integrity	99%	94%	
Communication Skills	99%	95%	
Judicial Temperament	97%	95%	
Administrative Performance	99%	95%	

<p><u>BRODMAN, ROGER</u> Appointed to Maricopa County Superior Court: 2007</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 2 Commissioners Did Not Vote*</p>		
	<p>Judicial Performance Surveys</p>	<p>Attorney Responses</p>	<p>Litigant/Witness Responses</p>
Legal Ability	100%	No Responses	
Integrity	99%	100%	
Communication Skills	99%	100%	
Judicial Temperament	99%	100%	
Administrative Performance	99%	100%	

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<p><u>CAMPAGNOLO, THEODORE</u> Appointed to Maricopa County Superior Court: 2015</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 0 Commissioners Did Not Vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	90%	No Responses
	Integrity	96%	90%
	Communication Skills	92%	83%
	Judicial Temperament	95%	81%
Administrative Performance	99%	88%	

<p><u>COMO, GREGORY</u> Appointed to Maricopa County Superior Court: 2015</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 0 Commissioners Did Not Vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	100%	No Responses
	Integrity	99%	100%
	Communication Skills	100%	100%
	Judicial Temperament	98%	100%
Administrative Performance	100%	100%	

<p><u>COOPER, KATHERINE</u> Appointed to Maricopa County Superior Court: 2011</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 23 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 6 Commissioners Did Not Vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	100%	No Responses
	Integrity	95%	75%
	Communication Skills	100%	68%
	Judicial Temperament	97%	70%
Administrative Performance	100%	73%	

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<p><u>CRAWFORD, JANICE</u> Appointed to Maricopa County Superior Court: 2011</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 2 Commissioners Did Not Vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
Legal Ability	95%	No Responses	
Integrity	94%	100%	
Communication Skills	96%	100%	
Judicial Temperament	94%	98%	
Administrative Performance	95%	99%	

<p><u>CULBERTSON, KRISTIN</u> Appointed to Maricopa County Superior Court: 2016</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 20 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 7 Commissioners Did Not Vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
Legal Ability	92%	No Responses	
Integrity	97%	84%	
Communication Skills	87%	69%	
Judicial Temperament	80%	73%	
Administrative Performance	96%	72%	

<p><u>CUNANAN, DAVID</u> Appointed to Maricopa County Superior Court: 2012</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 23 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 6 Commissioners Did Not Vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
Legal Ability	98%	No Responses	
Integrity	99%	100%	
Communication Skills	95%	100%	
Judicial Temperament	83%	100%	
Administrative Performance	99%	100%	

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<p><u>DUNCAN, SALLY</u> Appointed to Maricopa County Superior Court: 2004</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 22 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 7 Commissioners Did Not Vote*</p>		
	<p>Judicial Performance Surveys</p>	<p>Attorney Responses</p>	<p>Litigant/Witness Responses</p>
	Legal Ability	91%	No Responses
	Integrity	95%	96%
	Communication Skills	66%	85%
	Judicial Temperament	55%	74%
Administrative Performance	100%	94%	

<p><u>FINK, DEAN</u> Appointed to Maricopa County Superior Court: 2007</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 23 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 6 Commissioners Did Not Vote*</p>		
	<p>Judicial Performance Surveys</p>	<p>Attorney Responses</p>	<p>Litigant/Witness Responses</p>
	Legal Ability	99%	No Responses
	Integrity	99%	72%
	Communication Skills	99%	76%
	Judicial Temperament	96%	84%
Administrative Performance	98%	82%	

<p><u>FISH, GEOFFREY</u> Appointed to Maricopa County Superior Court: 2014</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 23 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 6 Commissioners Did Not Vote*</p>		
	<p>Judicial Performance Surveys</p>	<p>Attorney Responses</p>	<p>Litigant/Witness Responses</p>
	Legal Ability	99%	No Responses
	Integrity	99%	71%
	Communication Skills	98%	84%
	Judicial Temperament	96%	66%
Administrative Performance	99%	83%	

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<p><u>FOSTER, GEORGE</u> Appointed to Maricopa County Superior Court: 2003</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 23 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 6 Commissioners Did Not Vote*</p>		
	<p>Judicial Performance Surveys</p>	<p>Attorney Responses</p>	<p>Litigant/Witness Responses</p>
Legal Ability	89%	No Responses	
Integrity	89%	98%	
Communication Skills	89%	100%	
Judicial Temperament	82%	96%	
Administrative Performance	85%	100%	

<p><u>FOX, DEWAIN</u> Appointed to Maricopa County Superior Court: 2015</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 0 Commissioners Did Not Vote*</p>		
	<p>Judicial Performance Surveys</p>	<p>Attorney Responses</p>	<p>Litigant/Witness Responses</p>
Legal Ability	97%	No Responses	
Integrity	100%	86%	
Communication Skills	100%	94%	
Judicial Temperament	100%	74%	
Administrative Performance	98%	83%	

<p><u>GRANVILLE, WARREN</u> Appointed to Maricopa County Superior Court: 2000</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 22 Commissioners Voted “Meets” Judicial Standards 1 Commissioners Voted “Does Not Meet” Judicial Standards 6 Commissioners Did Not Vote*</p>		
	<p>Judicial Performance Surveys</p>	<p>Attorney Responses</p>	<p>Litigant/Witness Responses</p>
Legal Ability	100%	No Responses	
Integrity	99%	100%	
Communication Skills	100%	100%	
Judicial Temperament	99%	100%	
Administrative Performance	98%	100%	

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JUDICIAL PERFORMANCE REVIEW



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<p><u>GREEN, JENNIFER</u> Appointed to Maricopa County Superior Court: 2015</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 2 Commissioners Did Not Vote*</p>		
	<p>Judicial Performance Surveys</p>	<p>Attorney Responses</p>	<p>Litigant/Witness Responses</p>
	Legal Ability	98%	No Responses
	Integrity	100%	97%
	Communication Skills	94%	95%
	Judicial Temperament	97%	95%
Administrative Performance	97%	94%	

<p><u>HEGYL, HUGH</u> Appointed to Maricopa County Superior Court: 2007</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 2 Commissioners Did Not Vote*</p>		
	<p>Judicial Performance Surveys</p>	<p>Attorney Responses</p>	<p>Litigant/Witness Responses</p>
	Legal Ability	100%	No Responses
	Integrity	100%	No Responses
	Communication Skills	100%	No Responses
	Judicial Temperament	100%	No Responses
Administrative Performance	100%	No Responses	

<p><u>HERROD, MICHAEL</u> Appointed to Maricopa County Superior Court: 2011</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 2 Commissioners Did Not Vote*</p>		
	<p>Judicial Performance Surveys</p>	<p>Attorney Responses</p>	<p>Litigant/Witness Responses</p>
	Legal Ability	100%	No Responses
	Integrity	99%	86%
	Communication Skills	99%	83%
	Judicial Temperament	100%	87%
Administrative Performance	99%	86%	

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<p><u>HOPKINS, STEPHEN</u> Appointed to Maricopa County Superior Court: 2015</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 0 Commissioners Did Not Vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	96%	No Responses
	Integrity	99%	98%
	Communication Skills	94%	93%
	Judicial Temperament	97%	96%
	Administrative Performance	99%	99%

<p><u>KORBIN STEINER, RONEE</u> Appointed to Maricopa County Superior Court: 2015</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 0 Commissioners Did Not Vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	100%	No Responses
	Integrity	97%	95%
	Communication Skills	90%	93%
	Judicial Temperament	90%	85%
	Administrative Performance	100%	92%

<p><u>KREAMER, JOSEPH</u> Appointed to Maricopa County Superior Court: 2007</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 2 Commissioners Did Not Vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	90%	No Responses
	Integrity	97%	95%
	Communication Skills	99%	98%
	Judicial Temperament	97%	96%
	Administrative Performance	99%	96%

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<p><u>LEMAIRE, KERSTIN</u> Appointed to Maricopa County Superior Court: 2015</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 0 Commissioners Did Not Vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	86%	No Responses
	Integrity	95%	100%
	Communication Skills	87%	100%
	Judicial Temperament	91%	100%
Administrative Performance	88%	100%	

<p><u>MARTIN, DANIEL</u> Appointed to Maricopa County Superior Court: 2007</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 2 Commissioners Did Not Vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	92%	No Responses
	Integrity	98%	100%
	Communication Skills	97%	100%
	Judicial Temperament	96%	100%
Administrative Performance	95%	100%	

<p><u>MOSKOWITZ, FRANK</u> Appointed to Maricopa County Superior Court: 2015</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 2 Commissioners Did Not Vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	98%	No Responses
	Integrity	100%	95%
	Communication Skills	100%	96%
	Judicial Temperament	99%	93%
Administrative Performance	96%	93%	

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<p><u>MROZ, ROSA</u> Appointed to Maricopa County Superior Court: 2004</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 2 Commissioners Did Not Vote*</p>		
	<p>Judicial Performance Surveys</p>	<p>Attorney Responses</p>	<p>Litigant/Witness Responses</p>
<p>Legal Ability</p>	<p>96%</p>	<p>No Responses</p>	
<p>Integrity</p>	<p>100%</p>	<p>100%</p>	
<p>Communication Skills</p>	<p>97%</p>	<p>100%</p>	
<p>Judicial Temperament</p>	<p>99%</p>	<p>100%</p>	
<p>Administrative Performance</p>	<p>100%</p>	<p>100%</p>	

<p><u>MYERS, SAMUEL</u> Appointed to Maricopa County Superior Court: 2007</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 2 Commissioners Did Not Vote*</p>		
	<p>Judicial Performance Surveys</p>	<p>Attorney Responses</p>	<p>Litigant/Witness Responses</p>
<p>Legal Ability</p>	<p>97%</p>	<p>No Responses</p>	
<p>Integrity</p>	<p>100%</p>	<p>No Responses</p>	
<p>Communication Skills</p>	<p>98%</p>	<p>No Responses</p>	
<p>Judicial Temperament</p>	<p>99%</p>	<p>No Responses</p>	
<p>Administrative Performance</p>	<p>98%</p>	<p>No Responses</p>	

<p><u>O’CONNOR, KAREN</u> Appointed to Maricopa County Superior Court: 2000</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 2 Commissioners Did Not Vote*</p>		
	<p>Judicial Performance Surveys</p>	<p>Attorney Responses</p>	<p>Litigant/Witness Responses</p>
<p>Legal Ability</p>	<p>89%</p>	<p>No Responses</p>	
<p>Integrity</p>	<p>93%</p>	<p>97%</p>	
<p>Communication Skills</p>	<p>90%</p>	<p>92%</p>	
<p>Judicial Temperament</p>	<p>93%</p>	<p>94%</p>	
<p>Administrative Performance</p>	<p>90%</p>	<p>90%</p>	

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<p><u>OTIS, ERIN</u> Appointed to Maricopa County Superior Court: 2016</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	27 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	0 Commissioners Did Not Vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	98%	No Responses
Integrity	100%	100%	
Communication Skills	99%	100%	
Judicial Temperament	99%	100%	
Administrative Performance	97%	100%	

<p><u>PINEDA, SUSANNA</u> Appointed to Maricopa County Superior Court: 2007</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	27 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	2 Commissioners Did Not Vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	99%	No Responses
Integrity	100%	94%	
Communication Skills	98%	92%	
Judicial Temperament	100%	94%	
Administrative Performance	90%	92%	

<p><u>POLK, JAY</u> Appointed to Maricopa County Superior Court: 2011</p>	JUDICIAL PERFORMANCE COMMISSION RESULTS		
	27 Commissioners Voted “Meets” Judicial Standards		
	0 Commissioners Voted “Does Not Meet” Judicial Standards		
	2 Commissioners Did Not Vote*		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	99%	No Responses
Integrity	100%	96%	
Communication Skills	97%	95%	
Judicial Temperament	99%	91%	
Administrative Performance	99%	95%	

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<p><u>REA, JOHN</u> Appointed to Maricopa County Superior Court: 2004</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 2 Commissioners Did Not Vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	94%	No Responses
	Integrity	99%	99%
	Communication Skills	99%	90%
	Judicial Temperament	100%	100%
	Administrative Performance	100%	98%

<p><u>RECKART, LAURA</u> Appointed to Maricopa County Superior Court: 2015</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 0 Commissioners Did Not Vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	93%	No Responses
	Integrity	93%	98%
	Communication Skills	91%	100%
	Judicial Temperament	92%	97%
	Administrative Performance	93%	96%

<p><u>ROGERS, JOSHUA</u> Appointed to Maricopa County Superior Court: 2015</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 0 Commissioners Did Not Vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	98%	No Responses
	Integrity	99%	99%
	Communication Skills	99%	100%
	Judicial Temperament	99%	97%
	Administrative Performance	99%	100%

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<p><u>RUETER, JEFFREY</u> Appointed to Maricopa County Superior Court: 2015</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 26 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 1 Commissioners Did Not Vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	97%	No Responses
	Integrity	97%	96%
	Communication Skills	94%	97%
	Judicial Temperament	90%	95%
Administrative Performance	98%	97%	

<p><u>RYAN-TOUHILL, JENNIFER</u> Appointed to Maricopa County Superior Court: 2015</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 2 Commissioners Did Not Vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	93%	No Responses
	Integrity	97%	85%
	Communication Skills	95%	83%
	Judicial Temperament	91%	83%
Administrative Performance	99%	83%	

<p><u>SINCLAIR, JOAN</u> Appointed to Maricopa County Superior Court: 2012</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 2 Commissioners Did Not Vote*</p>		
	Judicial Performance Surveys	Attorney Responses	Litigant/Witness Responses
	Legal Ability	93%	No Responses
	Integrity	100%	100%
	Communication Skills	97%	100%
	Judicial Temperament	99%	100%
Administrative Performance	98%	100%	

***Voting abstentions are procedural matters within the Commission and should not be viewed in any way as a negative factor with respect to a judge’s performance.**



For More Information Visit: www.azjudges.info

Reading This Data

Judicial Performance Commission results indicate how JPR Commissioners voted, whether a judge “MEETS” Judicial Performance Standards based on survey information as well as all other information submitted by the public or the judge. Judicial Performance Surveys percentages show results of surveys completed by respondents based on the averaged results of the survey respondents who rated the judge “satisfactory” or better in combined Judicial Performance Standards categories.

<p><u>SMITH, JAMES</u> Appointed to Maricopa County Superior Court: 2015</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 0 Commissioners Did Not Vote*</p>		
	<p>Judicial Performance Surveys</p>	<p>Attorney Responses</p>	<p>Litigant/Witness Responses</p>
Legal Ability	92%	No Responses	
Integrity	95%	88%	
Communication Skills	92%	92%	
Judicial Temperament	87%	90%	
Administrative Performance	97%	93%	

<p><u>SUKENIC, HOWARD</u> Appointed to Maricopa County Superior Court: 2015</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 18 Commissioners Voted “Meets” Judicial Standards 1 Commissioners Voted “Does Not Meet” Judicial Standards 8 Commissioners Did Not Vote*</p>		
	<p>Judicial Performance Surveys</p>	<p>Attorney Responses</p>	<p>Litigant/Witness Responses</p>
Legal Ability	95%	No Responses	
Integrity	100%	95%	
Communication Skills	87%	93%	
Judicial Temperament	80%	83%	
Administrative Performance	98%	94%	

<p><u>SVOBODA, PAMELA</u> Appointed to Maricopa County Superior Court: 2012</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 2 Commissioners Did Not Vote*</p>		
	<p>Judicial Performance Surveys</p>	<p>Attorney Responses</p>	<p>Litigant/Witness Responses</p>
Legal Ability	94%	No Responses	
Integrity	99%	94%	
Communication Skills	96%	94%	
Judicial Temperament	97%	93%	
Administrative Performance	96%	94%	

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Reading This Data

Judicial Performance Commission results indicate how JPR Commissioners voted, whether a judge “MEETS” Judicial Performance Standards based on survey information as well as all other information submitted by the public or the judge. Judicial Performance Surveys percentages show results of surveys completed by respondents based on the averaged results of the survey respondents who rated the judge “satisfactory” or better in combined Judicial Performance Standards categories.

<p><u>VIOLA, DANIELLE</u> Appointed to Maricopa County Superior Court: 2011</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 2 Commissioners Did Not Vote*</p>		
	<p>Judicial Performance Surveys</p>	<p>Attorney Responses</p>	<p>Litigant/Witness Responses</p>
	Legal Ability	99%	No Responses
	Integrity	99%	100%
	Communication Skills	99%	100%
	Judicial Temperament	98%	100%
Administrative Performance	99%	100%	

<p><u>WARNER, RANDALL</u> Appointed to Maricopa County Superior Court: 2007</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 2 Commissioners Did Not Vote*</p>		
	<p>Judicial Performance Surveys</p>	<p>Attorney Responses</p>	<p>Litigant/Witness Responses</p>
	Legal Ability	98%	No Responses
	Integrity	100%	100%
	Communication Skills	98%	100%
	Judicial Temperament	98%	100%
Administrative Performance	100%	100%	

<p><u>WELTY, JOSEPH</u> Appointed to Maricopa County Superior Court: 2007</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 2 Commissioners Did Not Vote*</p>		
	<p>Judicial Performance Surveys</p>	<p>Attorney Responses</p>	<p>Litigant/Witness Responses</p>
	Legal Ability	100%	No Responses
	Integrity	100%	98%
	Communication Skills	97%	93%
	Judicial Temperament	97%	88%
Administrative Performance	99%	91%	

*Voting abstentions are procedural matters within the Commission and should not be viewed in any way as a negative factor with respect to a judge’s performance.



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Reading This Data

Judicial Performance Commission results indicate how JPR Commissioners voted, whether a judge “MEETS” Judicial Performance Standards based on survey information as well as all other information submitted by the public or the judge. Judicial Performance Surveys percentages show results of surveys completed by respondents based on the averaged results of the survey respondents who rated the judge “satisfactory” or better in combined Judicial Performance Standards categories.

<p><u>WHITEHEAD, ROY</u> Appointed to Maricopa County Superior Court: 2015</p>	<p>JUDICIAL PERFORMANCE COMMISSION RESULTS 27 Commissioners Voted “Meets” Judicial Standards 0 Commissioners Voted “Does Not Meet” Judicial Standards 0 Commissioners Did Not Vote*</p>		
	<p>Judicial Performance Surveys</p>	<p>Attorney Responses</p>	<p>Litigant/Witness Responses</p>
Legal Ability	92%	No Responses	
Integrity	98%	100%	
Communication Skills	91%	96%	
Judicial Temperament	98%	98%	
Administrative Performance	90%	97%	

***Voting abstentions are procedural matters within the Commission and should not be viewed in any way as a negative factor with respect to a judge’s performance.**



For More Information Visit: www.azjudges.info



These pages are provided to assist you when voting on the judges and justices standing for retention. Remove the sheets from your pamphlet, mark your vote on the checklist, and take the checklist with you when voting.

Arizona Supreme Court (All Voters)	Pima County Superior Court (Pima County Voters)
Bolick, Clint Yes ___ No ___	Jeffrey Bergin Yes ___ No ___
Pelander, III, John Yes ___ No ___	Janet Bostwick Yes ___ No ___
	Christopher Browning Yes ___ No ___
Court of Appeals Division I (Maricopa County Voters)	Javier Chon-Lopez Yes ___ No ___
	Charles Harrington Yes ___ No ___
Swann, Peter Yes ___ No ___	Peter Hochuli Yes ___ No ___
	Cynthia Kuhn Yes ___ No ___
Court of Appeals Division II (Pima County Voters)	Danelle Liwski Yes ___ No ___
Eckerstrom, Peter Yes ___ No ___	James Marnier Yes ___ No ___
Espinosa, Philip Yes ___ No ___	Kathleen Quigley Yes ___ No ___
Staring, Christopher Yes ___ No ___	Catherine Woods Yes ___ No ___
Pinal County Superior Court (Pinal County Voters)	
Fuller, Steven Yes ___ No ___	
Neal, Delia Yes ___ No ___	
Washburn, Daniel Yes ___ No ___	
White, Kevin Yes ___ No ___	

REMOVABLE VOTER CHECKLIST #1

For More Information Visit: www.azjudges.info



These pages are provided to assist you when voting on the judges and justices standing for retention. Remove the sheets from your pamphlet, mark your vote on the checklist, and take the checklist with you when voting.

REMOVABLE VOTER CHECKLIST #1

Maricopa County Superior Court (Maricopa County Voters)									
Arthur Anderson	Yes	___	No	___	Kerstin LeMaire	Yes	___	No	___
Bradley Astrowsky	Yes	___	No	___	Daniel Martin	Yes	___	No	___
Alison Bachus	Yes	___	No	___	Frank Moskowitz	Yes	___	No	___
Cynthia Bailey	Yes	___	No	___	Rosa Mroz	Yes	___	No	___
Janet Barton	Yes	___	No	___	Samuel Myers	Yes	___	No	___
Dawn Bergin	Yes	___	No	___	Karen O'Connor	Yes	___	No	___
Michael Blair	Yes	___	No	___	Erin Otis	Yes	___	No	___
Mark Brain	Yes	___	No	___	Susanna Pineda	Yes	___	No	___
Roger Brodman	Yes	___	No	___	Jay Polk	Yes	___	No	___
Theodore Campagnolo	Yes	___	No	___	John Rea	Yes	___	No	___
Gregory Como	Yes	___	No	___	Laura Reckart	Yes	___	No	___
Katherine Cooper	Yes	___	No	___	Joshua Rogers	Yes	___	No	___
Janice Crawford	Yes	___	No	___	Jeffrey Rueter	Yes	___	No	___
Kristin Culbertson	Yes	___	No	___	Jennifer Ryan-Touhill	Yes	___	No	___
David Cunanan	Yes	___	No	___	Joan Sinclair	Yes	___	No	___
Sally Duncan	Yes	___	No	___	James Smith	Yes	___	No	___
Dean Fink	Yes	___	No	___	Howard Sukenic	Yes	___	No	___
Geoffrey Fish	Yes	___	No	___	Pamela Svoboda	Yes	___	No	___
George Foster	Yes	___	No	___	Danielle Viola	Yes	___	No	___
Dewain Fox	Yes	___	No	___	Randall Warner	Yes	___	No	___
Warren Granville	Yes	___	No	___	Joseph Welty	Yes	___	No	___
Jennifer Green	Yes	___	No	___	Roy Whitehead	Yes	___	No	___
Hugh Hegyi	Yes	___	No	___					
Michael Herrod	Yes	___	No	___					
Stephen Hopkins	Yes	___	No	___					
Ronee Korbin Steiner	Yes	___	No	___					
Joseph Kreamer	Yes	___	No	___					

For More Information Visit: www.azjudges.info



These pages are provided to assist you when voting on the judges and justices standing for retention. Remove the sheets from your pamphlet, mark your vote on the checklist, and take the checklist with you when voting.

REMOVABLE VOTER CHECKLIST #2

Maricopa County Superior Court (Maricopa County Voters)									
Arthur Anderson	Yes	___	No	___	Kerstin LeMaire	Yes	___	No	___
Bradley Astrowsky	Yes	___	No	___	Daniel Martin	Yes	___	No	___
Alison Bachus	Yes	___	No	___	Frank Moskowitz	Yes	___	No	___
Cynthia Bailey	Yes	___	No	___	Rosa Mroz	Yes	___	No	___
Janet Barton	Yes	___	No	___	Samuel Myers	Yes	___	No	___
Dawn Bergin	Yes	___	No	___	Karen O'Connor	Yes	___	No	___
Michael Blair	Yes	___	No	___	Erin Otis	Yes	___	No	___
Mark Brain	Yes	___	No	___	Susanna Pineda	Yes	___	No	___
Roger Brodman	Yes	___	No	___	Jay Polk	Yes	___	No	___
Theodore Campagnolo	Yes	___	No	___	John Rea	Yes	___	No	___
Gregory Como	Yes	___	No	___	Laura Reckart	Yes	___	No	___
Katherine Cooper	Yes	___	No	___	Joshua Rogers	Yes	___	No	___
Janice Crawford	Yes	___	No	___	Jeffrey Rueter	Yes	___	No	___
Kristin Culbertson	Yes	___	No	___	Jennifer Ryan-Touhill	Yes	___	No	___
David Cunanan	Yes	___	No	___	Joan Sinclair	Yes	___	No	___
Sally Duncan	Yes	___	No	___	James Smith	Yes	___	No	___
Dean Fink	Yes	___	No	___	Howard Sukenic	Yes	___	No	___
Geoffrey Fish	Yes	___	No	___	Pamela Svoboda	Yes	___	No	___
George Foster	Yes	___	No	___	Danielle Viola	Yes	___	No	___
Dewain Fox	Yes	___	No	___	Randall Warner	Yes	___	No	___
Warren Granville	Yes	___	No	___	Joseph Welty	Yes	___	No	___
Jennifer Green	Yes	___	No	___	Roy Whitehead	Yes	___	No	___
Hugh Hegyi	Yes	___	No	___					
Michael Herrod	Yes	___	No	___					
Stephen Hopkins	Yes	___	No	___					
Ronee Korbin Steiner	Yes	___	No	___					
Joseph Kreamer	Yes	___	No	___					

BALLOT PROPOSITION *Voter's Guide*

This page is provided for your convenience to mark your choice after studying each proposition. It may be detached from this booklet and taken to the polling place/vote center on **Election Day, November 6, 2018**, to assist you in voting your ballot.

PROPOSITION 125		
Proposed amendment to the constitution by the legislature relating to public retirement systems.	YES <input type="checkbox"/>	NO <input type="checkbox"/>
PROPOSITION 126		
Proposed amendment to the constitution by the initiative relating to prohibition of taxation of services.	YES <input type="checkbox"/>	NO <input type="checkbox"/>
PROPOSITION 127		
Proposed amendment to the constitution by the initiative relating to renewable energy production.	YES <input type="checkbox"/>	NO <input type="checkbox"/>
PROPOSITION 305		
Referendum ordered by petition of the people relating to expansion of education empowerment scholarship accounts.	YES <input type="checkbox"/>	NO <input type="checkbox"/>
PROPOSITION 306		
Referred to the people by the legislature relating to restrictions on use of campaign funds by publicly funded candidates and to Clean Elections Commission rulemaking.	YES <input type="checkbox"/>	NO <input type="checkbox"/>

Date of General Election: NOVEMBER 6, 2018

The polls will be open from 6:00 a.m. - 7:00 p.m. on Election Day

Election Results are available online - www.azsos.gov - starting at 8:00 p.m.

For questions, contact the Arizona Secretary of State Election Services Division

Telephone: 1-877-THE-VOTE (1-877-843-8683) or (602) 542-8683



Looking for your polling place?

Just visit <https://voter.azsos.gov> or <http://www.arizona.vote>

Be ready to enter your name, date of birth, voter registration and/or driver's license number.

See you on November 6!

BALLOT PROPOSITION *Voter's Guide*

This page is provided for your convenience to mark your choice after studying each proposition. It may be detached from this booklet and taken to the polling place/vote center on **Election Day, November 6, 2018**, to assist you in voting your ballot.

PROPOSITION 125		
Proposed amendment to the constitution by the legislature relating to public retirement systems.	YES <input type="checkbox"/>	NO <input type="checkbox"/>
PROPOSITION 126		
Proposed amendment to the constitution by the initiative relating to prohibition of taxation of services.	YES <input type="checkbox"/>	NO <input type="checkbox"/>
PROPOSITION 127		
Proposed amendment to the constitution by the initiative relating to renewable energy production.	YES <input type="checkbox"/>	NO <input type="checkbox"/>
PROPOSITION 305		
Referendum ordered by petition of the people relating to expansion of education empowerment scholarship accounts.	YES <input type="checkbox"/>	NO <input type="checkbox"/>
PROPOSITION 306		
Referred to the people by the legislature relating to restrictions on use of campaign funds by publicly funded candidates and to Clean Elections Commission rulemaking.	YES <input type="checkbox"/>	NO <input type="checkbox"/>

Date of General Election: NOVEMBER 6, 2018

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For questions, contact the Arizona Secretary of State Election Services Division

Telephone: 1-877-THE-VOTE (1-877-843-8683) or (602) 542-8683



Your Vote Matters!



It takes every vote to complete the picture of our state. Make your voice count!

Election Day November 6

<https://voter.azsos.gov>

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Arizona Secretary of State Michele Reagan
 Election Services Division
 1700 West Washington Street, 7th Floor
 Phoenix, Arizona 85007-2808

**GENERAL ELECTION
 PUBLICITY PAMPHLET
 NOVEMBER 6, 2018**

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 OF STATE

OFFICIAL ELECTION MATERIALS

Only one informational pamphlet has been mailed to each household containing a registered voter. Please make it available to all registered voters in the household.



To registered voters at:

MATERIALES OFICIALES PARA LA ELECCIÓN

Sólo se ha enviado por correo un folleto informativo a cada hogar conteniendo a un elector registrado. Por favor póngalo a la disposición de todos los electores registrados en el hogar.

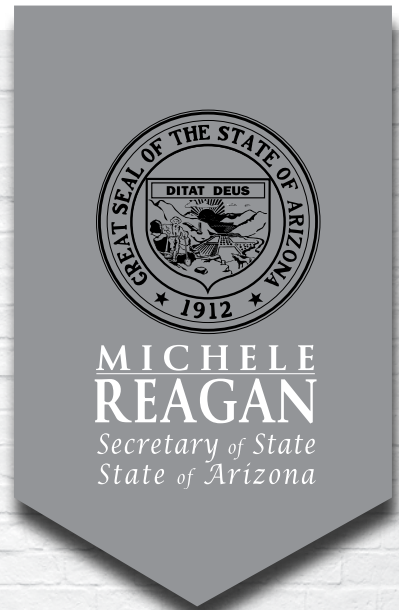
STATE OF ARIZONA

**INSIDE THE
 PUBLICITY PAMPHLET:**

- General Voting Information
- Ballot Propositions
- Ballot Proposition “For/Against” Arguments
- Judicial Performance Review Information

FOR A SPANISH OR LARGE PRINT VERSION OF THIS PUBLICITY PAMPHLET CALL TOLL-FREE 1-877-THE-VOTE (1-877-843-8683).

PARA UNA VERSIÓN EN ESPAÑOL Ó EN LETRA GRANDE DE ESTE FOLLETO PUBLICITARIO LLAME AL NÚMERO DE LARGA DISTANCIA GRATUITA 1-877-843-8683.



*Your Vote
 Matters!*

Exhibit 3



PHOENIX SKY HARBOR
INTERNATIONAL AIRPORT

**PHOENIX SKY HARBOR INTERNATIONAL AIRPORT
APPLICATION FOR TWO-YEAR REVOCABLE COMMERCIAL GROUND TRANSPORTATION PERMIT**

Commercial ground transportation permits are issued pursuant to Phoenix City Code (PCC), Chapter 4, Article IV. Applicant must complete this application and submit all requested information and documentation prior to review by the Aviation Department. If applicant has any questions about this application or commercial ground transportation at Phoenix Sky Harbor International Airport, please contact the Airport Ground Transportation Office at (602) 273-3383 or via e-mail at groundtransportation@phoenix.gov.

PLEASE PRINT:

APPLICANT (Business name):

Rasier, LLC

Not

DOING BUSINESS AS (DBA), IF APPLICABLE:

N/A

APPLICANT ADDRESS (Physical):

1455 Market Street 4th Floor San Francisco, CA 94103

E-MAIL ADDRESS: regulatory@uber.com

BILLING ADDRESS (IF DIFFERENT FROM APPLICANT ADDRESS):

Same as applicant address

BILLING E-MAIL ADDRESS (IF DIFFERENT FROM E-MAIL ADDRESS): regulatory@uber.com

BUSINESS PHONE: 415-237-1384

ALT. PHONE: N/A

CELL PHONE: N/A

TYPE OF BUSINESS ENTITY (Initial):

Corporation. On a separate sheet, list the name, title, and address of each officer, and the names of all shareholders holding more than 20% of any class of shares issued by the corporation or having more than a 20% beneficial interest in the corporation.

Limited Liability Company. On a separate sheet, list the name and address of each member and manager.

Partnership. On a separate sheet, list the name and address of each partner.

Sole Proprietorship

Other (specify): _____

TYPE OF SERVICE (Initial):

Courtesy: A ground transportation motor vehicle used to pick-up a passenger at the airport and transport the passenger to an off-airport location, where the permittee or driver operating under that permittee's permit does not directly charge or receive a fee from the passenger for the transportation service.

Hotel

Off Airport Parking

Other (specify): _____

Prearranged: A ground transportation motor vehicle used to pick-up a passenger at the airport, where the permittee or driver operating under that permittee's permit has scheduled the pick-up prior to entering the airport, or while parked in a designated waiting area.

Prearranged

Charter Bus

Inter-city

Transportation Network Company

Other (specify): _____

SECURITY BACKGROUND CHECKS (Initial):

Applicant must select and comply with one of the following three security background check options. All drivers operating under a permittee's permit must comply with the requirements of the background check option selected by applicant.

Option 1: Finger-print based Criminal History Records Check and Security Threat Assessment (STA) provided by the Aviation Department at no cost to applicant. PCC Section 4-68(C)(1)(a).

Option 2: Enhanced name-based security background check, conducted by a third-party agency that is accredited by the National Association of Professional Background Screeners (NAPBS), at the sole expense of applicant, along with an STA processed by the Aviation Department. PCC Section 4-68(C)(1)(b).

Option 3: Name-based security background check conducted by a third-party agency, at the sole expense of applicant. PCC Section 4-68(C)(1)(c).

If applicant selects security background check options 2 and 3, applicant is subject to audit by a third-party background screener selected by the Aviation Department. The audit sample may be up to 10% per month of applicant's driver pool who have conducted airport pick-ups in the month preceding the audit request date.

DRIVER IDENTIFICATION (Initial):

A driver may not engage in commercial passenger pick-up activity on the airport without possessing valid identification media issued pursuant to PCC Section 4-69. Applicant must select and comply with one of the following driver identification formats:

 Airport-Issued Placard - Drivers approved to operate under background check options 1 and 2 must, at all times while at the airport, display the driver identification placard vertically on the dashboard in a manner easily readable by passenger(s).

 Permittee-Issued Placard - Drivers approved to operate under background check option 3 with a permittee-issued driver identification placard must, at all times while at the airport, display the driver identification placard vertically on the dashboard in a manner easily readable by passenger(s).

ZA **Permittee-Issued Digital Identification** - Drivers approved to operate under background check option 3 with a permittee-issued digital identification media must, at all times while at the airport, be able to display the digital identification media on a mobile device upon request by the passenger(s) or any airport representative.

VEHICLE IDENTIFICATION (Initial):

A permittee, or driver operating under that permittee's permit, may not stop, stand, or park a ground transportation motor vehicle on the airport to load a passenger without proper vehicle identification. Applicant must select and comply with one of the following vehicle identification methods:

ZA **Trade Dress** - Sample must be submitted for approval with this permit application.

 Airport Issued Decal - Decals shall be issued according to service type.

VEHICLE TRIP TRACKING (Initial):

A permittee, or driver operating under that permittee's permit, may not engage in the activity of passenger pick-ups on the airport without using AVI or GPS technology-based trip tracking. Applicant must select and comply with one of the following vehicle trip tracking methods:

 Automated Vehicle Identification (AVI) System

ZA **Global Positioning Satellite (GPS) Technology**

FEES

Permittees must pay fees in accordance with PCC Section 4-78, including the trip fees specified below. All fees assessed pursuant to PCC Section 4-78 are due and payable no later than 30 days from the invoice date.

- 1. All authorized providers permitted prior to June 18, 2016 shall pay trip fees as follows:

VEHICLE SIZE	RATE BEGINNING JANUARY 1, 2018
1-8 SEATS	\$2.56
9-23 SEATS	\$3.25
24+ SEATS	\$6.97

2. All authorized providers permitted on or after June 18, 2016 shall pay trip fees as follows:

VEHICLE SIZE	RATE BEGINNING JUNE 18, 2018
1-8 SEATS	\$3.02
9-23 SEATS	\$3.95
24+ SEATS	\$8.37



AUTHORIZED SIGNERS OR DESIGNATED LOCAL POINTS of CONTACT

Applicant must at all times have one representative on file with the Ground Transportation Office identified as applicant's primary authorized signer. A primary authorized signer may add additional authorized signers or designated local points of contact for all purposes except signing the permit and removing from the permit the primary authorized signer. Applicant must list all authorized signers and designated local points of contact. Authorized signers and designated local points of contact must have undergone background checks as prescribed in Airport Rule and Regulation 08-01 and, by signing below, certify they have successfully met this requirement.

Primary Authorized Signer Name	Signature	Title	Date
Todd Hambiel		Manager	7/16/18

(Authorized Signers must complete Security & Badging process within 30 days from the date of this application)

Additional Authorized Signers (AS) and Designated Local Points of Contact (DLPC):

AS	DLPC	Printed Name	Signature	Title	Date
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Anna Uhis		Counsel	7/16/18
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Zain Ahmed		Operations and Logistics Manager	7/16/18
<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>				

WITHIN FIVE DAYS OF ANY CHANGE, APPLICANT MUST SUBMIT TO THE GROUND TRANSPORTATION OFFICE, IN WRITING AND DURING NORMAL BUSINESS HOURS, ANY CHANGE TO ITS LIST OF AUTHORIZED SIGNERS OR DESIGNATED LOCAL POINTS OF CONTACT. IF THE AUTHORIZED SIGNER IS NOT PRESENT TO SIGN SUCH CHANGE REQUEST, THE AUTHORIZED SIGNER'S SIGNATURE MUST BE NOTARIZED.

WAYBILL

If applicable, applicant must submit a sample waybill (physical or virtual) with this application.

INSURANCE

The City of Phoenix Aviation Department requires minimum vehicle insurance coverage equal to the requirements of the State of Arizona for commercial motor carriers. The City of Phoenix must be named as an additional insured on the liability policy and listed as such on the certificate of insurance. In some cases, the City of Phoenix requires coverage in excess of the State minimum. Contact the Ground Transportation office for clarification. All insurance companies must be licensed in the State of Arizona and maintain an A.M. Best rating of B+VI or higher.

In all instances where a driver operates under a permittee's permit, the permittee's certificate of insurance shall clearly state that coverage is primary and non-contributory when the driver is operating on the airport. A driver's personal vehicle insurance coverages will not be considered primary insurance while operating on the airport.

Applicant must submit with this application an acceptable certificate of automobile liability insurance with at least the minimum amounts of coverage required by Arizona law, PCC 4-68, and Airport Rule and Regulation 08-01.

APPLICANT HEREBY AGREES, REPRESENTS, AND CERTIFIES AS FOLLOWS:

- A. That applicant will comply with all applicable federal, state, and local laws.
- B. That applicant has been informed of, and will comply with, all applicable provisions of the Phoenix City Code, including PCC Chapter 4, Article IV. The Phoenix City Code can be found here:

<http://www.codepublishing.com/AZ/Phoenix/>

- C. That applicant has been informed of, and will comply with, all applicable Airport Rules and Regulations, including Airport Rule and Regulation 08-01. Applicant further represents and certifies that all authorized signers, designated local points of contact, and drivers operating under applicant's permit, will be informed of, and comply with, all applicable Airport Rules and Regulations, including Airport Rule and Regulation 08-01. Airport Rules and Regulations can be found here:

<https://skyharbor.com/Business/RulesAndRegulations>

- D. That applicant will comply with all Arizona Department of Transportation requirements as provided under Arizona Revised Statutes, as applicable.
- E. That applicant will comply with the Federal Motor Carriers Safety Regulations as adopted by the State of Arizona per the Arizona Official Compilation of Rules and Regulations.

- 2A**F. That applicant will comply with the Americans with Disabilities Act, 42 U.S.C. Secs. 12101 et seq., and Section 504 of the Rehabilitation Act, and that applicant will provide accessible ground transportation to customers protected by these laws, or, if unable to do so, make alternative arrangement for accessible transportation within thirty minutes after learning of the customer's needs.

Applicant may seek assistance from authorized providers that have wheelchair accessible vehicles. A list of authorized providers may be found at:

<https://skyharbor.com/ParkingTransportation/TaxisAndShuttles>

G. That applicant warrants that no person shall, on the grounds of race, creed, color, national origin, sex, age, or handicap, be excluded from participating in any service provided by applicant or otherwise be excluded from the benefits offered by applicant to the general public. Applicant warrants that it will comply with all pertinent statutes, Executive Orders, and rules promulgated thereunder, to assure that no person is excluded on the grounds of race, creed, color, national origin, sex, age, or handicap. Applicant warrants that it shall operate in compliance with all requirements imposed pursuant to Title VI of the Civil Rights Act of 1964, 49 U.S.C. 47123, and Code of Federal Regulations, Title 49, DOT, Subtitle A, Office of the Secretary of Transportation, Part 21-Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964, as said regulations exist and may be amended from time to time.

H. That each vehicle operated on the airport on applicant's behalf has, within twelve months prior to commencing operations on the airport, undergone and passed a 19-point inspection by an Automotive Service Excellence (ASE) certified mechanic or an equivalent vehicle inspection process with the approval by the Aviation Director. The inspection form is available at:

<https://skyharbor.com/Business/TenantsAndContractors/GroundTransportation>

Each vehicle operated on the airport on applicant's behalf must undergo and pass the above-referenced inspection process at least once every twelve months.

I. That applicant will maintain and make available to the Aviation Department during regular business hours accurate books and accounting records relating to its operations under PCC Chapter 4, Article IV. The Aviation Director reserves the right to request any and all reports deemed necessary from the permittee in its performance under PCC Chapter 4, Article IV, or for auditing purposes, and shall be provided at no cost to the Aviation Department.

J. That applicant acknowledges that applicant is responsible, and liable, for violations of federal, state, and local law, rules and regulations by any person, including drivers, operating under a permittee's permit. That any ground transportation motor vehicle operated on the airport by applicant, or a driver operating under applicant's permit, shall be at all times in compliance with all federal, state and local laws, rules and regulations pertaining to its operation as a commercial motor vehicle, including the safety regulations as they apply to a vehicle type.

K. That any notice that may otherwise be required to be served on applicant shall be deemed complete and effective upon mailing or hand delivery thereof in applicant's name and to the address first hereinabove provided, unless the City is otherwise notified by applicant, in writing, of another address.

L. That the City reserves the right to exercise its authority under Chapter 4, Section 2 (29) of the Phoenix City Charter.

M. That applicant, and all drivers operating under applicant's permit, shall at all times comply with federal, state, and local laws, rules and regulations applicable to permittee's commercial activities at the airport.

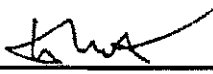
N. That applicant will require all authorized signers and designated local points of contact to undergo background checks as prescribed in PCC Chapter 4, Article IV, and Rule and Regulation 08-01.

O. That applicant acknowledges that the City of Phoenix may suspend, revoke or terminate any permit and/or driver identification media in accordance with PCC Chapter 4, Article IV.

- P. That all statements, information, and documentation provided by applicant are true and complete, and that any falsification or material omission will void the permit.
- Q. Applicant (Indemnitor) must indemnify, defend, save and hold harmless the City of Phoenix and its officers, officials, agents, and employees (Indemnitee) from and against any and all claims, actions, liabilities, damages, losses, or expenses (including court costs, attorneys' fees, and costs of claim processing, investigation and litigation) (Claims) caused, or alleged to be caused, in whole or in part, by the negligent or willful acts or omissions of Indemnitor or any of its owners, officers, directors, agents, employees, drivers, franchisees, or subcontractors arising out of or related to the permit. This indemnity includes any Claims arising out of or recovered under the Workers' Compensation Law or arising out of the failure of applicant to conform to any federal, state or local law, statute, ordinance, rule, regulation or court decree. It is the specific intention of the parties that Indemnitee will, in all instances, except for Claims arising solely from the negligent or willful acts or omissions of Indemnitee, be indemnified by Indemnitor from and against any and all Claims. Indemnitor will be responsible for primary loss investigation, defense and judgment costs where this indemnification applies. Upon approval of this permit, Indemnitor waives all rights of subrogation against Indemnitee for losses arising out of or related to the permit. The obligations of Indemnitor under this provision survive the revocation, termination or expiration of the permit.

APPLICANT, BY AND THROUGH THE UNDERSIGNED, CERTIFIES THAT APPLICANT HAS FULLY READ AND UNDERSTANDS THIS PERMIT APPLICATION, AND ITS TERMS AND CONDITIONS. APPLICANT CERTIFIES THAT THE UNDERSIGNED IS AUTHORIZED TO SIGN THIS APPLICATION ON APPLICANT'S BEHALF. APPLICANT ACKNOWLEDGES AND UNDERSTANDS THAT THE CITY'S ISSUANCE OF THIS COMMERCIAL GROUND TRANSPORTATION PERMIT IS EXPRESSLY CONDITIONED ON APPLICANT'S REPRESENTATIONS, WARRANTIES, AND CERTIFICATIONS SET FORTH ABOVE. APPLICANT FURTHER ACKNOWLEDGES THAT THIS PERMIT SHALL NOT BE CONSTRUED TO BE A CONTRACT, AGREEMENT OR GRANT OF A FRANCHISE OR ANY PROPERTY RIGHT TO ENGAGE IN COMMERCIAL ACTIVITY AT THE AIRPORT AND IS REVOCABLE.

THE UNDERSIGNED REPRESENTS THAT SHE OR HE IS AUTHORIZED TO EXECUTE THIS APPLICATION ON BEHALF OF APPLICANT.

Todd Hambler		Manager	7/16/18
PRINTED NAME OF AUTHORIZED SIGNER	SIGNATURE	TITLE	DATE

FOR OFFICIAL USE ONLY. DO NOT WRITE BELOW THIS LINE.

.....
APPROVAL:

Based on a review of the information provided in this application, including supporting documentation, the permit is approved and effective as of: 7-16-18 (Effective Date).

Unless sooner revoked or terminated, the permit will expire at midnight, two years from the Effective Date.

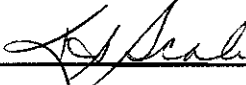
Kelly A. Scali		Sup III	7/16/18
PRINTED NAME	SIGNATURE	TITLE	DATE

Exhibit 4



PHOENIX SKY HARBOR
INTERNATIONAL AIRPORT

PHOENIX SKY HARBOR INTERNATIONAL AIRPORT
APPLICATION FOR TWO-YEAR REVOCABLE COMMERCIAL GROUND TRANSPORTATION PERMIT

Commercial ground transportation permits are issued pursuant to Phoenix City Code (PCC), Chapter 4, Article IV. Applicant must complete this application and submit all requested information and documentation prior to review by the Aviation Department. If applicant has any questions about this application or commercial ground transportation at Phoenix Sky Harbor International Airport, please contact the Airport Ground Transportation Office at (602) 273-3383 or via e-mail at groundtransportation@phoenix.gov.

PLEASE PRINT:

APPLICANT (Business name):

Lyft, Inc.

DOING BUSINESS AS (DBA), IF APPLICABLE:

185 Berry St., Ste. 5000, San Francisco, CA 94107

APPLICANT ADDRESS (Physical):

E-MAIL ADDRESS:

bsacks@lyft.com

BILLING ADDRESS (IF DIFFERENT FROM APPLICANT ADDRESS):

N/A

accounting@lyft.com

BILLING E-MAIL ADDRESS (IF DIFFERENT FROM E-MAIL ADDRESS):

BUSINESS PHONE: 516-302-6205 ALT. PHONE:

CELL PHONE: 11



4

TYPE OF BUSINESS ENTITY (Initial):

Corporation. On a separate sheet, list the name, title, and address of each officer, and the names of all shareholders holding more than 20% of any class of shares issued by the corporation or having more than a 20% beneficial interest in the corporation.

Limited Liability Company. On a separate sheet, list the name and address of each member and manager.

Partnership. On a separate sheet, list the name and address of each partner.

Sole Proprietorship

Other (specify): _____

TYPE OF SERVICE (Initial):

Courtesy: A ground transportation motor vehicle used to pick-up a passenger at the airport and transport the passenger to an off-airport location, where the permittee or driver operating under that permittee's permit does not directly charge or receive a fee from the passenger for the transportation service.

- Hotel**
- Off Airport Parking**
- Other (specify):**

Prearranged: A ground transportation motor vehicle used to pick-up a passenger at the airport, where the permittee or driver operating under that permittee's permit has scheduled the pick-up prior to entering the airport, or while parked in a designated waiting area.

- Prearranged**
- Charter Bus**
- Inter-city**
- Transportation Network Company**
- Other (specify):** _____

SECURITY BACKGROUND CHECKS (Initial):

Applicant must select and comply with **one** of the following three security background check options. All drivers operating under a permittee's permit must comply with the requirements of the background check option selected by applicant.

Option 1: Finger-print based Criminal History Records Check and Security Threat Assessment (STA) provided by the Aviation Department at no cost to applicant. PCC Section 4-68(C)(1)(a).

Option 2: Enhanced name-based security background check, conducted by a third-party agency that is accredited by the National Association of Professional Background Screeners (NAPBS), at the sole expense of applicant, along with an STA processed by the Aviation Department. PCC Section 4-68(C)(1)(b).

Option 3: Name-based security background check conducted by a third-party agency, at the sole expense of applicant. PCC Section 4-68(C)(1)(c).

If applicant selects security background check options 2 and 3, applicant is subject to audit by a third-party background screener selected by the Aviation Department. The audit sample may be up to 10% per month of applicant's driver pool who have conducted airport pick-ups in the month preceding the audit request date.

DRIVER IDENTIFICATION (Initial):

A driver may not engage in commercial passenger pick-up activity on the airport without possessing valid identification media issued pursuant to PCC Section 4-69. Applicant must select and comply with one of the following driver identification formats:

 Airport-Issued Placard - Drivers approved to operate under background check options 1 and 2 must, at all times while at the airport, display the driver identification placard vertically on the dashboard in a manner easily readable by passenger(s).

 Permittee-Issued Placard - Drivers approved to operate under background check option 3 with a permittee-issued driver identification placard must, at all times while at the airport, display the driver identification placard vertically on the dashboard in a manner easily readable by passenger(s).

Permittee-Issued Digital Identification - Drivers approved to operate under background check option 3 with a permittee-issued digital identification media must, at all times while at the airport, be able to display the digital identification media on a mobile device upon request by the passenger(s) or any airport representative.

VEHICLE IDENTIFICATION (Initial):

A permittee, or driver operating under that permittee's permit, may not stop, stand, or park a ground transportation motor vehicle on the airport to load a passenger without proper vehicle identification. Applicant must select and comply with one of the following vehicle identification methods:

Trade Dress - Sample must be submitted for approval with this permit application.

 Airport Issued Decal - Decals shall be issued according to service type.

VEHICLE TRIP TRACKING (Initial):

A permittee, or driver operating under that permittee's permit, may not engage in the activity of passenger pick-ups on the airport without using AVI or GPS technology-based trip tracking. Applicant must select and comply with one of the following vehicle trip tracking methods:

Automated Vehicle Identification (AVI) System
 Global Positioning Satellite (GPS) Technology

FEES

Permittees must pay fees in accordance with PCC Section 4-78, including the trip fees specified below. All fees assessed pursuant to PCC Section 4-78 are due and payable no later than 30 days from the invoice date.

1. All authorized providers permitted prior to June 18, 2016 shall pay trip fees as follows:

VEHICLE SIZE	RATE BEGINNING JANUARY 1, 2018
1-8 SEATS	\$2.56
9-23 SEATS	\$3.25
24+ SEATS	\$6.97

2. All authorized providers permitted **on or after June 18, 2016** shall pay trip fees as follows:

VEHICLE SIZE	RATE BEGINNING JUNE 18, 2018
1-8 SEATS	\$3.02
9-23 SEATS	\$3.95
24+ SEATS	\$8.37

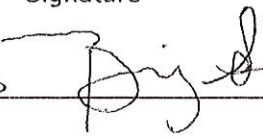
AUTHORIZED SIGNERS OR DESIGNATED LOCAL POINTS of CONTACT

Applicant must at all times have one representative on file with the Ground Transportation Office identified as applicant's primary authorized signer. A primary authorized signer may add additional authorized signers or designated local points of contact for all purposes except signing the permit and removing from the permit the primary authorized signer. Applicant must list all authorized signers and designated local points of contact. Authorized signers and designated local points of contact must have undergone background checks as prescribed in Airport Rule and Regulation 08-01 and, by signing below, certify they have successfully met this requirement.

Primary Authorized Signer Name	Signature	Title	Date
BAKARI BROCK		SR. DIRECTOR	6/7/18

(Authorized Signers must complete Security & Badging process within 30 days from the date of this application)

Additional Authorized Signers (AS) and Designated Local Points of Contact (DLPC):

AS	DLPC	Printed Name	Signature	Title	Date
<input checked="" type="checkbox"/>	<input type="checkbox"/>	BENJAMIN SACKS		PARTNER MANAGER	6/7/18
<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	_____	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	_____	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	_____	_____

WITHIN FIVE DAYS OF ANY CHANGE, APPLICANT MUST SUBMIT TO THE GROUND TRANSPORTATION OFFICE, IN WRITING AND DURING NORMAL BUSINESS HOURS, ANY CHANGE TO ITS LIST OF AUTHORIZED SIGNERS OR DESIGNATED LOCAL POINTS OF CONTACT. IF THE AUTHORIZED SIGNER IS NOT PRESENT TO SIGN SUCH CHANGE REQUEST, THE AUTHORIZED SIGNER'S SIGNATURE MUST BE NOTARIZED.

WAYBILL

If applicable, applicant must submit a sample waybill (physical or virtual) with this application.

INSURANCE

The City of Phoenix Aviation Department requires minimum vehicle insurance coverage equal to the requirements of the State of Arizona for commercial motor carriers. The City of Phoenix must be named as an additional insured on the liability policy and listed as such on the certificate of insurance. In some cases, the City of Phoenix requires coverage in excess of the State minimum. Contact the Ground Transportation office for clarification. All insurance companies must be licensed in the State of Arizona and maintain an A.M. Best rating of B+VI or higher.

In all instances where a driver operates under a permittee's permit, the permittee's certificate of insurance shall clearly state that coverage is primary and non-contributory when the driver is operating on the airport. A driver's personal vehicle insurance coverages will not be considered primary insurance while operating on the airport.

Applicant must submit with this application an acceptable certificate of automobile liability insurance with at least the minimum amounts of coverage required by Arizona law, PCC 4-68, and Airport Rule and Regulation 08-01.

APPLICANT HEREBY AGREES, REPRESENTS, AND CERTIFIES AS FOLLOWS:

- A. That applicant will comply with all applicable federal, state, and local laws.
- B. That applicant has been informed of, and will comply with, all applicable provisions of the Phoenix City Code, including PCC Chapter 4, Article IV. The Phoenix City Code can be found here:

<http://www.codepublishing.com/AZ/Phoenix/>

- C. That applicant has been informed of, and will comply with, all applicable Airport Rules and Regulations, including Airport Rule and Regulation 08-01. Applicant further represents and certifies that all authorized signers, designated local points of contact, and drivers operating under applicant's permit, will be informed of, and comply with, all applicable Airport Rules and Regulations, including Airport Rule and Regulation 08-01. Airport Rules and Regulations can be found here:

<https://skyharbor.com/Business/RulesAndRegulations>

- D. That applicant will comply with all Arizona Department of Transportation requirements as provided under Arizona Revised Statutes, as applicable.
- E. That applicant will comply with the Federal Motor Carriers Safety Regulations as adopted by the State of Arizona per the Arizona Official Compilation of Rules and Regulations.

- 213**
- F. That applicant will comply with the Americans with Disabilities Act, 42 U.S.C. Secs. 12101 et seq., and Section 504 of the Rehabilitation Act, and that applicant will provide accessible ground transportation to customers protected by these laws, or, if unable to do so, make alternative arrangement for accessible transportation within thirty minutes after learning of the customer's needs.

Applicant may seek assistance from authorized providers that have wheelchair accessible vehicles. A list of authorized providers may be found at:

<https://skyharbor.com/ParkingTransportation/TaxisAndShuttles>

G. That applicant warrants that no person shall, on the grounds of race, creed, color, national origin, sex, age, or handicap, be excluded from participating in any service provided by applicant or otherwise be excluded from the benefits offered by applicant to the general public. Applicant warrants that it will comply with all pertinent statutes, Executive Orders, and rules promulgated thereunder, to assure that no person is excluded on the grounds of race, creed, color, national origin, sex, age, or handicap. Applicant warrants that it shall operate in compliance with all requirements imposed pursuant to Title VI of the Civil Rights Act of 1964, 49 U.S.C. 47123, and Code of Federal Regulations, Title 49, DOT, Subtitle A, Office of the Secretary of Transportation, Part 21-Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964, as said regulations exist and may be amended from time to time.

H. That each vehicle operated on the airport on applicant's behalf has, within twelve months prior to commencing operations on the airport, undergone and passed a 19-point inspection by an Automotive Service Excellence (ASE) certified mechanic or an equivalent vehicle inspection process with the approval by the Aviation Director. The inspection form is available at:

<https://skyharbor.com/Business/TenantsAndContractors/GroundTransportation>

Each vehicle operated on the airport on applicant's behalf must undergo and pass the above-referenced inspection process at least once every twelve months.

I. That applicant will maintain and make available to the Aviation Department during regular business hours accurate books and accounting records relating to its operations under PCC Chapter 4, Article IV. The Aviation Director reserves the right to request any and all reports deemed necessary from the permittee in its performance under PCC Chapter 4, Article IV, or for auditing purposes, and shall be provided at no cost to the Aviation Department.

J. That applicant acknowledges that applicant is responsible, and liable, for violations of federal, state, and local law, rules and regulations by any person, including drivers, operating under a permittee's permit. That any ground transportation motor vehicle operated on the airport by applicant, or a driver operating under applicant's permit, shall be at all times in compliance with all federal, state and local laws, rules and regulations pertaining to its operation as a commercial motor vehicle, including the safety regulations as they apply to a vehicle type.

K. That any notice that may otherwise be required to be served on applicant shall be deemed complete and effective upon mailing or hand delivery thereof in applicant's name and to the address first hereinabove provided, unless the City is otherwise notified by applicant, in writing, of another address.

L. That the City reserves the right to exercise its authority under Chapter 4, Section 2 (29) of the Phoenix City Charter.

M. That applicant, and all drivers operating under applicant's permit, shall at all times comply with federal, state, and local laws, rules and regulations applicable to permittee's commercial activities at the airport.

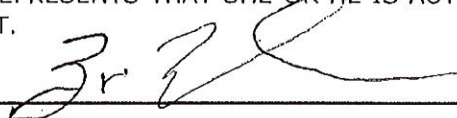
N. That applicant will require all authorized signers and designated local points of contact to undergo background checks as prescribed in PCC Chapter 4, Article IV, and Rule and Regulation 08-01.

O. That applicant acknowledges that the City of Phoenix may suspend, revoke or terminate any permit and/or driver identification media in accordance with PCC Chapter 4, Article IV.

- P. That all statements, information, and documentation provided by applicant are true and complete, and that any falsification or material omission will void the permit.
- Q. Applicant (Indemnitor) must indemnify, defend, save and hold harmless the City of Phoenix and its officers, officials, agents, and employees (Indemnitee) from and against any and all claims, actions, liabilities, damages, losses, or expenses (including court costs, attorneys' fees, and costs of claim processing, investigation and litigation) (Claims) caused, or alleged to be caused, in whole or in part, by the negligent or willful acts or omissions of Indemnitor or any of its owners, officers, directors, agents, employees, drivers, franchisees, or subcontractors arising out of or related to the permit. This indemnity includes any Claims arising out of or recovered under the Workers' Compensation Law or arising out of the failure of applicant to conform to any federal, state or local law, statute, ordinance, rule, regulation or court decree. It is the specific intention of the parties that Indemnitee will, in all instances, except for Claims arising solely from the negligent or willful acts or omissions of Indemnitee, be indemnified by Indemnitor from and against any and all Claims. Indemnitor will be responsible for primary loss investigation, defense and judgment costs where this indemnification applies. Upon approval of this permit, Indemnitor waives all rights of subrogation against Indemnitee for losses arising out of or related to the permit. The obligations of Indemnitor under this provision survive the revocation, termination or expiration of the permit.

APPLICANT, BY AND THROUGH THE UNDERSIGNED, CERTIFIES THAT APPLICANT HAS FULLY READ AND UNDERSTANDS THIS PERMIT APPLICATION, AND ITS TERMS AND CONDITIONS. APPLICANT CERTIFIES THAT THE UNDERSIGNED IS AUTHORIZED TO SIGN THIS APPLICATION ON APPLICANT'S BEHALF. APPLICANT ACKNOWLEDGES AND UNDERSTANDS THAT THE CITY'S ISSUANCE OF THIS COMMERCIAL GROUND TRANSPORTATION PERMIT IS EXPRESSLY CONDITIONED ON APPLICANT'S REPRESENTATIONS, WARRANTIES, AND CERTIFICATIONS SET FORTH ABOVE. APPLICANT FURTHER ACKNOWLEDGES THAT THIS PERMIT SHALL NOT BE CONSTRUED TO BE A CONTRACT, AGREEMENT OR GRANT OF A FRANCHISE OR ANY PROPERTY RIGHT TO ENGAGE IN COMMERCIAL ACTIVITY AT THE AIRPORT AND IS REVOCABLE.

THE UNDERSIGNED REPRESENTS THAT SHE OR HE IS AUTHORIZED TO EXECUTE THIS APPLICATION ON BEHALF OF APPLICANT.

BAKARI BROWN		SR. DIRECTOR	6/17/18
PRINTED NAME OF AUTHORIZED SIGNER	SIGNATURE	TITLE	DATE

FOR OFFICIAL USE ONLY. DO NOT WRITE BELOW THIS LINE.

APPROVAL:

Based on a review of the information provided in this application, including supporting documentation, the permit is approved and effective as of: 6/15/18 (Effective Date).

Unless sooner revoked or terminated, the permit will expire at midnight, two years from the Effective Date.

Kimberly Brown Kelly		Aviation Superintendent	6/15/18
PRINTED NAME	SIGNATURE	TITLE	DATE

Exhibit 5

ORDINANCE G-6164

AN ORDINANCE RELATING TO COMMERCIAL GROUND TRANSPORTATION AT PHOENIX AIRPORTS; AMENDING PHOENIX CITY CODE CHAPTER 4, ARTICLE I, SECTION 4-1, AND ARTICLE III, SECTION 4-51, CHANGING THE TERM "HANDICAPPED" TO "DISABLED"; AMENDING ARTICLE IV, SECTIONS 4-67 THROUGH 4-78 AND SECTIONS 4-80 THROUGH 4-86, RELATING TO ACCESSIBLE TRANSPORTATION, DRIVER BACKGROUND CHECKS, GROUND TRANSPORTATION MOTOR VEHICLE TRIP TRACKING, DEMAND-BASED TRIP FEES, PROVIDER PERMITTING, VIOLATIONS, AND ENFORCEMENT; TRANSFERRING AND RENUMBERING; AND MAKING CONFORMING AND CLARIFYING CHANGES, AS NECESSARY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX as

follows:

SECTION 1. That Phoenix City Code, Chapter 4, Article I, Section 4-1 is

amended to read:

Sec. 4-1. Definitions.

In this chapter, unless the context otherwise requires, the following definitions shall apply. In addition, all definitions contained within the Federal Aviation Act of 1958 and all subsequent amendments shall be included and all definitions shall be interpreted on the basis and intention of the FAA Act and its amendments. A supplemental set of definitions is provided in Section 4-67 that relate only to Article IV. A second supplemental set of definitions is provided in Section 4-138.A that relate only to Section 4-138. A third supplemental set of definitions is provided in Section 4-22 that only relate to Section 4-22.

Accident means a collision between an aircraft or a vehicle, and an aircraft, vehicle, person, stationary object or other thing which results in property damage, personal injury, or death; or an entry into or emerging from a moving aircraft or vehicle by a person which results in personal injury or death to such person or some other person, or which results in property damage.

Air carrier means a person who is certificated by the Federal Aviation Administration to engage in air transportation directly by lease or by other arrangement.

Aircraft means a device that is used or intended to be used for flight in the air.

Aircraft movement area means any restricted portion of the airport specifically meant for the ground operation of an aircraft including runways, ramps, aprons, parking and loading areas.

Aircraft operation means an aircraft landing, takeoff or maneuver.

Aircraft parking and storage area means the open areas of an airport to be used for aircraft parking.

Airport means all of the land, buildings, and facilities comprising Phoenix Sky Harbor International Airport (PSHIA), Phoenix Deer Valley Airport (PDVA), or Phoenix Goodyear Airport (PGA), including the Rental Car Center, as now existing or as the same may hereafter be expanded and developed, unless otherwise designated.

Air terminal means any building owned and operated by the City of Phoenix with designated aircraft loading gates.

Air traffic means aircraft operating in the air or on an airport surface, exclusive of loading ramps and parking areas.

Air transportation means intrastate, interstate, overseas, or foreign air commerce or the transportation of mail by aircraft.

Aviation Director means the Aviation Director of the City of Phoenix or his designee.

Best management practices means any program technology, process, siting criteria, operating method, measure, or device that controls, removes, or reduces pollution.

Business or concession means the sale, offering for sale, or the furnishing of any commodity, article, facility or service.

Cargo means personal property transported or intended to be transported by air transportation.

City means the City of Phoenix, Arizona.

Commercial activity means the conduct of any aspect of a business or concession on the airport for revenue.

Council means the City Council of the City of Phoenix, Arizona.

DISABLED SERVICES VEHICLE MEANS A VAN OR ANY OTHER MOTOR VEHICLE THAT IS DESIGNATED BY THE AVIATION DIRECTOR AS A DISABLED SERVICES VEHICLE AUTHORIZED TO OPERATE ON AN AIRPORT IN ACCORDANCE WITH THIS CHAPTER.

Environmental laws includes, without limitation, local, State and federal laws now in effect or enacted hereafter which control or regulate substances or materials that may be detrimental to human health, safety, or the environment, including hazardous substances, hazardous wastes, pollutants and petroleum products.

Fixed base operator means a person, firm or corporation that, subject to the provisions of a lease at the airport, is providing or offering general aviation services to the public.

Flying club means any partnership, corporation or group of individuals which, neither for profit nor reward possesses one or more aircraft for the purpose of rental to its members and is in compliance with other rules and regulations adopted by the Aviation Director.

Fuel dispenser means the authorized storage, transfer or other handling of aviation petroleum products in quantities greater than one hundred U.S. gallons.

Fuel handling means the transportation, delivery, fueling, and draining of fuel or fuel waste products.

Fuel storage area means any portion of an airport temporarily or permanently designated by the Aviation Director as areas where gasoline, and any other type of fuel, may be stored or loaded in compliance with applicable environmental laws.

General aviation services means:

1. Aircraft accessories: Sales, services, repair, exchange and installation of new or used aircraft accessories such as alternators, generators, starters and oil coolers.
2. Aircraft fuel and lubricant retail sale.
3. Aircraft maintenance: Inspection, repair, service, modification and replacement of airframes, power plants, components and accessories.
4. Aircraft parts: Purchase, sales and exchange of new, used or rebuilt aircraft parts, accessories equipment or tools at retail or wholesale.
5. Aircraft refinishing: Installation, replacement, modification or repair of aircraft interior upholstery and furnishings, and aircraft painting.
6. Aircraft rental: Allowing the use of aircraft in return for payment.
7. Aircraft sales: Purchase, sales, exchange and brokerage of new or used aircraft.
8. Aircraft storage: Rental of tiedowns or hangar space.
9. Contract operations: Special contractual services such as helicopter sling operations, firefighting, aerial photography and aerial advertising.
10. Pilot training: Instruction by qualified ground school and flight instructors to prepare students to take written, oral and flight examinations for a pilot's license, aircraft rating or periodic review; and aircraft rental for dual or solo flight training, pilot proficiency and currency.
11. Any other activities approved in writing by the Aviation Director.

~~Handicapped services vehicle means a van or any other motor vehicle that is designated by the Aviation Director as a handicapped services vehicle authorized to operate on an airport in accordance with Article IV.~~

Itinerant operations means all aircraft operations at a site other than its designated base.

Loading gate means that terminal space reserved for the loading and unloading of aircraft.

Loading ramp means the aircraft area used for the loading and unloading of aircraft.

Loading zone means that space adjacent to a curb reserved for loading or unloading passengers, baggage or materials from vehicles.

Off-airport rental car company means a person or business entity that rents vehicles to airport customers but does not lease space from the City at the airport.

On-airport rental car company means a person or business entity that rents vehicles to airport customers from space at the airport that has been leased from the City.

Operator means the person, firm or corporation in possession of an aircraft or vehicle; or, any person who has rented such for the purpose of operation by himself or his agent.

Over-height vehicle means a vehicle which exceeds a height of six feet ten inches above the level surface on which the vehicle stands.

Park or parking means an aircraft, bicycle or motor vehicle standing attended or unattended.

Pedestrian means any person afoot.

Permission or permit means permission granted by the Aviation Director unless otherwise herein specifically provided.

Pilot means the person responsible for the operation and control of an aircraft.

Regulated substance includes without limitation, any substance, materials or wastes that are or become regulated under, or that are classified as hazardous or toxic under any environmental law, including petroleum.

Rental Car Center or RCC means the ground area and improvements to the site within Sky Harbor Center from which all on-airport airport rental car companies serve airport customers.

Roadway means any street or roadway whether improved or unimproved within the boundaries of the airport set aside or designated for use by vehicles whether dedicated or not.

Sky Harbor Center means The Sky Harbor Center Redevelopment Area as identified in The Sky Harbor Center Redevelopment Area Redevelopment Plan adopted by the Phoenix City Council on April 24, 1985 by Resolution Number 16569.

Stormwater Enforcement Procedures and Civil Penalty Policy means a policy enacted by the City to achieve compliance with Phoenix City Code Chapter 32C and to prevent pollution of the waters of the United States via the public storm drain system by airport users.

Traffic means pedestrians and vehicles, either singly or together while using any airport area.

Vehicle means a device in, upon or by, which any person or property is or may be propelled, moved, or drawn upon a roadway or other ground surface.

Vehicle parking area means any portion of an airport designated and made available, temporarily or permanently, by the Aviation Director for the parking of vehicles.

Walkway means any sidewalk, crosswalk, ramp, dock, concourse, lobby area or other such area designed for pedestrian traffic.

SECTION 2. That Phoenix City Code, Chapter 4, Article III, Section 4-51

is amended to read:

Sec. 4-51. Vehicle parking restrictions.

A. A person may not park any vehicle on the Airport except within an area designated for vehicle parking.

B. No person may park, stop, or leave a vehicle, or cause or permit a vehicle to remain halted within a vehicle parking area, aircraft movement area, fuel storage area or cargo facility, except at such places and for such periods of time as are designated by the Aviation Director.

C. No aircraft refueling, defueling or servicing equipment or apparatus may be parked on the Airport except in areas designated by the Aviation Director for such purpose.

D. At night, or when visibility is impaired due to weather conditions, no unlighted vehicles or equipment may be staged in an aircraft movement area, or

otherwise operated or parked in such manner that blocks or impedes aircraft movement.

E. No person may park a vehicle in a posted reserved parking space or area on the Airport unless the vehicle displays an appropriate authorization parking decal issued by the Aviation Department for that space or area.

F. No person may park a vehicle in a posted ~~handicapped~~ DISABLED services vehicle space or area or in a posted over-height vehicle parking space or area on the Airport unless the vehicle is a ~~handicapped~~ DISABLED services vehicle or an over-height vehicle.

SECTION 3. That Phoenix City Code, Chapter 4, Article IV, Section 4-67

is amended to read:

Sec. 4-67. Definitions.

In this article, unless the context otherwise requires:

Airport terminal zone means those parts of Phoenix Sky Harbor International Airport that are within five hundred feet of any passenger terminal, including the Lincoln J. Ragsdale Executive Terminal.

ALTERNATIVE FUEL MEANS THE ENERGY SOURCE, OTHER THAN GASOLINE OR DIESEL, USED TO POWER A MOTOR VEHICLE, AS PRESCRIBED IN AIRPORT RULES AND REGULATIONS.

AUTHORIZED PROVIDER MEANS A PERSON, AUTHORIZED BY THE AVIATION DIRECTOR UNDER PERMIT OR CONTRACT, TO ENGAGE IN COMMERCIAL GROUND TRANSPORTATION.

Authorized signer is MEANS a designated representative of ~~a company doing business at Phoenix Sky Harbor International Airport and AN~~ AUTHORIZED PROVIDER, who is authorized to request ACT ON BEHALF OF THE PROVIDER, INCLUDING REQUESTING OR CERTIFYING identification media for ~~company employees~~ A DRIVER, AND INCLUDING ACCEPTING SERVICE OF A NOTICE OF VIOLATION AND CIVIL CITATION.

Automated vehicle identification and tracking system (AVITS (AVI)) means radio frequency identification or ~~Global Positioning Satellite (GPS)~~ technology utilized USED to track a ground transportation motor vehicle while at ~~Phoenix Sky Harbor International Airport~~ ON AN AIRPORT.

Automated vehicle identification tag (AVI Tag) means a radio frequency identification or GPS-transponder placed on a ground transportation motor vehicle for the purpose of tracking ground transportation operations at Phoenix Sky Harbor International Airport-ON AN AIRPORT.

Badge fee means a fee charged to an applicant for obtaining an initial, renewal or replacement identification media.

Bus means a motor vehicle with a designated seating capacity of twenty-three DESIGNED FOR CARRYING SIXTEEN or more passengers-, INCLUDING THE DRIVER.

City Manager means the City Manager of the City of Phoenix or his designee.

COMMERCIAL GROUND TRANSPORTATION MEANS THE USE OF A GROUND TRANSPORTATION MOTOR VEHICLE FOR COMMERCIAL ACTIVITY.

COMMERCIAL GROUND TRANSPORTATION PERMIT OR PERMIT MEANS WRITTEN PERMISSION ISSUED BY THE AVIATION DIRECTOR TO AUTHORIZE A PERSON TO ENGAGE IN COMMERCIAL GROUND TRANSPORTATION.

COMMERCIAL GROUND TRANSPORTATION PROVIDER OR PROVIDER MEANS A PERSON THAT ENGAGES IN COMMERCIAL GROUND TRANSPORTATION.

Courtesy vehicle means a motor vehicle operated by or on behalf of a hotel, motel or commercial parking lot-AN AUTHORIZED PROVIDER for the purpose of transporting customers and baggage between an airport and the hotel/motel or commercial parking lot facility located off an airport without a direct fee being paid by the person PICKING UP A PASSENGER AT AN AIRPORT AND TRANSPORTING THE PASSENGER TO AN OFF-AIRPORT LOCATION, INCLUDING A HOTEL, MOTEL OR COMMERCIAL PARKING LOT, WHERE THE AUTHORIZED PROVIDER OR DRIVER DOES NOT DIRECTLY CHARGE OR RECEIVE A FEE FROM THE PASSENGER for THE TRANSPORTATION service so rendered.

DESIGNATED LOCAL POINT OF CONTACT MEANS A REPRESENTATIVE OF AN AUTHORIZED PROVIDER, WHO IS AUTHORIZED TO ACT AS AN AUTHORIZED SIGNER IN ALL WAYS EXCEPT FOR SIGNING THE PERMIT.

DESIGNATED WAITING AREA MEANS AN AREA ON AN AIRPORT DESIGNATED BY THE AVIATION DIRECTOR WHERE AN AUTHORIZED PROVIDER OR DRIVER OPERATING UNDER AN AUTHORIZED PROVIDER'S PERMIT OR CONTRACT MAY STOP, STAND, OR PARK A GROUND TRANSPORTATION MOTOR VEHICLE.

DIGITAL NETWORK OR SOFTWARE APPLICATION MEANS ANY ONLINE-ENABLED APPLICATION, SOFTWARE, WEBSITE, OR SYSTEM THAT IS OFFERED OR USED BY AN AUTHORIZED PROVIDER AND THAT ENABLES A POTENTIAL PASSENGER TO ARRANGE A RIDE WITH A TRANSPORTATION NETWORK DRIVER.

DISABLED SERVICES VEHICLE MEANS A VAN OR ANY OTHER MOTOR VEHICLE THAT IS DESIGNATED BY THE AVIATION DIRECTOR AS A DISABLED SERVICES VEHICLE AUTHORIZED TO OPERATE ON AN AIRPORT IN ACCORDANCE WITH THIS ARTICLE.

Driver means any ~~person~~ INDIVIDUAL who drives, IS DRIVING, OR IS IN ACTUAL PHYSICAL CONTROL OF, a ground transportation motor vehicle.

GEOFENCE MEANS AN ELECTRONIC PERIMETER, DESIGNATED BY THE AVIATION DIRECTOR, OF AIRPORT PROPERTY AND SUB-PERIMETERS WITHIN AIRPORT PROPERTY.

GLOBAL POSITIONING SATELLITE (GPS) MEANS ANY GLOBAL POSITIONING SATELLITE TECHNOLOGY, APPROVED BY THE AVIATION DIRECTOR, USED TO TRACK A GROUND TRANSPORTATION MOTOR VEHICLE WHILE ON AN AIRPORT.

Ground transportation motor vehicle means A MOTOR VEHICLE USED FOR COMMERCIAL ACTIVITY, INCLUDING a bus, courtesy vehicle, ~~handicapped~~ DISABLED services vehicle, ~~mini-bus~~, motorcycle, off-airport rental car company vehicle, ~~time-scheduled van~~, ~~unscheduled limousine~~, ~~unscheduled taxicab~~, ~~V.I.P. vehicle~~, or ~~intercity ground transporters vehicle~~. SHARED RIDE VAN, TAXICAB, OTHER DESIGNATED VEHICLE, PREARRANGED VEHICLE, TRANSPORTATION NETWORK COMPANY VEHICLE, OR INTERCITY PROVIDER VEHICLE.

~~*Handicapped services vehicle* means a van or any other motor vehicle that is designated by the Aviation Director as a handicapped services vehicle authorized to operate on an airport in accordance with this article.~~

~~*Identification media or media or badge* means any credential, card, badge, or other photo identification issued by the security badging office for use at Phoenix Sky Harbor International Airport.~~ MEANS A PHYSICAL

IDENTIFICATION OR DIGITAL IDENTIFICATION THAT IDENTIFIES A DRIVER AS REQUIRED IN THIS ARTICLE, ISSUED OR APPROVED BY THE AVIATION DIRECTOR.

INCLUDE OR INCLUDING MEANS INCLUDING, BUT NOT LIMITED TO; AND, INCLUDING, WITHOUT LIMITATION.

~~*Intercity ground transporter* means an owner or driver who utilizes a multi-occupant motor vehicle of a type authorized by regulations promulgated by the Aviation Director~~ *PROVIDER* MEANS AN AUTHORIZED PROVIDER THAT USES AN INTERCITY PROVIDER VEHICLE.

INTERCITY PROVIDER VEHICLE MEANS A MOTOR VEHICLE USED to transport passengers and baggage from Phoenix Sky Harbor International Airport to cities or towns located farther than a thirty-five mile radius from Phoenix Sky Harbor International Airport, and that are otherwise outside of the service areas of other contract ground transportation service AUTHORIZED providers operating UNDER CONTRACT WITH THE CITY TO OPERATE at Phoenix Sky Harbor International Airport.

~~*Contracted limousine* means a vehicle, without a meter, that includes a converted chassis and a seating capacity of between seven and fourteen passengers, and that is operated under contract with the City of Phoenix awarded pursuant to a request for proposal process to provide on-demand limousine services at the airport.~~

~~*Mini-bus* means any motor vehicle with a designated seating capacity between fifteen and twenty-three passengers.~~

MOTOR VEHICLE MEANS A DEVICE UPON WHICH ANY INDIVIDUAL IS OR MAY BE TRANSPORTED UPON A PUBLIC HIGHWAY EXCEPTING A DEVICE MOVED BY HUMAN POWER OR USED EXCLUSIVELY UPON STATIONARY RAILS OR TRACKS.

Motorcycle means a motor vehicle that has a seat or saddle for the use of the rider and that is designed to travel on not more than three wheels in contact with the ground.

~~*Motor vehicle* means any device, licensed by the State of Arizona, upon which any person is or may be transported upon a public highway excepting devices moved by human power or used exclusively upon stationary rails or tracks.~~

~~*Notice of penalty* means a violation of this article which resulted in the issuance by the Aviation Director of a written notice to the permittee or driver, and a penalty assessed.~~

~~Notice of violation means a violation of this article which resulted in the issuance by the Aviation Director of a written notice to the permittee or driver.~~

NOTICE OF VIOLATION (NOV) MEANS A VIOLATION OF THIS ARTICLE THAT RESULTED IN THE AVIATION DIRECTOR ISSUING A NOTICE TO THE AUTHORIZED PROVIDER.

Off-airport rental car company vehicle means a motor vehicle operated by or on behalf of an off-airport rental car company for the purpose of transporting customers and baggage between the Rental Car Center (RCC) and an off-airport rental car company facility located off the airport, where no direct fee is paid by the person or baggage transporter for the service so rendered.

~~Owner means the person, partnership, association, firm or corporation having beneficial ownership of~~ **OTHER DESIGNATED VEHICLE MEANS A MOTOR VEHICLE OF A TYPE NOT OTHERWISE DEFINED HEREIN THAT MAY BE DESIGNATED BY THE AVIATION DIRECTOR AS a ground transportation motor vehicle and holding the right to use said vehicle for his/her or its economic interest. AUTHORIZED TO OPERATE ON AN AIRPORT IN ACCORDANCE WITH THIS ARTICLE.**

~~Permittee means any person, partnership, association, firm or corporation operating or conducting business on an airport under~~ **TO WHOM THE AVIATION DIRECTOR HAS ISSUED a commercial ground transportation permit as provided in this article.**

PERSON MEANS AN INDIVIDUAL, ASSOCIATION, COMPANY, CORPORATION, JOINT VENTURE, LIMITED LIABILITY COMPANY, ORGANIZATION, PARTNERSHIP, TWO OR MORE INDIVIDUALS ACTING AS A UNIT, AND ANY OTHER ENTITY.

PREARRANGED PROVIDER MEANS AN AUTHORIZED PROVIDER THAT USES A PREARRANGED VEHICLE.

PREARRANGED VEHICLE MEANS A GROUND TRANSPORTATION MOTOR VEHICLE USED TO PICK-UP A PASSENGER(S) ON AN AIRPORT, WHERE THE AUTHORIZED PROVIDER HAS SCHEDULED THE PICK-UP PRIOR TO ENTERING AN AIRPORT, OR WHILE PARKED IN A DESIGNATED WAITING AREA.

Safety regulations means those parts of Title 49 Code of Federal Regulations adopted by the Arizona Department of Transportation-Motor

Vehicle Division, as published in the Arizona Administrative Code as R17-5-202, as the same are amended from time to time.

~~Scheduled means a ground transportation motor vehicle picking up a passenger or passengers at an airport on a pre-arranged contract basis.~~

Shared ride means non-exclusive use of a ground transportation motor vehicle by two or more unrelated passengers, to predetermined destinations, or destinations agreed upon by the passengers and driver.

SHARED RIDE VAN SERVICE MEANS OPERATION OF A FLEET OF MULTI-PASSENGER VANS, UNDER CONTRACT WITH THE CITY OF PHOENIX, TO CONDUCT SHARED RIDE COMMERCIAL GROUND TRANSPORTATION.

Small operator parcel means the area in the rental car center that provides shared space for up to five rental car companies, each of whom have a market share of the total of Phoenix area rental car market of approximately one percent or less.

Taxicab means a motor vehicle authorized under a contract with the City of Phoenix, with a designated seating capacity of less than seven passengers, excluding the driver, having four doors for passenger ingress and egress, furnished for hire on an exclusive basis, ~~and at a charge or fare based upon time and/or mileage and recorded and indicated on a taxicab meter.~~

Cab TAXICAB meter means a meter device that conforms to the standards established by the City Manager pursuant to Section 36-202 of the Phoenix City Code, and that otherwise measures the distance driven and/or time upon which the fare is based, and numerically displays in dollars and cents such THE fare in a manner readily visible to the ~~passenger(s)~~ PASSENGERS.

~~Scheduled means a ground transportation motor vehicle picking up a passenger or passengers on an airport other than on a prearranged basis.~~

TRADE DRESS MEANS A DISTINCT LOGO, INSIGNIA OR EMBLEM ATTACHED TO, AND VISIBLE FROM FIFTY FEET IN FRONT OF, A GROUND TRANSPORTATION MOTOR VEHICLE, AS APPROVED BY THE AVIATION DIRECTOR.

~~Van means any motor vehicle with a designated seating capacity between six and sixteen passengers.~~

TRANSPORTATION NETWORK COMPANY MEANS AN ENTITY THAT HAS BEEN ISSUED A PERMIT BY THE STATE OF ARIZONA, THAT OPERATES IN THE STATE OF ARIZONA, THAT USES A DIGITAL NETWORK OR SOFTWARE APPLICATION TO CONNECT PASSENGER(S) TO TRANSPORTATION NETWORK SERVICES PROVIDED BY TRANSPORTATION NETWORK DRIVERS, AND THAT MAY BUT IS NOT DEEMED TO OWN, OPERATE OR CONTROL A PERSONAL MOTOR VEHICLE OF A TRANSPORTATION NETWORK DRIVER.

TRANSPORTATION NETWORK COMPANY VEHICLE MEANS A MOTOR VEHICLE WITH A SEATING CAPACITY NOT EXCEEDING EIGHT PASSENGER(S), INCLUDING THE DRIVER, THAT IS AUTHORIZED BY A TRANSPORTATION NETWORK COMPANY, AND THAT IS USED BY A TRANSPORTATION NETWORK DRIVER TO PROVIDE TRANSPORTATION NETWORK SERVICES.

TRANSPORTATION NETWORK DRIVER MEANS AN INDIVIDUAL WHO RECEIVES CONNECTIONS TO POTENTIAL PASSENGER(S) AND RELATED SERVICES FROM A TRANSPORTATION NETWORK COMPANY IN EXCHANGE FOR PAYMENT OF A FEE TO THE TRANSPORTATION NETWORK COMPANY AND WHO OPERATES A TRANSPORTATION NETWORK COMPANY VEHICLE.

TRANSPORTATION NETWORK SERVICES MEANS THE TRANSPORTATION OF A PASSENGER BETWEEN POINTS CHOSEN BY THE PASSENGER AND ARRANGED WITH A TRANSPORTATION NETWORK DRIVER THROUGH THE USE OF A TRANSPORTATION NETWORK COMPANY'S DIGITAL NETWORK OR SOFTWARE APPLICATION.

TRIP FEE MEANS A FEE IMPOSED PURSUANT TO SECTION 4-78.

TRIP MEANS AN AUTHORIZED PROVIDER PICKING UP A PASSENGER ON AN AIRPORT.

VIRTUAL WAYBILL MEANS A DIGITAL IDENTIFICATION OF THE AUTHORIZED PROVIDER'S COMPANY, THE DRIVER'S NAME, THE VEHICLE MAKE, MODEL, AND LICENSE PLATE NUMBER, THE PASSENGER'S NAME, AND THE DATE AND TIME OF THE TRANSACTION.

~~*V.I.P. vehicle* means a limousine, van or any other motor vehicle not otherwise defined herein that may be designated by the Aviation Director as a ground transportation motor vehicle authorized to operate on an~~

~~airport in accordance with this article as authorized by the Aviation Director.~~

WAYBILL MEANS A PHYSICAL DOCUMENT IDENTIFYING A PASSENGER PICK-UP INCLUDING THE DATE, TIME, COMPANY, TERMINAL, LICENSE PLATE NUMBER, DRIVER, AIRLINE, FLIGHT NUMBER, AND PASSENGER NAME.

SECTION 4. That Phoenix City Code, Chapter 4, Article IV, Section 4-70 is renumbered as Section 4-68, and Section 4-68, as so renumbered, is amended to read:

Sec. 4-70. 4-68. Commercial ground transportation; permit required; application; REQUIREMENTS; expiration.

~~A. A commercial parking lot facility, hotel/motel, or off-airport rental car company shall not engage, or permit anyone on its behalf to engage, in the business of picking up passengers or engage in other~~

A. NO PERSON MAY ENGAGE IN COMMERCIAL GROUND TRANSPORTATION, INCLUDING THE commercial activity of PICKING UP PASSENGER(S) at ON the AN airport, without a valid commercial ground transportation permit in accordance with this section, EXCEPT AS SPECIFIED IN SECTION 4-82 AND SECTION 4-84 OF THIS ARTICLE.

~~B. An owner or driver of a commercial ground transportation motor vehicle shall not engage in the business of picking up passenger(s) at the airport without a valid commercial ground transportation permit in accordance with this section.~~

B. *COMMERCIAL GROUND TRANSPORTATION PERMIT APPLICATION*

G. An applicant for A commercial ground transportation permit OR RENEWAL shall complete OR UPDATE an application form provided by the Aviation Director and shall provide such information and certifications deemed necessary by the Aviation Director, including, but not limited to:

1. The name, ADDRESS, and BILLING address of the applicant.
2. ~~A description of the motor vehicle(s) to be used.~~

2. A LIST OF AUTHORIZED SIGNERS AND DESIGNATED LOCAL POINTS OF CONTACT.

3. An appropriate ACCEPTABLE certificate of automobile liability insurance with at least the minimum amounts of coverage required by Arizona law for the vehicle category, including an endorsement thereon that names the City of Phoenix, its officers, officials, agents, employees and volunteers as "additional insureds." AND AIRPORT RULES AND REGULATIONS.

4. An indemnification agreement in favor of the City of Phoenix.

5. A statement of whether the described motor vehicle(s) APPLICANT will be operated OPERATE on a scheduled PREARRANGED or unscheduled COURTESY basis.

6. A certification that all statements of the applicant are true and complete, and an acknowledgment that any falsification or material omission shall cause WILL VOID the permit to be void.

7. A statement that the applicant complies with ALL APPLICABLE FEDERAL, STATE, AND LOCAL LAWS, INCLUDING the Americans With Disabilities Act, 42 U.S.C. Secs. 12101 et seq., plus all applicable federal, state, and local laws AND SECTION 504 OF THE REHABILITATION ACT, AND THAT THE APPLICANT WILL PROVIDE ACCESSIBLE GROUND TRANSPORTATION TO CUSTOMERS PROTECTED BY THESE LAWS OR, IF UNABLE TO DO SO, MAKE ALTERNATIVE ARRANGEMENT FOR ACCESSIBLE TRANSPORTATION WITHIN THIRTY MINUTES AFTER LEARNING OF THE CUSTOMER'S NEEDS.

8. A STATEMENT INDICATING WHETHER THE APPLICANT WILL USE AUTOMATED VEHICLE IDENTIFICATION (AVI), GLOBAL POSITIONING SATELLITE (GPS) TECHNOLOGY, OR OTHER TECHNOLOGY APPROVED BY THE AVIATION DIRECTOR TO TRACK THE MOTOR VEHICLE(S) TO BE USED FOR COMMERCIAL ACTIVITY ON AN AIRPORT.

9. A STATEMENT INDICATING WHICH OF THE BACKGROUND CHECK OPTIONS IN SUBSECTION C, PARAGRAPH 1 THE APPLICANT WILL REQUIRE DRIVERS OPERATING UNDER THE APPLICANT'S PERMIT TO COMPLETE.

10. A STATEMENT THAT THE APPLICANT WILL REQUIRE ALL AUTHORIZED SIGNERS AND DESIGNATED LOCAL POINTS OF CONTACT TO UNDERGO BACKGROUND CHECKS AS PRESCRIBED IN AIRPORT RULES AND REGULATIONS.

11. A STATEMENT THAT ALL VEHICLES OPERATED ON BEHALF OF THE APPLICANT WILL UNDERGO AND PASS AN INDUSTRY STANDARD INSPECTION, AS DESIGNATED BY THE AVIATION DIRECTOR, AT A MINIMUM OF ONCE EVERY TWELVE MONTHS.

12. A STATEMENT INDICATING WHETHER THE APPLICANT WILL USE A VEHICLE DECAL, ISSUED BY THE AVIATION DIRECTOR, OR A VALID TRADE DRESS, APPROVED BY THE AVIATION DIRECTOR, FOR VEHICLES OPERATED UNDER THE APPLICANT'S PERMIT.

13. AN APPLICANT APPLYING TO OPERATE USING TRADE DRESS FOR VEHICLE IDENTIFICATION SHALL PROVIDE A SAMPLE OF ITS TRADE DRESS TO THE AVIATION DIRECTOR WITH THE PERMIT APPLICATION.

14. A STATEMENT INDICATING WHICH DRIVER IDENTIFICATION METHOD, AS DESCRIBED IN SECTION 4-69, THE APPLICANT WILL REQUIRE DRIVERS OPERATING UNDER THE APPLICANT'S PERMIT TO USE.

15. A STATEMENT VERIFYING APPLICANT AND ALL DRIVERS OPERATING UNDER THE APPLICANT'S PERMIT HAVE BEEN INFORMED OF AND WILL COMPLY WITH AIRPORT RULES AND REGULATIONS.

C. PERMITTEE REQUIREMENTS

1. PERMITTEE MAY ONLY USE ONE OF THE FOLLOWING OPTIONS FOR ALL DRIVERS OPERATING UNDER THAT PERMITTEE'S PERMIT:

- a. A PERMITTEE THAT USES THE AVIATION DEPARTMENT CRIMINAL HISTORY RECORDS CHECK WITH SECURITY THREAT ASSESSMENT BACKGROUND CHECK FOR ALL DRIVERS AND AUTHORIZED SIGNERS OPERATING UNDER THAT PERMITTEE'S PERMIT, SHALL DO SO IN ACCORDANCE WITH THE FOLLOWING:

- i. APPLICANT SHALL HAVE EACH DRIVER AND AUTHORIZED SIGNER OPERATING UNDER PERMITTEE'S PERMIT GO TO THE AVIATION DEPARTMENT OFFICES TO SUBMIT ONE FULL SET OF FINGERPRINTS;
 - ii. APPLICANT SHALL SUBMIT DOCUMENTS THAT ESTABLISH IDENTITY, EMPLOYMENT ELIGIBILITY, AND CITIZENSHIP STATUS IN ACCORDANCE WITH 49 C.F.R. PART 1542 AND OTHER DEPARTMENT OF HOMELAND SECURITY TRANSPORTATION SECURITY ADMINISTRATION (TSA) REQUIREMENTS, INCLUDING SECURITY DIRECTIVES, AND SHALL BE REQUIRED TO OBTAIN AUTHORIZATION FROM THE TSA IN COMPLIANCE WITH THE REQUIREMENTS OF THE SECURITY THREAT ASSESSMENT;
 - iii. THE CRIMINAL HISTORY RECORDS CHECK SHALL BE DESIGNED TO IDENTIFY, AT A MINIMUM, THE CRIMES IDENTIFIED IN 49 C.F.R. 1542.209(D); AND
 - iv. THE AVIATION DEPARTMENT WILL SUBMIT OR ELECTRONICALLY TRANSMIT ALL COMPLETED FINGERPRINT CARDS TO THE DEPARTMENT OF PUBLIC SAFETY, APPROPRIATE FEDERAL AGENCY, OR OTHER AUTHORIZED AGENCY OR CONTRACTOR TO CONDUCT A CRIMINAL HISTORY RECORDS CHECK. CRIMINAL HISTORY RECORDS CHECKS CONDUCTED BY THE DEPARTMENT OF PUBLIC SAFETY WILL BE CONDUCTED PURSUANT TO SECTION 41-1750, ARIZONA REVISED STATUTES, AND PUBLIC LAW 92-544, AS AMENDED. THE DEPARTMENT OF PUBLIC SAFETY IS AUTHORIZED TO EXCHANGE THE SUBMITTED FINGERPRINT CARD INFORMATION WITH THE FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY RECORDS CHECK.
- b. A PERMITTEE THAT USES THE ENHANCED THIRD-PARTY NAME-BASED BACKGROUND CHECK FOR ALL DRIVERS AND AUTHORIZED

SIGNERS OPERATING UNDER THAT PERMITTEE'S PERMIT, SHALL DO SO IN ACCORDANCE WITH THE FOLLOWING:

- i. THE BACKGROUND CHECK SHALL INCLUDE A LOCAL AND NATIONAL CRIMINAL BACKGROUND CHECK THAT INCLUDES A SEARCH OF A MULTIJURISDICTIONAL CRIMINAL RECORDS LOCATED OR SIMILAR, VALIDATED COMMERCIAL NATIONWIDE DATABASE AND A NATIONAL SEX OFFENDER REGISTRY DATABASE;
- ii. THE BACKGROUND CHECK SHALL BE CONDUCTED AT LEAST ONCE EVERY TWO YEARS BY A CONSUMER REPORTING AGENCY ACCREDITED BY THE NATIONAL ASSOCIATION OF PROFESSIONAL BACKGROUND SCREENER;
- iii. DATA POINT IDENTIFIERS SHALL INCLUDE, AT A MINIMUM, THE NAME, DATE OF BIRTH, ADDRESS, AND SOCIAL SECURITY NUMBER OF THE APPLICANT;
- iv. THE BACKGROUND CHECK SHALL INCLUDE AN ADJUDICATION PROCESS;
- v. THE BACKGROUND CHECK SHALL BE DESIGNED TO IDENTIFY ANY CRIMINAL HISTORY FOR A MINIMUM OF THE PAST TEN YEARS;
- vi. THE BACKGROUND CHECK SHALL BE DESIGNED TO IDENTIFY, AT A MINIMUM, THE CRIMES IDENTIFIED IN 49 C.F.R. 1542.209(D);
- vii. THE PERMITTEE SHALL OBTAIN AUTHORIZATION FROM THE TSA IN COMPLIANCE WITH THE REQUIREMENTS OF THE SECURITY THREAT ASSESSMENT FOR ANYONE OPERATING UNDER PERMITTEE'S PERMIT; AND
- viii. THE PERMITTEE SHALL PERMIT THE AVIATION DIRECTOR TO CONDUCT A

RANDOM MONTHLY BACKGROUND CHECK AUDIT, AT ANY TIME THROUGHOUT THE TERM OF THE COMMERCIAL GROUND TRANSPORTATION PERMIT, OF UP TO TEN PERCENT OF THE POOL OF DRIVERS OPERATING UNDER THAT PERMITTEE'S PERMIT, WHO HAVE MADE A PICK-UP ON AN AIRPORT IN THE MONTH PRECEDING THE AUDIT REQUEST DATE. THE AUDIT WILL BE CONDUCTED AS FOLLOWS:

1. THE AUDIT WILL BE PERFORMED BY A THIRD PARTY ACCREDITED BY THE NATIONAL ASSOCIATION OF PROFESSIONAL BACKGROUND SCREENER'S AND SELECTED BY THE AVIATION DIRECTOR;
2. THE AVIATION DIRECTOR WILL PROVIDE PERMITTEE WITH A LIST OF DRIVER NAMES OR UNIQUE DRIVER IDENTIFICATION NUMBERS. ANY DRIVER DECLINING TO CONSENT TO A BACKGROUND CHECK WILL BE INELIGIBLE TO CONDUCT PICK-UPS ON AN AIRPORT UNTIL THE CONSENT IS GRANTED;
3. PERMITTEE SHALL PROVIDE IDENTIFYING INFORMATION, WHICH SHALL INCLUDE, AT A MINIMUM, THE NAME, DATE OF BIRTH, ADDRESS, AND SOCIAL SECURITY NUMBER, FOR THE DRIVERS SELECTED BY THE AVIATION DIRECTOR TO THE THIRD PARTY BACKGROUND CHECK PROVIDER;
4. PERMITTEE SHALL CERTIFY TO THE AVIATION DIRECTOR, IN A MANNER APPROVED BY THE AVIATION DIRECTOR, THE RESULTS OF THE AUDIT; AND
5. IN THE EVENT THAT AN AUDITED DRIVER FAILS THE BACKGROUND CHECK ACCORDING TO THE CRITERIA IN SUBSECTION C, PARAGRAPH 2, THE PERMITTEE SHALL REMOVE THE

DRIVER'S AUTHORITY TO OPERATE ON AN AIRPORT WITHIN TWENTY FOUR HOURS.

- c. A PERMITTEE THAT USES THE NAME-BASED BACKGROUND CHECK FOR ALL DRIVERS OPERATING UNDER PERMITTEE'S PERMIT, SHALL DO SO IN ACCORDANCE WITH THE FOLLOWING:
- i. THE BACKGROUND CHECK SHALL INCLUDE A LOCAL AND NATIONAL CRIMINAL BACKGROUND CHECK THAT INCLUDES A SEARCH OF A MULTIJURISDICTIONAL CRIMINAL RECORDS LOCATOR OR SIMILAR, VALIDATED COMMERCIAL NATIONWIDE DATABASE AND A NATIONAL SEX OFFENDER REGISTRY DATABASE;
 - ii. DATA POINT IDENTIFIERS SHALL INCLUDE, AT A MINIMUM, THE NAME, ADDRESS, AGE, AND DRIVER LICENSE NUMBER;
 - iii. THE BACKGROUND CHECK SHALL INCLUDE AN ADJUDICATION PROCESS; AND
 - iv. THE PERMITTEE SHALL PERMIT THE AVIATION DIRECTOR TO CONDUCT A RANDOM MONTHLY BACKGROUND CHECK AUDIT, AT ANY TIME THROUGHOUT THE TERM OF THE COMMERCIAL GROUND TRANSPORTATION PERMIT, OF UP TO TEN PERCENT OF THE POOL OF DRIVERS OPERATING UNDER THAT PERMITTEE'S PERMIT, WHO HAVE MADE A PICK-UP ON AN AIRPORT IN THE MONTH PRECEDING THE AUDIT REQUEST DATE. THE AUDIT WILL BE CONDUCTED AS FOLLOWS:
 1. THE AUDIT WILL BE PERFORMED BY A THIRD PARTY ACCREDITED BY THE NATIONAL ASSOCIATION OF PROFESSIONAL BACKGROUND SCREENER'S AND SELECTED BY THE AVIATION DIRECTOR;

2. THE AVIATION DIRECTOR WILL PROVIDE PERMITTEE WITH A LIST OF DRIVER NAMES OR UNIQUE DRIVER IDENTIFICATION NUMBERS. ANY DRIVER DECLINING TO CONSENT TO A BACKGROUND CHECK WILL BE INELIGIBLE TO CONDUCT PICK-UPS ON AN AIRPORT UNTIL THE CONSENT IS GRANTED;
3. PERMITTEE SHALL PROVIDE IDENTIFYING INFORMATION, WHICH SHALL INCLUDE, AT A MINIMUM, THE NAME, ADDRESS, AGE, AND DRIVER LICENSE NUMBER, FOR THE DRIVERS SELECTED BY THE AVIATION DIRECTOR TO THE THIRD PARTY BACKGROUND CHECK PROVIDER;
4. PERMITTEE SHALL CERTIFY TO THE AVIATION DIRECTOR, IN A MANNER APPROVED BY THE AVIATION DIRECTOR, THE RESULTS OF THE AUDIT; AND
5. IN THE EVENT THAT AN AUDITED DRIVER FAILS THE BACKGROUND CHECK ACCORDING TO THE CRITERIA IN SUBSECTION C, PARAGRAPH 3, THE PERMITTEE SHALL REMOVE THE DRIVER'S AUTHORITY TO OPERATE ON AN AIRPORT WITHIN TWENTY FOUR HOURS.

2. ANY PERMITTEE THAT USES THE BACKGROUND CHECK OPTION IDENTIFIED IN SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (A) SHALL NOT ALLOW ANYONE TO OPERATE UNDER THAT PERMITTEE'S PERMIT WHO:

- a. IS IDENTIFIED AS A DISQUALIFIED INDIVIDUAL AS SET FORTH IN 49 C.F.R. PART 1542; OR
- b. IS IDENTIFIED AS A DISQUALIFIED INDIVIDUAL AS SET FORTH IN DEPARTMENT HOMELAND SECURITY TRANSPORTATION SECURITY ADMINISTRATION REQUIREMENTS, INCLUDING SECURITY DIRECTIVES.

3. ANY PERMITTEE THAT USES THE BACKGROUND CHECK OPTION IDENTIFIED IN SUBSECTION C, PARAGRAPH

1, SUBPARAGRAPH (B) SHALL NOT ALLOW ANYONE TO OPERATE UNDER THAT PERMITTEE'S PERMIT WHO:

- a. HAS HAD MORE THAN THREE MOVING VIOLATIONS, OR ONE MAJOR VIOLATION, PURSUANT TO A.R.S. TITLE 28 IN THE PRECEDING THREE YEARS. MAJOR VIOLATIONS INCLUDE ATTEMPTING TO EVADE THE POLICE, RECKLESS DRIVING OR DRIVING ON A SUSPENDED OR REVOKED LICENSE; OR
- b. HAS BEEN CONVICTED WITHIN THE PRECEDING TEN YEARS OF VIOLATION OF A.R.S. SECTION 13-706, 28-1381, 28-1382 OR 28-1383 OR TITLE 13, CHAPTER 14, 19, 22, 23, 34 OR 35.1, OR A VIOLATION OF ANY CRIME IDENTIFIED IN 49 C.F.R. 1542.209(D); OR
- c. IS LISTED IN A NATIONAL SEX OFFENDER REGISTRY DATABASE.

4. ANY PERMITTEE THAT USES THE BACKGROUND CHECK OPTION IDENTIFIED IN SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (C) SHALL NOT ALLOW ANYONE TO OPERATE UNDER THAT PERMITTEE'S PERMIT WHO:

- a. HAS HAD MORE THAN THREE MOVING VIOLATIONS, OR ONE MAJOR VIOLATION, PURSUANT TO A.R.S. TITLE 28 IN THE PRECEDING THREE YEARS. MAJOR VIOLATIONS INCLUDE ATTEMPTING TO EVADE THE POLICE, RECKLESS DRIVING OR DRIVING ON A SUSPENDED OR REVOKED LICENSE; OR
- b. HAS BEEN CONVICTED WITHIN THE PRECEDING SEVEN YEARS OF VIOLATION OF A.R.S. SECTION 13-706, 28-1381, 28-1382 OR 28-1383 OR TITLE 13, CHAPTER 14, 19, 22, 23, 34 OR 35.1; OR
- c. IS LISTED IN A NATIONAL SEX OFFENDER REGISTRY DATABASE.

5. ANY PERMITTEE THAT USES THE BACKGROUND CHECK OPTION IDENTIFIED IN SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (A) SHALL REMOVE A DRIVER'S AUTHORITY TO OPERATE UNDER THAT PERMITTEE'S

PERMIT WITHIN TWENTY FOUR HOURS OF DISCOVERING THAT THE DRIVER'S BACKGROUND CHECK NO LONGER COMPLIES WITH SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (A) OR SUBSECTION C, PARAGRAPH 2.

6. ANY PERMITTEE THAT USES THE BACKGROUND CHECK OPTION IDENTIFIED IN SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (B) SHALL REMOVE A DRIVER'S AUTHORITY TO OPERATE UNDER THAT PERMITTEE'S PERMIT WITHIN TWENTY FOUR HOURS OF DISCOVERING THAT THE DRIVER'S BACKGROUND CHECK NO LONGER COMPLIES WITH SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (B) OR SUBSECTION C, PARAGRAPH 2.

7. ANY PERMITTEE THAT USES THE BACKGROUND CHECK OPTION IDENTIFIED IN SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (C) SHALL REMOVE A DRIVER'S AUTHORITY TO OPERATE UNDER THAT PERMITTEE'S PERMIT WITHIN TWENTY FOUR HOURS OF DISCOVERING THAT THE DRIVER'S BACKGROUND CHECK NO LONGER COMPLIES WITH SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (C) OR SUBSECTION C, PARAGRAPH 3.

8. PERMITTEE SHALL REQUIRE AUTHORIZED SIGNERS AND DESIGNATED LOCAL POINTS OF CONTACT TO UNDERGO BACKGROUND CHECKS AS PRESCRIBED IN AIRPORT RULES AND REGULATIONS.

9. PERMITTEE SHALL ENSURE THAT EACH DRIVER OPERATING UNDER THAT PERMITTEE'S PERMIT, OBTAINS A DRIVERS IDENTIFICATION MEDIA AS PROVIDED IN SECTION 4-69 AND HAS A PHYSICAL OR VIRTUAL WAYBILL FOR EACH PICK-UP. PERMITTEE SHALL REQUIRE THAT DRIVERS MAKE THAT IDENTIFICATION MEDIA AND WAYBILL AVAILABLE TO AIRPORT REPRESENTATIVES UPON REQUEST.

10. A PERMITTEE THAT USES TRADE DRESS SHALL REQUIRE EACH DRIVER OPERATING UNDER THAT PERMITTEE'S PERMIT TO DISPLAY THE PERMITTEE'S TRADE DRESS, APPROVED BY THE AVIATION DIRECTOR, AT ALL TIMES WHILE ON AN AIRPORT AND THAT THE DRIVER WILL MAKE AVAILABLE TO AIRPORT REPRESENTATIVES, UPON REQUEST, A WAYBILL INDICATING A TRANSACTION THAT MATCHES THE PERMITTEE'S TRADE DRESS.

11. PERMITTEE SHALL ENSURE EACH VEHICLE OPERATED UNDER THAT PERMITTEE'S PERMIT, HAS UNDERGONE AND PASSED AN INDUSTRY STANDARD INSPECTION, AS DESIGNATED BY THE AVIATION DIRECTOR, WITHIN THE PREVIOUS TWELVE MONTHS. PERMITTEE SHALL ALLOW THE AVIATION DIRECTOR TO CONDUCT AN AUDIT, AT ANY TIME THROUGHOUT THE TERM OF THE COMMERCIAL GROUND TRANSPORTATION PERMIT, OF THE VEHICLE INSPECTION RECORDS.

12. ANY PERMITTEE THAT USES GPS TRIP TRACKING SHALL ELECTRONICALLY NOTIFY AIRPORT REPRESENTATIVES OF THE TRACKING INFORMATION REQUIRED BY THE AVIATION DIRECTOR, INCLUDING THE DRIVER'S UNIQUE IDENTIFIER, IMMEDIATELY UPON THE DRIVER ENTERING ON AN AIRPORT. PERMITTEES USING GPS TRIP TRACKING SHALL MAKE AVAILABLE TO THE CITY UPON REQUEST THE NAME OF THE DRIVER ASSOCIATED WITH THE DRIVER'S UNIQUE IDENTIFIER.

13. EXCEPT AS APPROVED BY THE AVIATION DIRECTOR, ANY PERMITTEE THAT USES GPS TRIP TRACKING SHALL DISABLE ITS MOBILE APPLICATION'S FUNCTIONALITY AND ABILITY FOR A DRIVER OPERATING UNDER THAT PERMITTEE'S PERMIT TO ACCEPT A RESERVATION WHILE THAT DRIVER IS ON AN AIRPORT WITHIN THE GEOFENCE ESTABLISHED BY THE AVIATION DIRECTOR, UNLESS THE DRIVER IS IN A DESIGNATED WAITING AREA.

14. ANY PERMITTEE THAT USES GPS TRIP TRACKING SHALL PROVIDE CLEAR WAYFINDING DIRECTIONS TO PASSENGERS WHO ARE BEING PICKED UP ON AN AIRPORT, THROUGH THE PERMITTEE'S MOBILE APPLICATION, TO DIRECT THEM TO THE PROPER PICK-UP LOCATION. UPON WRITTEN NOTICE FROM THE AVIATION DIRECTOR OF ANY NON-CONFORMITY WITH THIS SECTION, THE PERMITTEE SHALL TAKE ALL STEPS NECESSARY TO REMEDY THE CONDITION, CONDUCT, AND/OR VIOLATION IMMEDIATELY.

15. UNLESS PERMITTEE DEMONSTRATES THAT EXIGENT CIRCUMSTANCES EXIST THAT PREVENT COMPLIANCE, PERMITTEE SHALL PROVIDE ACCESSIBLE GROUND TRANSPORTATION TO CUSTOMERS PROTECTED BY ALL APPLICABLE FEDERAL, STATE, AND LOCAL LAWS, INCLUDING the Americans With Disabilities Act, 42 U.S.C. Secs. 12101 et seq., ~~plus all applicable federal, state, and local laws~~ AND

SECTION 504 OF THE REHABILITATION ACT, OR, IF UNABLE TO DO SO, MAKE ALTERNATIVE ARRANGEMENT FOR ACCESSIBLE TRANSPORTATION WITHIN THIRTY MINUTES AFTER LEARNING OF THE CUSTOMER'S NEEDS.

16. PERMITTEE SHALL REQUIRE ALL AUTHORIZED SIGNERS AND DESIGNATED LOCAL POINTS OF CONTACT TO ACCEPT SERVICE OF ALL NOTICES OF VIOLATION AND CITATIONS ISSUED TO THAT PERMITTEE.

17. PERMITTEE SHALL IMMEDIATELY TERMINATE A DRIVER'S AUTHORIZATION TO OPERATE UNDER THAT PERMITTEE'S PERMIT IF THE DRIVER'S IDENTIFICATION MEDIA IS REVOKED UNDER SECTION 4-75.

a. PERMITTEE SHALL RETRIEVE ANY PLACARD ISSUED TO THE DRIVER UNDER SECTION 4-69 SUBSECTION B AND RETURN THE PLACARD TO THE AVIATION DIRECTOR WITHIN FIVE DAYS OF NOTIFICATION.

b. PERMITTEE SHALL RETRIEVE ANY PLACARD ISSUED TO THE DRIVER UNDER SECTION 4-69 SUBSECTION C, PARAGRAPH 1 WITHIN FIVE DAYS OF NOTIFICATION.

18. PERMITTEE SHALL NOTIFY THE AVIATION DIRECTOR OF ANY ADDITION OR REMOVAL OF A NAME TO THE PERMITTEE'S LIST OF AUTHORIZED SIGNERS OR DESIGNATED LOCAL POINTS OF CONTACT AUTHORIZED TO OPERATE UNDER THAT PERMITTEE'S PERMIT WITHIN FIVE DAYS OF THE CHANGE.

19. PERMITTEE AND ALL AUTHORIZED SIGNERS, DESIGNATED LOCAL POINTS OF CONTACT, AND DRIVERS OPERATING UNDER THAT PERMITTEE'S PERMIT, SHALL COMPLY WITH ALL AIRPORT RULES AND REGULATIONS.

D. A PERMIT WILL EXPIRE, UNLESS TERMINATED SOONER, TWO YEARS FROM THE DATE THE PERMIT WAS ISSUED.

E. THE AVIATION DIRECTOR WILL NOT ISSUE A PERMIT TO, OR RENEW A PERMIT FOR, AN APPLICANT THAT IS NOT IN GOOD FINANCIAL STANDING WITH THE CITY.

F. THE AVIATION DIRECTOR MAY ISSUE A TEMPORARY OR DAILY USE PERMIT AS THE AVIATION DIRECTOR DEEMS NECESSARY FOR THE SAFE, EFFICIENT, AND ORDERLY OPERATION ON AN AIRPORT.

~~D. An applicant shall pay the commercial ground transportation permit fees that are assessed by the City Council, including any fees that would have been payable for any period of operation prior to the date of permit application or renewal.~~

E. ~~AVI Tags:~~

~~1. A commercial ground transportation motor vehicle permit will not be issued to the following ground transportation motor vehicles unless an AVI tag is obtained from the Aviation Department:~~

- ~~a. Unscheduled taxicabs.~~
- ~~b. Unscheduled contracted limousines.~~
- ~~c. Bus.~~
- ~~d. Courtesy vehicle.~~
- ~~e. Intercity ground transporter vehicle.~~
- ~~f. Time scheduled van service vehicle.~~
- ~~g. V.I.P. vehicle.~~

G. ~~2. An owner of a commercial TO ENSURE THE SAFE, ORDERLY, AND EFFICIENT USE OF AN AIRPORT, THE AVIATION DIRECTOR MAY REGULATE AND RESTRICT THE NUMBER OF ground transportation motor vehicle that is equipped with an AVI tag shall pay the AVI tag fees that are assessed in Section 4-78 VEHICLES ON AN AIRPORT.~~

H. ~~G. A commercial ground transportation permit shall not be construed to be a contract, agreement or grant of a franchise or any property right to engage in commercial activity at ON an airport and is revocable.~~

I. ~~H. A commercial ground transportation company A PERMIT APPLICANT requesting reconsideration of the Aviation Director's decision to deny or revoke their ITS permit shall have fourteen FIVE calendar days after date of service of notice if personally served, or twenty-one FOURTEEN calendar days from the date of mailing by certified mail at the last known address submitted to the Aviation Department, to request reconsideration by the Aviation Director. The request for reconsideration of the denial or revocation of a permit~~

must SHALL be in writing and must SHALL state the specific allegations in the Aviation Director's decision with which the ~~commercial ground transportation company~~ PERMIT APPLICANT disagrees. The request for reconsideration must SHALL EITHER be personally delivered to the Aviation Director or deposited in the United States Mail, certified, return receipt requested, postage prepaid, addressed to the Office of the Aviation Director, within the above-stated time. ~~The Aviation Director shall notify the commercial ground transportation company~~ UNLESS THE AVIATION DIRECTOR REQUIRES ADDITIONAL INFORMATION, OR IN THE EVENT OF EXIGENT CIRCUMSTANCES, THE AVIATION DIRECTOR WILL NOTIFY THE PERMIT APPLICANT in writing of the Aviation Director's final decision within five TEN business days after the request for reconsideration is received.

J. IF A PERMITTEE VIOLATES ANY PROVISIONS OF THIS ARTICLE, THE PERMITTEE IS SUBJECT TO SECTIONS 4-75, 4-77, AND 4-80, AND THE AVIATION DIRECTOR MAY DENY THE RENEWAL OF THE PERMITTEE'S PERMIT.

SECTION 5. That Phoenix City Code, Chapter 4, Article IV, Section 4-69

is amended to read:

Sec. 4-69. ~~Driver's identification card and identification media.~~

A. AS PROVIDED BELOW, ~~the driver of any ground transportation motor vehicle, except a bus, must SHALL have a valid driver's identification card or a valid temporary driver's identification card issued by the Aviation Department and shall display the valid driver's identification card or valid temporary driver's identification card inside the vehicle as directed by the Aviation Director~~ MEDIA.

B. ~~A driver of a ground transportation motor vehicle, except a bus, shall not engage in the business of picking up passengers or engage in other commercial activity at the airport without having both of the following documents in the driver's possession:~~

1. ~~A valid driver's identification card or valid temporary driver's identification card issued by the Aviation Department; and~~

2. ~~A valid identification media issued by the Aviation Department's Security Badging Office.~~

B. AVIATION-ISSUED DRIVER'S IDENTIFICATION PLACARD

AN AUTHORIZED PROVIDER OPERATING UNDER SECTION 4-68 SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (A) OR SECTION 4-68 SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (B) SHALL OBTAIN A DRIVER'S IDENTIFICATION PLACARD OR TEMPORARY DRIVER'S IDENTIFICATION PLACARD FROM THE AVIATION DIRECTOR FOR EACH DRIVER ACTING UNDER THAT AUTHORIZED PROVIDER'S PERMIT OR CONTRACT. AN AUTHORIZED PROVIDER SHALL REQUIRE EACH DRIVER ACTING UNDER THAT PROVIDER'S PERMIT OR CONTRACT TO DISPLAY THE IDENTIFICATION PLACARD INSIDE THE VEHICLE AS DIRECTED BY THE AVIATION DIRECTOR. THE AUTHORIZED PROVIDER SHALL REQUIRE THE DRIVER TO PRESENT THE PLACARD TO AIRPORT REPRESENTATIVES UPON REQUEST. THE DRIVER, ACTING UNDER THAT PROVIDER'S PERMIT OR CONTRACT, SHALL PRESENT THE PLACARD TO AIRPORT REPRESENTATIVES UPON REQUEST.

1. THE AUTHORIZED PROVIDER SHALL SUBMIT TO THE AVIATION DIRECTOR A LIST OF AUTHORIZED SIGNERS. THE AUTHORIZED PROVIDER SHALL NOTIFY THE AVIATION DIRECTOR OF ANY ADDITION OR REMOVAL OF A NAME TO THE AUTHORIZED PROVIDER'S LIST OF AUTHORIZED SIGNERS WITHIN FIVE DAYS OF THE CHANGE.
2. THE AUTHORIZED PROVIDER'S AUTHORIZED SIGNER SHALL REQUEST AN IDENTIFICATION PLACARD OR TEMPORARY IDENTIFICATION PLACARD FOR EACH DRIVER ACTING UNDER THAT AUTHORIZED PROVIDER'S PERMIT OR CONTRACT.
3. AN AUTHORIZED SIGNER FOR AN AUTHORIZED PROVIDER OPERATING UNDER SECTION 4-68 SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (B) SHALL CERTIFY EACH DRIVER HAS MET THE REQUIREMENTS UNDER SECTION 4-68 SUBSECTION C, PARAGRAPH 3 BEFORE SUBMITTING AN APPLICATION FOR A DRIVER'S IDENTIFICATION PLACARD OR TEMPORARY IDENTIFICATION PLACARD.
4. A DRIVER'S IDENTIFICATION PLACARD EXPIRES TWO YEARS AFTER THE DATE THE PLACARD WAS ISSUED.
5. AN AUTHORIZED PROVIDER AND DRIVER SHALL NOTIFY THE AVIATION DIRECTOR OF ANY CHANGE TO THE NAME, ADDRESS, AND PHONE NUMBER OF THE DRIVER NO LATER THAN SEVEN DAYS FROM THE CHANGE.

6. AN AUTHORIZED PROVIDER SHALL RETURN AN IDENTIFICATION PLACARD OR TEMPORARY IDENTIFICATION PLACARD TO THE AVIATION DIRECTOR WITHIN FIVE DAYS FROM A DRIVER TERMINATION OR END OF A DRIVER'S AUTHORIZATION TO OPERATE UNDER THAT AUTHORIZED PROVIDER'S PERMIT OR CONTRACT.

C. AUTHORIZED PROVIDER-ISSUED IDENTIFICATION MEDIA

AN AUTHORIZED PROVIDER OPERATING UNDER SECTION 4-68 SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (C) SHALL PROVIDE TO EACH DRIVER ACTING UNDER THAT AUTHORIZED PROVIDER'S PERMIT OR CONTRACT, ONE OF THE FOLLOWING FORMS OF IDENTIFICATION MEDIA:

1. AN IDENTIFICATION PLACARD, UNIQUE TO EACH DRIVER, IN A FORM AND CONTENT APPROVED BY THE AVIATION DIRECTOR, INCLUDING FULL-FACE VIEW PHOTOGRAPH OF THE DRIVER THAT REFLECTS THE DRIVER'S CURRENT APPEARANCE, THE DRIVER'S FIRST AND LAST NAME, THE AUTHORIZED PROVIDER'S NAME AND LOGO, A UNIQUE PLACARD IDENTIFICATION NUMBER, AND THE PHOENIX SKY HARBOR INTERNATIONAL AIRPORT GROUND TRANSPORTATION PHONE NUMBER. THE AUTHORIZED PROVIDER SHALL REQUIRE THE DRIVER TO DISPLAY THE IDENTIFICATION PLACARD INSIDE THE VEHICLE AS DIRECTED BY THE AVIATION DIRECTOR. THE DRIVER, ACTING UNDER THAT AUTHORIZED PROVIDER'S PERMIT OR CONTRACT, SHALL DISPLAY THE IDENTIFICATION PLACARD INSIDE THE VEHICLE AS DIRECTED BY THE AVIATION DIRECTOR. THE AUTHORIZED PROVIDER SHALL REQUIRE THE DRIVER TO PRESENT THE PLACARD TO AIRPORT REPRESENTATIVES UPON REQUEST. THE DRIVER, ACTING UNDER THAT PROVIDER'S PERMIT OR CONTRACT, SHALL PRESENT THE PLACARD TO AIRPORT REPRESENTATIVES UPON REQUEST. THE AUTHORIZED PROVIDER SHALL PROVIDE TO THE AVIATION DIRECTOR A LIST OF THE PLACARDS PROVIDED TO DRIVERS, WHICH SHALL INCLUDE THE NAME OF EACH DRIVER AND THE CORRESPONDING PLACARD IDENTIFICATION NUMBER FOR EACH MONTH NO LATER THAN FIVE DAYS AFTER THE END OF THE MONTH.

2. A DIGITAL IDENTIFICATION THROUGH A DIGITAL NETWORK OR SOFTWARE APPLICATION, WHICH DISPLAYS THE NAME OF THE DRIVER, A FULL-FACE VIEW

PHOTOGRAPH OF THE DRIVER THAT REFLECTS THE DRIVER'S CURRENT APPEARANCE, AND THE MAKE, MODEL, AND LICENSE PLATE NUMBER OF THE GROUND TRANSPORTATION MOTOR VEHICLE, AS APPROVED BY THE AVIATION DIRECTOR. THE AUTHORIZED PROVIDER SHALL PROVIDE TO THE PASSENGER(S), BEFORE THE PASSENGER(S) ENTERS THE GROUND TRANSPORTATION MOTOR VEHICLE, THE INFORMATION INCLUDED IN THE DIGITAL IDENTIFICATION. THE AUTHORIZED PROVIDER SHALL REQUIRE THE DRIVER TO PRESENT THE DIGITAL IDENTIFICATION TO AIRPORT REPRESENTATIVES UPON REQUEST. THE DRIVER, ACTING UNDER THAT AUTHORIZED PROVIDER'S PERMIT OR CONTRACT, SHALL PRESENT THE DIGITAL IDENTIFICATION TO AIRPORT REPRESENTATIVES UPON REQUEST. EXCEPT IN THE CASE OF AN EMERGENCY, AS DETERMINED BY THE AVIATION DIRECTOR, THE AUTHORIZED PROVIDER SHALL SUBMIT TO THE AVIATION DIRECTOR WITHIN ONE BUSINESS DAY OF WRITTEN REQUEST, THE FULL NAME, CORRESPONDING UNIQUE DRIVER IDENTIFICATION NUMBER, AND OTHER IDENTIFYING INFORMATION FOR THE PURPOSES OF CONDUCTING ADMINISTRATIVE, CIVIL, OR CRIMINAL INVESTIGATIONS AND ENFORCEMENT.

SECTION 6. That Phoenix City Code, Chapter 4, Article IV, Section 4-73 is renumbered as Section 4-70, and Section 4-70, as so renumbered, is amended to read:

Sec. 4-73. 4-70. Process to obtain driver's identification cards and identification media PLACARD; REVOCATION.

A. AN AUTHORIZED PROVIDER OPERATING UNDER SECTION 4-68 SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (A) OR SECTION 4-68 SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (B) SHALL OBTAIN A DRIVER'S IDENTIFICATION PLACARD OR TEMPORARY DRIVER'S IDENTIFICATION PLACARD FROM THE AVIATION DIRECTOR FOR EACH DRIVER ACTING UNDER THAT AUTHORIZED PROVIDER'S PERMIT OR CONTRACT, IN ACCORDANCE WITH THIS SECTION.

B. ANY DRIVER AUTHORIZED TO OPERATE UNDER AN AUTHORIZED PROVIDER'S PERMIT OR CONTRACT, AS AUTHORIZED BY THE AVIATION DIRECTOR TO OPERATE USING THE BACKGROUND CHECK SPECIFIED IN SECTION 4-68 SUBSECTION C, PARAGRAPH 1,

SUBPARAGRAPH (A) OR SECTION 4-68 SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (B), AT ALL TIMES WHILE ON AN AIRPORT, SHALL HAVE A VALID DRIVER'S IDENTIFICATION PLACARD OR VALID TEMPORARY DRIVER'S IDENTIFICATION PLACARD, OBTAINED IN ACCORDANCE WITH THIS SECTION.

~~A.—No driver of a ground transportation motor vehicle may engage in the business of picking up passenger(s) at the airport without first obtaining and displaying a valid driver's identification card or valid temporary driver's identification card and a valid identification media in accordance with this section.~~

C. AVIATION-ISSUED DRIVER'S IDENTIFICATION PLACARD APPLICATION

~~B.—An applicant for a AN AUTHORIZED PROVIDER OPERATING UNDER SECTION 4-68 SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (A) OR SECTION 4-68 SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (B), SHALL COMPLETE A SEPARATE APPLICATION FOR EACH driver's identification card and identification media shall complete an application provided by the Aviation Department and shall provide such PLACARD FOR EACH DRIVER ACTING UNDER THAT AUTHORIZED PROVIDER'S PERMIT OR CONTRACT. THE APPLICANT SHALL PROVIDE information and certifications deemed necessary AS REQUIRED by the Aviation Director, including:~~

~~1.—The name and address of the applicant.~~

1. THE NAME AND ADDRESS OF THE DRIVER.

~~2.—One full set of fingerprints obtained by the Aviation Director.~~

2. A COMPLETED CRIMINAL HISTORY RECORDS CHECK AND SECURITY THREAT ASSESSMENT IN ACCORDANCE WITH SECTION 4-68 SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (A) FOR DRIVERS OPERATING UNDER THAT AUTHORIZED PROVIDER'S PERMIT OR CONTRACT, AS AUTHORIZED BY THE AVIATION DIRECTOR UNDER THAT SECTION, OR A COMPLETED SECURITY THREAT ASSESSMENT IN ACCORDANCE WITH SECTION 4-68 SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (B) FOR DRIVERS OPERATING UNDER THAT AUTHORIZED PROVIDER'S PERMIT OR CONTRACT, AS AUTHORIZED BY THE AVIATION DIRECTOR UNDER THAT SECTION.

3. THE NAME, ADDRESS, AND SIGNATURE OF THE AUTHORIZED SIGNER OF THE AUTHORIZED PROVIDER THAT IS AUTHORIZING THE DRIVER TO OPERATE UNDER THAT

AUTHORIZED PROVIDER'S PERMIT OR CONTRACT. THE AUTHORIZED SIGNER SHALL:

- a. ~~3. The name and address of the authorized signer of the commercial ground transportation company the driver will be representing while driving at the airport. The authorized signer must IF OPERATING UNDER AN AUTHORIZED PROVIDER'S PERMIT OR CONTRACT, AS AUTHORIZED BY THE AVIATION DIRECTOR UNDER SECTION 4-68 SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (A), complete the fingerprint-based criminal history records check and security threat assessment facilitated by the Aviation Department IN ACCORDANCE WITH THAT SECTION; OR~~
 - b. IF OPERATING UNDER AN AUTHORIZED PROVIDER'S PERMIT OR CONTRACT, AS AUTHORIZED BY THE AVIATION DIRECTOR UNDER SECTION 4-68 SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (B), COMPLETE THE ENHANCED NAME-BASED BACKGROUND CHECK AND SECURITY THREAT ASSESSMENT IN ACCORDANCE WITH THAT SECTION AND MEET THE REQUIREMENTS LISTED IN SECTION 4-68 SUBSECTION C, PARAGRAPH 3.
4. Proof of a valid driver's license issued by the Arizona Motor Vehicle Department.
 5. ~~Documents that establish identity, employment eligibility and citizenship status in accordance with 49 Code of Federal Regulations Part 1542, and other Department of Homeland Security Transportation Security Administration (TSA) requirements, including security directives.~~
 6. ~~Authorization from the TSA in compliance with the requirements of the security threat assessment.~~
 7. ~~Proof of a current Department of Transportation medical examiner's certificate, issued in accordance with the requirements of the Federal Motor Carrier Safety Regulations.~~
 8. ~~A certification that all statements of the applicant are true and complete, and an acknowledgment that any falsification or omission~~

~~shall cause the driver's identification card and identification media to be void.~~

~~C.—A driver's identification card and identification media may not be issued until the applicant has completed the application, certifications, and criminal history records check, and it is determined that the applicant is not an individual that would be disqualified as set forth in 49 Code of Federal Regulations Part 1542.~~

~~D.—The fees for obtaining, renewing, or replacing an identification media will be charged in accordance with Section 4-22(D). The City Controller is authorized to remit a portion of any such fees to the agency or company processing fingerprints.~~

D. A DRIVER'S IDENTIFICATION PLACARD WILL NOT BE ISSUED UNTIL THE AUTHORIZED PROVIDER HAS COMPLETED THE APPLICATION, CERTIFICATIONS, AND CRIMINAL HISTORY RECORDS CHECK AND SECURITY THREAT ASSESSMENT IN ACCORDANCE WITH SECTION 4-68 SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (A) FOR DRIVERS OPERATING UNDER THAT AUTHORIZED PROVIDER'S PERMIT OR CONTRACT, AS AUTHORIZED BY THE AVIATION DIRECTOR UNDER THAT SECTION AND THE AVIATION DIRECTOR DETERMINES THAT THE DRIVER IS NOT A DISQUALIFIED INDIVIDUAL AS SET FORTH IN 49 C.F.R. PART 1542, OR A COMPLETED SECURITY THREAT ASSESSMENT IN ACCORDANCE WITH SECTION 4-68 SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (B) FOR DRIVERS OPERATING UNDER THAT AUTHORIZED PROVIDER'S PERMIT OR CONTRACT, AS AUTHORIZED BY THE AVIATION DIRECTOR UNDER THAT SECTION, AND THE AVIATION DIRECTOR DETERMINES THAT THE DRIVER IS NOT A DISQUALIFIED INDIVIDUAL AS SET FORTH IN 49 C.F.R. PART 1542, AND THE AUTHORIZED PROVIDER CERTIFIES THAT THE DRIVER IS NOT A DISQUALIFIED INDIVIDUAL AS SET FORTH IN SECTION 4-68 SUBSECTION C, PARAGRAPH 3.

~~E.—The Aviation Department shall submit or electronically transmit all completed fingerprint cards to the Department of Public Safety, appropriate federal agency, or other authorized agency or contractor to conduct a criminal history records check. The applicant shall bear the cost of the identification media as set forth in Section 4-22(D). Criminal history records checks conducted by the Department of Public Safety shall be conducted pursuant to Section 41-1750, Arizona Revised Statutes, and Public Law 92-544, as amended. The Department of Public Safety is authorized to exchange the submitted fingerprint card information with the Federal Bureau of Investigation for a national criminal history records check.*1~~

E. AVIATION-ISSUED TEMPORARY DRIVER'S IDENTIFICATION PLACARD APPLICATION

~~F. The Aviation Director may issue a temporary driver's identification card valid for 45 days. A driver~~ PLACARD TO DRIVERS OPERATING UNDER AN AUTHORIZED PROVIDER'S PERMIT OR CONTRACT, AS AUTHORIZED BY THE AVIATION DIRECTOR TO OPERATE UNDER SECTION 4-68 SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (A) OR SECTION 4-68 SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (B), WHICH SHALL BE VALID FOR FORTY-FIVE DAYS. AN AUTHORIZED PROVIDER SHALL COMPLETE A SEPARATE APPLICATION FOR EACH TEMPORARY DRIVER'S IDENTIFICATION PLACARD FOR EACH DRIVER ACTING UNDER THAT AUTHORIZED PROVIDER'S PERMIT OR CONTRACT. AN AUTHORIZED PROVIDER shall not apply for a temporary driver's identification card PLACARD FOR A DRIVER ACTING UNDER THAT AUTHORIZED PROVIDER'S PERMIT OR CONTRACT more than once. ~~An applicant for a temporary driver's identification card shall complete an~~ The application provided by the Aviation Department and shall provide such ~~INCLUDE~~ information and certifications deemed necessary by the Aviation Director, including:

1. The name and address of the ~~applicant~~ DRIVER.
2. THE NAME, ADDRESS, AND SIGNATURE OF THE AUTHORIZED SIGNER OF THE AUTHORIZED PROVIDER THAT IS AUTHORIZING THE DRIVER TO OPERATE UNDER THAT AUTHORIZED PROVIDER'S PERMIT OR CONTRACT. THE AUTHORIZED SIGNER SHALL:
 - a. ~~2. The name and address of the authorized signer of the commercial ground transportation company the driver will be representing while driving at the airport. The authorized signer must~~ IF OPERATING UNDER AN AUTHORIZED PROVIDER'S PERMIT OR CONTRACT, AS AUTHORIZED BY THE AVIATION DIRECTOR UNDER SECTION 4-68 SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (A), complete the fingerprint-based criminal history records check and security threat assessment facilitated by the Aviation Department IN ACCORDANCE WITH THAT SECTION; OR
 - b. IF OPERATING UNDER AN AUTHORIZED PROVIDER'S PERMIT OR CONTRACT, AS AUTHORIZED BY THE AVIATION DIRECTOR UNDER SECTION 4-68 SUBSECTION C,

PARAGRAPH 1, SUBPARAGRAPH (B), COMPLETE THE ENHANCED NAME-BASED BACKGROUND CHECK AND SECURITY THREAT ASSESSMENT IN ACCORDANCE WITH THAT SECTION AND MEET THE REQUIREMENTS LISTED IN SECTION 4-68 SUBSECTION C, PARAGRAPH 3.

3. Authorization from the TSA TRANSPORTATION SECURITY ADMINISTRATION (TSA) in compliance with the requirements of a security threat assessment.

4. Proof of a valid driver's license issued by any State Department of Motor Vehicles.

5. Documents that establish identity, employment eligibility and citizenship status in accordance with 49 Code of Federal Regulations C.F.R. Part 1542, and other Department of Homeland Security TSA requirements, including security directives.

6. One full set of fingerprints FOR DRIVERS ACTING UNDER THAT AUTHORIZED PROVIDER'S PERMIT OR CONTRACT, AS AUTHORIZED BY THE AVIATION DIRECTOR UNDER SECTION 4-68 SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (A).

~~7. Proof of a current Department of Transportation medical examiner's certificate, issued in accordance with the requirements of the Federal Motor Carrier Safety Regulations.~~

7. ~~8.~~ A certification that all statements of the applicant AUTHORIZED PROVIDER AND DRIVER are true and complete, and an acknowledgment that any falsification or omission shall cause the temporary driver's identification card PLACARD to be void.

F. THE AVIATION DIRECTOR MAY IMMEDIATELY REVOKE ALL OF A DRIVER'S IDENTIFICATION PLACARD(S) OR TEMPORARY DRIVER'S IDENTIFICATION PLACARD(S) FOR ANY OF THE FOLLOWING:

1. ~~G. The Aviation Director may immediately revoke the driver's identification card or temporary driver's identification card under this section when the individual is no longer a driver of the ground transportation company identified on the driver's application, if IF a criminal history background check reveals that the driver would be disqualified as set forth in 49 Code of Federal Regulations C.F.R. Part 1542, or if directed by the TSA. The Aviation Director may immediately revoke a driver's identification~~

~~card or temporary driver's identification card for any violation of law, Federal or State rule or regulation, or airport rule, or for failing to maintain custody of the driver's identification card or temporary driver's identification card.~~

2. FOR ANY VIOLATION OF FEDERAL, STATE, OR LOCAL LAWS, STATUTES, ORDINANCES, OR RULES AND REGULATIONS.

3. FOR FAILING TO MAINTAIN CUSTODY OF THE DRIVER'S IDENTIFICATION PLACARD OR TEMPORARY DRIVER'S IDENTIFICATION PLACARD.

G. IF A DRIVER IS NO LONGER IDENTIFIED AS A DRIVER ACTING UNDER THAT AUTHORIZED PROVIDER'S PERMIT OR CONTRACT, THE DRIVER IDENTIFICATION PLACARD OR TEMPORARY DRIVER IDENTIFICATION PLACARD FOR THAT DRIVER IS RENDERED VOID. THE AUTHORIZED PROVIDER SHALL RETURN THE IDENTIFICATION PLACARD OR TEMPORARY IDENTIFICATION PLACARD TO THE AVIATION DIRECTOR WITHIN FIVE DAYS FROM THE DATE THE AUTHORIZATION FOR THE DRIVER TO OPERATE UNDER THAT AUTHORIZED PROVIDER'S PERMIT OR CONTRACT, IS TERMINATED.

H. ~~An individual~~ AN AUTHORIZED PROVIDER requesting reconsideration of the Aviation Director's decision to deny or revoke their A driver's identification card PLACARD shall have 14 FIVE calendar days after date of service of notice if personally served, or ~~21~~ FOURTEEN calendar days from the date of mailing by certified mail at the last known address submitted to the Aviation Department, to request reconsideration by the Aviation Director. The request for reconsideration of the denial or revocation of a driver's identification card PLACARD shall be in writing and shall state the specific allegations in the Aviation Director's decision with which the driver AUTHORIZED PROVIDER disagrees. The request for reconsideration ~~must~~ SHALL be personally delivered to the Aviation Director or deposited in the United States mail, certified, return receipt requested, postage prepaid, addressed to the Office of the Aviation Director, within the above-stated time. ~~The~~ UNLESS THE Aviation Director shall ~~notify the individual~~ REQUIRES ADDITIONAL INFORMATION, OR IN THE EVENT OF EXIGENT CIRCUMSTANCES, THE AVIATION DIRECTOR WILL NOTIFY THE AUTHORIZED PROVIDER in writing of the Aviation Director's final decision within ~~five~~ TEN business days after the request for reconsideration is received.

I. ~~A driver may~~ AN AUTHORIZED PROVIDER SHALL not request reconsideration from the City of Phoenix ~~of a decision to deny or revoke a temporary driver's identification card~~ PLACARD.

J. A driver's identification card PLACARD or temporary driver's identification card PLACARD shall not be construed to be a contract, agreement or grant of a franchise or any property right to engage in commercial activity at ON an airport and is revocable.

SECTION 7. That Phoenix City Code, Chapter 4, Article IV, Section 4-68 is renumbered as Section 4-71, and Section 4-71, as so renumbered, is amended to read:

Sec. 4-68. 4-71. Decal DisplayVEHICLE IDENTIFICATION; transfer; unlawful display.

~~A. No ground transportation motor vehicle shall stop or park within an airport terminal zone to load a passenger(s) unless a valid authorized decal issued by the Aviation Department is displayed in the manner specified by the Aviation Director.~~

~~B. An authorized decal issued by the Aviation Department shall be for a specific ground transportation motor vehicle, and shall not be transferable to another vehicle. In the event an authorized ground transportation motor vehicle is sold, any authorizing decal affixed thereto shall cease to be valid. Every authorization decal shall expire at 11:59 p.m. on the last day of the quarter that the decal was issued.~~

A. AN AUTHORIZED PROVIDER, OR DRIVER ACTING UNDER THAT AUTHORIZED PROVIDER'S PERMIT OR CONTRACT, SHALL NOT STOP, STAND, OR PARK A GROUND TRANSPORTATION MOTOR VEHICLE ON AN AIRPORT TO LOAD A PASSENGER(S) UNLESS A VALID VEHICLE DECAL, ISSUED BY THE AVIATION DEPARTMENT, OR VALID TRADE DRESS, APPROVED BY THE AVIATION DIRECTOR, IS DISPLAYED IN THE MANNER SPECIFIED BY THE AVIATION DIRECTOR.

B. A VEHICLE DECAL ISSUED BY THE AVIATION DIRECTOR SHALL BE FOR A SPECIFIC GROUND TRANSPORTATION MOTOR VEHICLE, AND SHALL NOT BE TRANSFERABLE TO ANOTHER MOTOR VEHICLE. ANY SALE, LEASE, OR OTHER TRANSFER OF A GROUND TRANSPORTATION MOTOR VEHICLE SHALL VOID ANY VEHICLE DECAL AFFIXED THERETO. UNLESS SOONER TERMINATED OR RENDERED VOID PURSUANT TO THIS ARTICLE, EVERY VEHICLE DECAL SHALL EXPIRE ONE YEAR FROM THE DATE THE AVIATION DIRECTOR ISSUED THE DECAL.

C. THE AVIATION DIRECTOR RESERVES THE RIGHT TO REQUIRE ANY AUTHORIZED PROVIDER TO OBTAIN A VEHICLE DECAL

FOR ALL GROUND TRANSPORTATION MOTOR VEHICLES OPERATED UNDER THAT AUTHORIZED PROVIDER'S PERMIT OR CONTRACT, AND TO SPECIFY THE MANNER IN WHICH DECALS SHALL BE DISPLAYED.

SECTION 8. That Phoenix City Code, Chapter 4, Article IV, Section 4-74 is renumbered as Section 4-72, and Section 4-72, as so renumbered, is amended to read:

Sec. 4-74. 4-72. ~~Reserved.~~GROUND TRANSPORTATION MOTOR VEHICLE TRACKING.

A. AN AUTHORIZED PROVIDER SHALL NOT CONDUCT COMMERCIAL ACTIVITY ON AN AIRPORT WITHOUT USING A MOTOR VEHICLE TRACKING SYSTEM, AUTHORIZED BY THE AVIATION DIRECTOR, INCLUDING AUTOMATED VEHICLE IDENTIFICATION (AVI) OR GLOBAL POSITIONING SATELLITE (GPS) TECHNOLOGY.

B. AUTHORIZED PROVIDERS AUTHORIZED TO OPERATE USING AVI MOTOR VEHICLE TRACKING SHALL OBTAIN AN AVI TAG FROM THE AVIATION DEPARTMENT FOR EACH GROUND TRANSPORTATION MOTOR VEHICLE TO BE USED UNDER THAT AUTHORIZED PROVIDER'S PERMIT OR CONTRACT.

C. AUTHORIZED PROVIDERS AUTHORIZED TO OPERATE USING AVI MOTOR VEHICLE TRACKING SHALL SUBMIT, AT LEAST ANNUALLY, TO AVI TAG INSPECTIONS CONDUCTED BY THE AVIATION DEPARTMENT.

D. AUTHORIZED PROVIDERS AUTHORIZED TO OPERATE USING GPS OR OTHER TECHNOLOGY FOR MOTOR VEHICLE TRACKING SHALL TRANSMIT MOTOR VEHICLE ACTIVITY INFORMATION IN A MANNER APPROVED BY THE AVIATION DIRECTOR.

SECTION 9. That Phoenix City Code, Chapter 4, Article IV, Section 4-71 is renumbered as Section 4-73, and Section 4-73, as so renumbered, is amended to read:

Sec. 4-71. 4-73. Rules and regulations.

The Aviation Director may promulgate ~~such rules~~ and regulations deemed by ~~him~~THE AVIATION DIRECTOR necessary FOR THE ~~to make safe~~, efficient and orderly ~~the~~ operation of ground transportation motor vehicles on AN City of Phoenix airports.

SECTION 10. That Phoenix City Code, Chapter 4, Article IV, Section 4-72 is renumbered as Section 4-74, and Section 4-74, as so renumbered, is amended to read:

Sec. 4-72. 4-74. COMPLIANCE.

A. Any PERSON MAY ONLY OPERATE OR DRIVE A ground transportation motor vehicle operated on an airport THAT COMPLIES shall be at all times in compliance with all federal, State and local laws, statutes and ordinances AND RULES AND REGULATIONS pertaining to its operation as a MOTOR VEHICLE, commercial motor vehicle, OR GROUND TRANSPORTATION MOTOR VEHICLE, including the safety regulations as they are applicable to a vehicle type.

B. Any AUTHORIZED PROVIDER OR DRIVER OPERATING UNDER THAT AUTHORIZED PROVIDER'S PERMIT OR CONTRACT, ~~commercial ground transportation permittee or driver of a commercial ground transportation motor vehicle shall, at all times, be in compliance~~ COMPLY with all laws, STATUTES, ORDINANCES, and RULES AND regulations applicable to such THAT AUTHORIZED PROVIDER'S ~~permittee's or driver's commercial activities on an airport.~~

C. AN AUTHORIZED PROVIDER ~~commercial ground transportation permittee shall be responsible, and liable, for violations of law, statutes, IN ORDINANCES AND RULES AND or regulations by any person acting under THAT AUTHORIZED PROVIDER'S PERMIT OR CONTRACT. the color and authority of such permittee.~~

SECTION 11. That Phoenix City Code, Chapter 4, Article IV, Sections 4-75 through 4-78 are amended to read:

Sec. 4-75. ~~Termination~~ NOTICES OF VIOLATION; SUSPENSION of operating privileges; ~~application for reinstatement~~ REVOCATION OF OPERATING PRIVILEGES; ~~effect of termination~~ REVOCATION.

A. When reasonable grounds exist to believe that a ~~commercial ground transportation permittee~~ AN AUTHORIZED PROVIDER or a driver has by ~~commission~~ ACT or omission, violated a provision of this Article, or any regulation RULES AND REGULATIONS promulgated in connection therewith, the Aviation Director may issue a notice of violation ~~with a proposed penalty.~~ Upon receipt of a notice of violation ~~with a proposed penalty,~~ a commercial

~~ground transportation permittee or driver may request a review by a supervisor as prescribed by the rules and regulations promulgated by the Aviation Director. The request for a review by a supervisor must be requested within two hours of receipt of the notice of violation with the proposed penalty. If a review by a supervisor is not requested or the proposed penalty is deemed appropriate by the reviewing supervisor, the Aviation Director may suspend for a period of time not to exceed one hundred eighty calendar days or revoke the decal, permit or identification card of the violator by giving to such violator a notice of penalty. All revocations will take place immediately. Suspensions in excess of five days will automatically be stayed upon the filing of an appeal., WHICH MAY INCLUDE SUSPENSION OR REVOCATION OF A PERMIT, AND SUSPENSION OR REVOCATION OF IDENTIFICATION MEDIA.~~

B. AN AUTHORIZED PROVIDER MAY REQUEST A REVIEW OF A NOTICE OF VIOLATION BY AN AIRPORT REPRESENTATIVE AS PRESCRIBED BY THE RULES AND REGULATIONS PROMULGATED BY THE AVIATION DIRECTOR. THE REQUEST FOR REVIEW SHALL BE FILED WITH THE AVIATION DIRECTOR WITHIN FIVE CALENDAR DAYS AFTER DATE OF SERVICE OF THE NOTICE OF VIOLATION IF PERSONALLY SERVED OR SERVED TO THE LAST E-MAIL ADDRESS THE AUTHORIZED PROVIDER SUBMITTED TO THE AVIATION DEPARTMENT, OR WITHIN SEVEN CALENDAR DAYS FROM THE DATE OF MAILING BY CERTIFIED MAIL AT THE LAST ADDRESS SUBMITTED TO THE AVIATION DEPARTMENT. AS PART OF THE REQUEST, IF THE AUTHORIZED PROVIDER SUBMITS EVIDENCE TO DEMONSTRATE THAT THE AUTHORIZED PROVIDER HAS PROMPTLY REMEDIED THE VIOLATION AND THAT REMEDY IS DEEMED SUFFICIENT BY THE AIRPORT REPRESENTATIVE, THEN A SUSPENSION OR REVOCATION OF THE PERMIT, OR THE SUSPENSION OR REVOCATION OF IDENTIFICATION MEDIA, WILL BE VOIDED.

~~B. THE decision to issue a notice of penalty with a penalty that imposes a suspension of five days or less is final.~~

C. IF A REVIEW BY AN AIRPORT REPRESENTATIVE IS NOT REQUESTED OR THE SUSPENSION OR REVOCATION IS NOT VOIDED BY THE REVIEWING AIRPORT REPRESENTATIVE, THE SUSPENSION OR REVOCATION WILL TAKE EFFECT IMMEDIATELY. SUSPENSIONS IN EXCESS OF FIVE DAYS WILL AUTOMATICALLY BE STAYED UPON THE FILING OF AN APPEAL.

~~D. C. Any party aggrieved by a decision of the Aviation Director that has a penalty imposed greater than a suspension of five days or revocation may, within ten calendar days of receipt of the notice of penalty, appeal by filing a notice of appeal with the Hearing Officer so designated by the City Manager. AN AUTHORIZED PROVIDER THAT HAS COMPLETED A REVIEW OF A NOTICE OF VIOLATION BY AN AIRPORT REPRESENTATIVE, AND IS AGGRIEVED~~

BY THE AIRPORT REPRESENTATIVE'S DETERMINATION, MAY FILE A NOTICE OF APPEAL WITH THE HEARING OFFICER SO DESIGNATED BY THE AVIATION DIRECTOR WITHIN:

- i. TEN CALENDAR DAYS AFTER DATE OF SERVICE OF THE NOTICE OF VIOLATION IF PERSONALLY SERVED OR SERVED TO THE LAST E-MAIL ADDRESS THE AUTHORIZED PROVIDER SUBMITTED TO THE AVIATION DEPARTMENT, OR
- ii. FIFTEEN CALENDAR DAYS FROM THE DATE OF MAILING BY CERTIFIED MAIL AT THE LAST ADDRESS SUBMITTED TO THE AVIATION DEPARTMENT.

E. ~~D.~~ The notice of appeal shall set forth the specific objections to the ~~notice of penalty~~ NOTICE OF VIOLATION. The objections form the basis of the appeal.

F. ~~E.~~ The ~~Hearing Officer~~ HEARING OFFICER shall set a time and place for the hearing as soon as practicable, but no later than fifteen business days after receipt of the notice of appeal.

G. ~~F.~~ The hearing shall be conducted in an informal manner to determine whether there is a sufficient factual and legal basis to support the ~~notice of penalty~~. ~~The Hearing Officer~~ NOTICE OF VIOLATION. THE HEARING OFFICER shall not be bound by the technical rules of evidence in the conduct of such THE hearing, provided that the decision of the ~~Hearing Officer~~ HEARING OFFICER shall in all cases be based upon substantial and reliable evidence. All parties to the hearing shall have the right to present evidence. The burden of proof shall be at all times upon the party or parties appealing the notice of ~~penalty~~ VIOLATION.

H. ~~G.~~ The decision of the ~~Hearing Officer~~ HEARING OFFICER shall be rendered within fifteen business days after close of the record and shall be based upon the evidence presented ~~and it shall~~. THE HEARING OFFICER'S DECISION MAY INCLUDE ONE OF THE FOLLOWING:

1. Affirm the notice of ~~penalty~~ VIOLATION;
 2. Modify the notice of ~~penalty~~ VIOLATION; or,
 3. Reverse the notice of ~~penalty~~ VIOLATION.
- I. ~~H.~~ The decision of the ~~Hearing Officer~~ HEARING OFFICER is final.

J. THE AVIATION DIRECTOR MAY SERVE A NOTICE OF VIOLATION ON AN AUTHORIZED PROVIDER THROUGH ITS AUTHORIZED SIGNER OR DESIGNATED LOCAL POINT OF CONTACT.

K. ~~I. No~~ A person whose conduct by ~~commission~~ ACT or omission was responsible for the revocation of a permit, ~~decal~~ or driver identification card MEDIA, shall ~~MAY~~ be eligible to NOT apply for an airport A commercial ground transportation permit, ~~vehicle decal~~ or driver identification card MEDIA.

L. A PERSON WHOSE CONDUCT WAS RESPONSIBLE FOR THE SUSPENSION OR REVOCATION OF A PERMIT OR DRIVER IDENTIFICATION MEDIA MAY NOT OPERATE UNDER ANY AUTHORIZED PROVIDER'S PERMIT OR CONTRACT ON AN AIRPORT DURING THE TERM OF THE SUSPENSION OR REVOCATION.

M. ~~J.~~ It shall be IS unlawful to continue to operate on the AN airport during the period of time a suspension or revocation of a permit, ~~decal~~, or driver identification card MEDIA is in place.

Sec. 4-76. Motor vehicle equipment safety violations.

A. The Aviation Director ~~shall issue a notice of penalty prohibiting~~ MAY PROHIBIT the use of the ~~authorization decal~~ for any ground transportation motor vehicle that is in violation of the safety regulations with respect to requirements for tires, ~~steering components, brakes, lights or windshield~~ FOOT AND EMERGENCY BRAKES, VEHICLE STEERING, WINDSHIELDS, HEADLIGHTS, STOPLIGHTS, TAILLIGHTS, TURN SIGNALS, VEHICLE SEATS AND SEATBELTS, VEHICLE DOORS, HOOD, BUMPERS, BODY, VEHICLE HORN, VEHICLE MUFFLER AND EXHAUST SYSTEM, TIRE WEAR, AND INTERIOR AND EXTERIOR MIRRORS.

B. ~~Upon~~ IF THE AUTHORIZED PROVIDER SUBMITS EVIDENCE, THE AVIATION DIRECTOR DETERMINES, BASED ON PROOF PROVIDED BY THE AUTHORIZED PROVIDER OF correction of the deficiency, ~~the owner may apply for reinstatement of an authorization decal.~~ PROHIBITION OF USE OF THE VEHICLE WILL BE LIFTED.

Sec. 4-77. Prohibited acts.

A. ~~A violation~~ IT IS UNLAWFUL FOR A DRIVER TO VIOLATE, through act or omission of, any of the following requirements ~~or restrictions of this subsection is prohibited.:~~

1. ~~All~~ A DRIVER SHALL NOT STOP, STAND, OR PARK A ground transportation motor vehicles ~~shall be parked on an airport only~~ VEHICLE EXCEPT in areas designated for its class

CATEGORY OF ~~vehicle~~ PASSENGER PICK-UP as posted by the Aviation Director.

2. ~~Drivers~~ A DRIVER shall ~~load~~ NOT PICK-UP passengers ~~only~~ EXCEPT IN PARKING GARAGES, OR in designated loading zones posted by the Aviation Director for ~~such~~ THAT activity.

3. ~~Ground~~ A DRIVER SHALL NOT LEAVE A transportation motor ~~vehicles shall be attended by the driver~~ VEHICLE UNATTENDED while in a POSTED loading zone ~~AT an airport. The Aviation Director may prescribe rules to define the term "attended" for purposes of this subsection.~~ ON AN AIRPORT. FOR PURPOSES OF THIS PARAGRAPH, A VEHICLE IS "UNATTENDED" WHEN THE DRIVER IS NOT WITHIN FIFTEEN FEET FROM THE VEHICLE.

4. A driver shall not stop, stand, or park an ~~unscheduled ground transportation~~ A motor vehicle on an airport while ~~loading a passenger(s):~~ a. ~~Without~~ WITHOUT displaying THE FOLLOWING INFORMATION in a manner prescribed in rules promulgated by the Aviation Director ~~information informing prospective and committed passengers of~~ AND REGULATIONS:

- a. ~~i. the fares~~ THE FARE to be charged the passenger(s);
- b. ~~ii. the~~ THE name and ~~business address of the driver, and of the permittee, if different;~~
- c. THE NAME OF THE PROVIDER;
- d. ~~iii. how~~ HOW and where to lodge a complaint; and
~~iv. such other information as may be specified by the Aviation Director~~

5. ~~A taxicab shall not be parked in a posted loading zone on an airport while loading a passenger(s) without:~~

- a. ~~Having a properly installed, approved and sealed taxicab meter that is correctly set to calculate the fare or rate displayed on the outside of the vehicle; and~~
- b. ~~Having a roof or top sign mounted on the vehicle which readily identifies the vehicle as a taxicab.~~

e. A VALID VEHICLE DECAL OR TRADE DRESS.

~~6.—A driver or owner shall not solicit passengers for hire at the airport, except as authorized by the Aviation Director by written agreement designating specific locations and conditions for such activity. Except as specially authorized by the Aviation Director, fare negotiations with passengers shall take place outside of the terminals and only in areas designated by the Aviation Director.~~

5. EXCEPT IN DESIGNATED WAITING AREAS, A DRIVER OPERATING UNDER A PERMIT FOR A PREARRANGED PROVIDER SHALL NOT STOP OR PARK A GROUND TRANSPORTATION MOTOR VEHICLE ON AN AIRPORT WITHOUT HAVING A PREARRANGED CUSTOMER.

~~7.—A permittee, driver, or owner shall charge only the fare prescribed in Section 4-83 A.(4), or the amount shown on the meter, if used, and displayed on and in the vehicle. V.I.P.S may charge the rate agreed upon in a specific agreement, in which case, no more than the rate contracted for with the passenger may be charged.~~

6. A DRIVER SHALL NOT STOP, STAND OR PARK A GROUND TRANSPORTATION MOTOR VEHICLE AT PHOENIX SKY HARBOR INTERNATIONAL AIRPORT UNLESS THE VEHICLE IS PROPERLY EQUIPPED WITH AN AUTOMATED VEHICLE IDENTIFICATION (AVI) TAG OR THE DRIVER IS USING GLOBAL POSITIONING SATELLITE (GPS) TRIP TRACKING AS REQUIRED IN SECTION 4-72 AND AIRPORT RULES AND REGULATIONS.

7. ~~8.—Failure of a~~ A driver to SHALL NOT take A ROUTE THAT IS NOT the most direct and rapid route to the passenger's destination unless otherwise directed AGREED UPON by the passenger shall be unlawful.

8. ~~9.—A permittee or~~ A driver shall not engage in any physical fighting or loud, boisterous verbal disputes while at the ON AN airport or while transporting passengers from the AN airport.

9. A DRIVER SHALL NOT SOLICIT PASSENGERS FOR HIRE ON AN AIRPORT, EXCEPT AS AUTHORIZED BY THE AVIATION DIRECTOR BY WRITTEN AGREEMENT DESIGNATING SPECIFIC LOCATIONS AND CONDITIONS FOR THAT ACTIVITY. EXCEPT AS AUTHORIZED BY THE AVIATION DIRECTOR, FARE

NEGOTIATIONS WITH PASSENGERS SHALL TAKE PLACE OUTSIDE OF THE TERMINALS AND ONLY IN AREAS DESIGNATED BY THE AVIATION DIRECTOR.

10. A DRIVER SHALL MEET A PASSENGER(S) IN THE TERMINALS ONLY IN AREAS DESIGNATED BY THE AVIATION DIRECTOR. THE DRIVER SHALL HAVE IN PHYSICAL POSSESSION, AT ALL TIMES WHILE IN A TERMINAL FOR THE PURPOSE OF MEETING A PASSENGER, THE DRIVER'S IDENTIFICATION PLACARD AND A WAYBILL FOR THE PASSENGER PICK-UP.

11. A DRIVER SHALL NOT PICK-UP PASSENGERS EXCEPT AS AUTHORIZED BY A PERMITTEE UNDER SECTION 4-68 OR CONTRACTED TAXICAB PROVIDER UNDER SECTION 4-82 OR SHARED RIDE VAN SERVICE UNDER SECTION 4-84.

12. A DRIVER OPERATING UNDER THE PERMIT OF A PREARRANGED PROVIDER SHALL NOT CHARGE MORE THAN THE RATE AGREED UPON WITH THE PASSENGER IN THAT SPECIFIC PREARRANGED TRANSACTION.

13. A DRIVER SHALL NOT ALTER, DEFACE, TAMPER WITH, OR DAMAGE AN AVI TAG OR GPS TRIP TRACKING DEVICE. A DRIVER SHALL NOT ATTEMPT TO CIRCUMVENT A TRIP TRACKING SYSTEM.

14. A DRIVER OPERATING UNDER THE PERMIT OR CONTRACT OF AN AUTHORIZED PROVIDER AUTHORIZED TO OPERATE USING GPS TRIP TRACKING SHALL MAINTAIN THAT AUTHORIZED PROVIDER'S MOBILE APPLICATION OPEN AT ALL TIMES WHILE ON AN AIRPORT.

15. A DRIVER SHALL NOT ALTER, TAMPER WITH, DEFACE, OR DAMAGE AN IDENTIFICATION MEDIA, A VEHICLE DECAL, OR VEHICLE TRADE DRESS.

16. A DRIVER SHALL:

a. OBTAIN AND MAINTAIN A VALID VEHICLE DECAL OR TRADE DRESS AS REQUIRED IN SECTION 4-71;

b. OBTAIN, MAINTAIN AND MAKE AVAILABLE TO AIRPORT REPRESENTATIVES UPON REQUEST, A VALID DRIVER IDENTIFICATION MEDIA AS REQUIRED IN SECTION 4-69;

c. HAVE PROOF OF VALID INSURANCE MEETING REQUIREMENTS SET FORTH IN SECTION 4-68 SUBSECTION B, PARAGRAPH 3;

d. MAKE THE DRIVER IDENTIFICATION MEDIA, AND PHYSICAL OR VIRTUAL WAYBILL, OR COPY OF THE WRITTEN AGREEMENT WITH THE PREARRANGED PASSENGER, AVAILABLE TO AIRPORT REPRESENTATIVES UPON REQUEST; AND

e. LEAVE THE PASSENGER PICK-UP AREA IMMEDIATELY AFTER PICK-UP, IF THE PASSENGER CANCELS THE RESERVATION, OR AS OTHERWISE DIRECTED BY THE AVIATION DEPARTMENT.

17. A TAXICAB DRIVER SHALL NOT PARK IN A POSTED LOADING ZONE ON AN AIRPORT WITHOUT HAVING A PROPERLY INSTALLED, APPROVED AND SEALED TAXICAB METER THAT IS CORRECTLY SET TO CALCULATE THE FARE OR RATE DISPLAYED ON THE OUTSIDE OF THE VEHICLE; AND WITHOUT HAVING A ROOF OR TOP SIGN MOUNTED ON THE TAXICAB THAT READILY IDENTIFIES THE VEHICLE AS A TAXICAB.

18. A TAXICAB DRIVER SHALL NOT CHARGE MORE THAN THE FARE PRESCRIBED IN SECTION 4-83.

B. IT IS UNLAWFUL FOR A COMMERCIAL GROUND TRANSPORTATION PROVIDER TO VIOLATE, THROUGH ACT OR OMISSION, ANY OF THE FOLLOWING:

1. A PROVIDER MAY ONLY STOP, STAND, OR PARK A MOTOR VEHICLE, OR ALLOW A MOTOR VEHICLE TO STOP, STAND, OR PARK, IN PARKING GARAGES OR AREAS DESIGNATED FOR ITS CATEGORY OF PASSENGER PICK-UP AS POSTED BY THE AVIATION DIRECTOR.

2. A PROVIDER SHALL NOT STOP, STAND, OR PARK A MOTOR VEHICLE, OR ALLOW A VEHICLE TO STOP, STAND, OR PARK ON AN AIRPORT WITHOUT DISPLAYING THE FOLLOWING INFORMATION IN A MANNER PRESCRIBED IN RULES AND REGULATIONS:

a. THE FARE TO BE CHARGED;

- b. THE NAME OF THE DRIVER;
- c. THE NAME OF THE PROVIDER;
- d. HOW AND WHERE TO LODGE A COMPLAINT;
AND
- e. A VALID VEHICLE DECAL OR TRADE DRESS.

3. A PROVIDER SHALL NOT SOLICIT PASSENGERS FOR HIRE ON AN AIRPORT, EXCEPT AS AUTHORIZED BY THE AVIATION DIRECTOR BY WRITTEN AGREEMENT DESIGNATING SPECIFIC LOCATIONS AND CONDITIONS FOR THAT ACTIVITY. EXCEPT AS AUTHORIZED BY THE AVIATION DIRECTOR, FARE NEGOTIATIONS WITH PASSENGERS SHALL TAKE PLACE OUTSIDE OF THE TERMINALS AND ONLY IN AREAS DESIGNATED BY THE AVIATION DIRECTOR.

4. PREARRANGED PROVIDERS SHALL NOT CHARGE MORE THAN THE RATE AGREED UPON WITH THE PASSENGER IN THAT SPECIFIC PREARRANGED TRANSACTION.

5. A TAXICAB PROVIDER SHALL NOT CHARGE MORE THAN THE FARE PRESCRIBED IN SECTION 4-83, AND DISPLAYED ON THE VEHICLE, OR THE AMOUNT VISIBLY SHOWN ON THE METER.

~~10. A V.I.P. vehicle driver shall not stop or park within an airport except where designated by the Aviation Director without having a prearranged customer.~~

6. A PERMITTEE SHALL NOT FAIL TO COMPLY WITH THE REQUIREMENTS OF SECTION 4-68.

~~11. A V.I.P. vehicle driver shall provide the date, time, company, terminal, license plate, driver, airline, flight number, passenger name, and any other information requested by the Aviation Director in writing upon entering a terminal. Failure to provide the information in writing as directed shall be unlawful.~~

7. A PROVIDER SHALL NOT MISREPRESENT THE NATURE, SCOPE, OR QUALITY OF ITS DRIVER BACKGROUND CHECKS.

~~12. Failure to obtain and maintain a valid permit, decal, or driver identification card shall be unlawful.~~

8. A TAXICAB PROVIDER SHALL NOT FAIL TO HAVE A PROPERLY INSTALLED, APPROVED AND SEALED TAXICAB METER THAT IS CORRECTLY SET TO CALCULATE THE FARE OR RATE DISPLAYED ON THE OUTSIDE OF THE TAXICAB; AND SHALL NOT FAIL TO HAVE A ROOF OR TOP SIGN MOUNTED ON THE TAXICAB THAT READILY IDENTIFIES THE VEHICLE AS A TAXICAB.

9. ~~13.~~ Rental car companies shall use only the common transportation system, provided by the City, as the exclusive means to transport customers to and from the airport terminal zone.

Off-airport rental car companies shall pick-up and drop-off passengers only at the curb position at the RCC designated for off-airport rental car companies.

The requirements in this ~~subsection 14~~ PARAGRAPH 9 do not apply to ~~handicapped~~ DISABLED services vehicles picking up customers with special needs or to rental car customers renting from a facility located in space subleased from a fixed base operator.

10. ~~14.~~ Loading and unloading at the curb position at the RCC designated for off-airport rental car companies and at the curb positions for the common transportation system are governed by airport rules and regulations posted on the airport's website.

11. A PROVIDER SHALL NOT ALTER, DEFACE, TAMPER WITH, OR DAMAGE AN AVI TAG OR GPS TRIP TRACKING DEVICE. A PROVIDER SHALL NOT ATTEMPT TO CIRCUMVENT A TRIP TRACKING SYSTEM.

12. A PROVIDER SHALL NOT ALTER, TAMPER WITH, DEFACE, OR DAMAGE AN IDENTIFICATION MEDIA, A VEHICLE DECAL, OR VEHICLE TRADE DRESS.

13. ~~15. A driver~~ A PROVIDER shall not stop, stand or park a ~~commercial~~ ground transportation motor vehicle at Phoenix Sky Harbor International Airport while loading a passenger(s) unless the vehicle is properly equipped with an AVI tag ~~if the vehicle is required to obtain an AVI tag~~ AUTOMATED VEHICLE IDENTIFICATION (AVI) TAG OR THE PROVIDER IS USING GLOBAL POSITIONING SATELLITE (GPS) TRIP TRACKING AS

REQUIRED IN SECTION 4-72 AND AIRPORT RULES AND REGULATIONS.

C. IT IS UNLAWFUL FOR AN AUTHORIZED SIGNER OR DESIGNATED LOCAL POINT OF CONTACT TO VIOLATE ANY OF THE FOLLOWING:

1. AN AUTHORIZED SIGNER OR DESIGNATED LOCAL POINT OF CONTACT SHALL NOT AUTHORIZE ANY DRIVER THAT HAS NOT PASSED A BACKGROUND CHECK OR IS PROHIBITED TO OPERATE PURSUANT TO SECTION 4-68.

2. AN AUTHORIZED SIGNER OR DESIGNATED LOCAL POINT OF CONTACT SHALL NOT AUTHORIZE ANY VEHICLE THAT HAS NOT PASSED THE INSPECTION REQUIRED IN SECTION 4-68.

D. ~~B. The remedies herein are cumulative and the~~ THE City may proceed under one or more such OF THE FOLLOWING remedies.:

1. *CIVIL TRAFFIC VIOLATIONS:*

~~1. A violation under subsection A, paragraphs 1, 2, or 3~~ SUBSECTION A, PARAGRAPHS 1 THROUGH 6, SUBSECTION B, PARAGRAPHS 1 AND 2, shall constitute a civil traffic violation, subject to a civil sanction as provided in Section 36-156.02 of the Phoenix City Code.

2. *Civil sanctions:*

a. A VIOLATION UNDER SUBSECTION A PARAGRAPHS 7 THROUGH 18, SUBSECTION B PARAGRAPHS 3 THROUGH 13, OR SUBSECTION C, IS SUBJECT TO A CIVIL SANCTION OF:

i. FOR THE FIRST VIOLATION NOT LESS THAN ONE HUNDRED DOLLARS;

ii. ~~A violation under subsection A, paragraphs 4 through 15 is subject to a civil sanction of not less than one hundred dollars or more than two thousand five hundred dollars. A second violation under subsection A, paragraphs 4 through 15~~ FOR THE SECOND VIOLATION within thirty-six months of the commission of a prior violation of subsection A, paragraphs 4

~~through 15 shall be subject to a civil sanction of not less than two hundred fifty dollars. A third violation under subsection A, paragraphs 4 through 15 within thirty-six months of the commission of a violation under subsection A, paragraphs 4 through 15 shall be subject to a civil sanction of not less than five hundred dollars.;~~

- iii. FOR THE THIRD VIOLATION WITHIN THIRTY-SIX MONTHS OF THE COMMISSION OF A VIOLATION SHALL BE SUBJECT TO A CIVIL SANCTION OF NOT LESS THAN FIVE HUNDRED DOLLARS.

b. ~~The thirty six month period, provision of subsection B, paragraph 2.a.~~ FOR THIS SECTION, shall be calculated by the dates the violations were committed. Any person shall receive the enhanced civil sanction upon a finding of responsibility for any violation under subsection A, paragraphs 4 through 15 which was committed within thirty-six months of the commission of another violation for which that person was convicted or found responsible, irrespective of the order in which the violations occurred or whether the prior violation was civil or criminal.

3. *Criminal sanctions:*

a. ~~A violation of subsection A, paragraphs 4 through 15~~ SUBSECTION A, PARAGRAPHS 9 THROUGH 18, SUBSECTION B, PARAGRAPHS 3 THROUGH 13, AND SUBSECTION C shall be a criminal violation subject to the provisions of Section 4-80 of the Phoenix City Code.

b. ~~Any person convicted of a violation of subsection A, paragraphs 4 through 15 shall be sentenced to a fine of not less than one hundred dollars. Any person who is convicted of a second violation of subsection A, paragraphs 4 through 15 committed within thirty-six months of a prior violation of subsection A, paragraphs 4 through 15 shall be subject to a fine of not less than two hundred fifty dollars. Any person who is convicted of a third or subsequent violation of subsection A, paragraphs 4 through 15 committed within thirty-six months of a prior violation of subsection A, paragraphs 4 through 15 shall be subject to a fine of not less than five hundred dollars.~~

~~c.—The thirty six month period provision of subsection A, paragraphs 4 through 15 shall be calculated by the dates the violations were committed. The owner or responsible party shall receive the enhanced fine upon a conviction of any violation of subsection A, paragraphs 4 through 15 which was committed within thirty-six months of the commission of another violation for which owner or responsible party was found responsible or convicted, irrespective of the order in which the violations occurred or whether the prior violation was civil or criminal.~~

E. EACH DAY ANY VIOLATION OF ANY PROVISION OF THIS ARTICLE, OR THE FAILURE TO PERFORM ANY ACT OR DUTY REQUIRED BY THIS ARTICLE, EXISTS SHALL CONSTITUTE A SEPARATE VIOLATION OR OFFENSE.

Sec. 4-78. Fees.

A. TRIP FEES

EXCEPT FOR OFF-AIRPORT RENTAL CAR COMPANIES, ALL AUTHORIZED PROVIDERS SHALL PAY THE TRIP FEES SET FORTH BELOW.

1. ALL AUTHORIZED PROVIDERS PERMITTED PRIOR TO JUNE 18, 2016, SHALL PAY TRIP FEES AS FOLLOWS:

VEHICLE SIZE	BEGINNING JANUARY 1, 2017	BEGINNING JANUARY 1, 2018	BEGINNING JANUARY 1, 2019
1-8 SEATS	\$2.25	\$2.75	\$3.25
9-23 SEATS	\$2.75	\$3.50	\$4.25
24+ SEATS	\$6.50	\$7.50	\$9.00

2. SAVING CLAUSE. FROM JUNE 18, 2016, THROUGH DECEMBER 31, 2016, ALL AUTHORIZED PROVIDERS PERMITTED PRIOR TO JUNE 18, 2016, SHALL PAY ALL FEES AS EXISTED IN THIS SECTION IMMEDIATELY PRIOR TO JUNE 18, 2016.

3. ALL AUTHORIZED PROVIDERS PERMITTED ON OR AFTER JUNE 18, 2016 SHALL PAY TRIP FEES AS FOLLOWS:

VEHICLE SIZE	BEGINNING JUNE 18, 2016
1-8 SEATS	\$3.25

9-23 SEATS	\$4.25
24+ SEATS	\$9.00

4. THE AVIATION DEPARTMENT'S ESTIMATED ANNUAL REVENUES PURSUANT TO SUBSECTION (A) ARE AS FOLLOWS:

2017 - \$7,012,687.00
2018 - \$7,842,608.00
2019 - \$8,678,004.00

IN JANUARY OF CALENDAR YEARS 2018 AND 2019, THE AVIATION DEPARTMENT WILL CONDUCT A REVIEW OF ESTIMATED REVENUE VERSUS ACTUAL REVENUE. BASED ON THE RESULTS OF EACH CALENDAR YEAR REVIEW: (A) IF TOTAL REVENUE IN THE PRECEDING CALENDAR YEAR REVIEWED IS LESS THAN OR EQUAL TO TOTAL ESTIMATED REVENUE FOR THAT SAME CALENDAR YEAR REVIEWED, THEN THE CURRENT CALENDAR YEAR FEES WILL BE AS SET FORTH IN SUBSECTIONS (A)(1) AND (3); OR (B) IF TOTAL REVENUE IN THE PRECEDING CALENDAR YEAR REVIEWED EXCEEDS TOTAL ESTIMATED REVENUE FOR THAT SAME CALENDAR YEAR, THEN THE CURRENT YEAR'S RATES WILL BE PROPORTIONATELY ADJUSTED TO ACHIEVE THE CURRENT YEAR'S ESTIMATED REVENUE USING THE PRECEDING CALENDAR YEAR'S ACTUAL TRIPS.

5. THE AVIATION DEPARTMENT WILL CONDUCT A STUDY BY JANUARY 1, 2020, OF COMPARABLE AIRPORTS' TRIP FEES. THE AVIATION DEPARTMENT WILL SEEK INDUSTRY PARTICIPATION IN THE SELECTION OF THE CONSULTANT AND PARTICIPATION IN THE STUDY.

6. BEGINNING JANUARY 1, 2020, FEES WILL INCREASE ANNUALLY AT THE LESSER OF THREE PERCENT OR THE PERCENT OF CHANGE IN THE MOST CURRENT CONSUMER PRICE INDEX FOR LOS ANGELES-RIVERSIDE-ORANGE COUNTY, CA, ALL URBAN CONSUMERS, PUBLISHED BY THE U.S. DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS, OR SUCH REVISED INDEX THAT MAY BE SUBSEQUENTLY PUBLISHED BY THE BUREAU.

7. FOR AUTHORIZED PROVIDERS USING GLOBAL POSITIONING SYSTEM (GPS) TRIP TRACKING, TRIP FEES APPLY ONCE EACH TIME A DRIVER ENTERS A GEOFENCE, MAKES ONE OR MORE STOPS, AND COMPLETES A PICK-UP

OF ONE OR MORE PASSENGERS. FOR ALL OTHER AUTHORIZED PROVIDERS, TRIP FEES APPLY ONCE EACH TIME A DRIVER ENTERS AN AIRPORT AND STOPS AT ONE OR MORE DESIGNATED PASSENGER PICK-UP LOCATIONS.

8. FOR AUTHORIZED PROVIDERS USING GPS TRIP TRACKING, IN THE EVENT THAT AUTHORIZED PROVIDER'S GPS TRIP TRACKING SYSTEM FAILS (DOWNTIME), AND THE AUTHORIZED PROVIDER IS UNABLE TO ACCOUNT FOR TRIPS DURING SUCH DOWNTIME IN THE SUBSEQUENT MONTHLY REPORT, THE AVIATION DIRECTOR WILL DETERMINE THAT AUTHORIZED PROVIDER'S MONTHLY FEE FOR SUCH DOWNTIME BASED UPON THE HIGHEST MONTHLY NUMBER OF PASSENGER PICK-UPS IN THE LAST TWELVE MONTHS FOR THE SAME AMOUNT OF TIME, TAKING INTO ACCOUNT THE TIME OF DAY AND DAY OF WEEK.

9. AUTHORIZED PROVIDERS USING GPS TRIP TRACKING, AND ALL AUTHORIZED PROVIDERS USING DESIGNATED PICK-UP LOCATIONS WHERE THERE IS NO AUTOMATED VEHICLE IDENTIFICATION (AVI) READER, SHALL REPORT ALL TRIPS FOR THAT MONTH TO THE CITY NO LATER THAN FIFTEEN CALENDAR DAYS AFTER THE LAST DAY OF THE MONTH.

10. THE AVIATION DIRECTOR MAY PROVIDE A DISCOUNT OF UP TO TEN PERCENT OF AN AUTHORIZED PROVIDER'S MONTHLY TRIP FEE INVOICE FOR TRIPS CONDUCTED BY ALTERNATIVE FUEL POWERED GROUND TRANSPORTATION MOTOR VEHICLES.

11. ALL FEES ASSESSED PURSUANT TO THIS SECTION SHALL BE PAID ON A MONTHLY BASIS ON OR BEFORE THE THIRTIETH DAY FROM THE BILLING DATE, AND PAYMENT SHALL BE MADE WITH FORMS PRESCRIBED BY THE AVIATION DIRECTOR FOR REPORTING, COMPUTING AND REMITTING SAID FEES.

~~A. The following schedule of fees is hereby established for the ground transportation motor vehicles: AVI tag fees:~~

12. AN AUTHORIZED PROVIDER MAY DISPUTE THE CALCULATION OF TRIP FEES AS PROVIDED IN AIRPORT RULES AND REGULATIONS.

Vehicle Class	Type of Fee	Amount
---------------	-------------	--------

Vehicle Class	Type of Fee	Amount
Bus	Per trip	\$2.00
Courtesy Vehicle	Annual	400.00
Handicapped Services Vehicle	Annual	400.00
Intercity Ground Transporter	Annual	400.00
Off Airport Rental Car Company Vehicle	Monthly	Per subsection F
Time Scheduled Van	Annual	1,000.00
Unscheduled—Contracted Limousine	Annual	Per subsection P
Unscheduled—Taxicab	Annual	Per subsection P
V.I.P. Vehicle	Annual	400.00

B. ~~An annual fee per vehicle as established in subsection A shall be due and payable, prorated on a quarterly basis on January 1, April 1, July 1, and October 1 of each year or portion thereof that a vehicle is in service. A new vehicle placed in service for less than a calendar quarter shall be assessed a portion of the quarterly fee retroactive to the first day of the month that the vehicle was placed in service.~~

13. AN AUTHORIZED PROVIDER MAY REQUEST SPECIFIC DOCUMENTS PROVIDED TO THE CITY BE TREATED AS CONFIDENTIAL OR PROPRIETARY (COLLECTIVELY CONFIDENTIAL), PROVIDED THAT THE AUTHORIZED PROVIDER CLEARLY LABELS THE DOCUMENTS "CONFIDENTIAL." THE CITY WILL NOTIFY THE AUTHORIZED PROVIDER IN WRITING OF ANY PUBLIC RECORDS REQUEST TO VIEW THE DOCUMENTS OR ANY PORTION OF THE DOCUMENTS MARKED "CONFIDENTIAL." AUTHORIZED PROVIDER WILL HAVE SEVEN CALENDAR DAYS FROM THE DATE SUCH NOTICE IS RECEIVED TO OBTAIN A COURT ORDER ENJOINING THE RELEASE OF THE DOCUMENTS MARKED CONFIDENTIAL. IF THE AUTHORIZED PROVIDER DOES NOT PROVIDE THE CITY WITH A COURT ORDER ENJOINING RELEASE OF THE DOCUMENTS, THE CITY WILL MAKE THE DOCUMENTS REQUESTED AVAILABLE FOR INSPECTION AS REQUIRED UNDER THE PUBLIC RECORDS LAW SEVEN CALENDAR DAYS AFTER THE WRITTEN NOTICE TO THE AUTHORIZED PROVIDER IS RECEIVED.

B. ~~C.~~ The Aviation Director may establish such other fees for temporary or daily use ~~vehicle~~ permits as ~~he~~ THE AVIATION DIRECTOR deems necessary for the safe, efficient and orderly operation of ~~the airports AN~~ AIRPORT.

C. BOOKS AND RECORDS

1. AUTHORIZED PROVIDER AGREES TO MAINTAIN AND MAKE AVAILABLE TO THE AVIATION DEPARTMENT DURING REGULAR BUSINESS HOURS ACCURATE BOOKS AND ACCOUNTING RECORDS RELATING TO ITS OPERATIONS UNDER THIS ARTICLE. AUTHORIZED PROVIDER SHALL MAKE AVAILABLE ALL RECORDS WITHIN MARICOPA COUNTY. IF AUTHORIZED PROVIDER FAILS TO MAKE AVAILABLE ALL RECORDS WITHIN MARICOPA COUNTY, AUTHORIZED PROVIDER AGREES TO REIMBURSE THE AVIATION DEPARTMENT FOR REASONABLE EXPENSES INVOLVED IN TRAVELING TO THE RECORDS STORAGE SITE. AUTHORIZED PROVIDER SHALL COOPERATE WITH THE INSPECTION AND/OR AUDIT. IN THE EVENT AN INSPECTION OR AUDIT SHOWS THAT AUTHORIZED PROVIDER HAS UNDERPAID ITS MONTHLY FEES BY MORE THAN THREE PERCENT, THE AVIATION DEPARTMENT MAY REQUIRE AUTHORIZED PROVIDER TO REIMBURSE THE AVIATION DEPARTMENT FOR THE COSTS OF THE INSPECTION AND/OR AUDIT. AUTHORIZED PROVIDER SHALL PROMPTLY REMEDY ANY NONCOMPLIANCE FOUND THROUGH THE INSPECTION AND/OR AUDIT. AUTHORIZED PROVIDER SHALL MAINTAIN THE DATA AND RECORDS IN AN ACCESSIBLE LOCATION AND CONDITION FOR A PERIOD OF NOT LESS THAN FIVE YEARS FROM THE EXPIRATION OF ITS CONTRACT OR PERMIT, OR THE LAST DATE OF OPERATIONS ON AN AIRPORT, WHICHEVER IS LATER.

2. THE AVIATION DIRECTOR RESERVES THE RIGHT TO REQUEST ANY AND ALL REPORTS DEEMED NECESSARY FROM AUTHORIZED PROVIDER IN ITS PERFORMANCE UNDER THIS ARTICLE, OR FOR AUDITING PURPOSES, AT NO COST TO THE AVIATION DEPARTMENT. THESE REPORTS SHALL BE SUBMITTED WITHIN TEN BUSINESS DAYS FROM THE DATE THE REQUEST WAS MADE UNLESS INSTRUCTED OTHERWISE IN WRITING BY THE AVIATION DIRECTOR.

D. ~~Unscheduled taxicab and unscheduled contracted limousine owners shall collect a one dollar surcharge for each trip generated from Phoenix Sky Harbor International Airport, and shall remit such surcharge collected to the~~

Aviation Department in the manner prescribed in rules promulgated by the Aviation Director.

E. ~~AVI tag fees:~~

1. ~~The Aviation Director shall set fees at the actual cost of the AVI tag for each vehicle requiring an AVI tag in an amount not to exceed twenty one dollars (\$21.00) for the following types of AVI tags:~~

A. ~~The original AVI tag placed on the vehicle.~~

B. ~~The replacement cost of the AVI tag if a transponder is lost, stolen or damaged.~~

2. ~~The Aviation Director may require a refundable deposit at the actual cost of an AVI tag in an amount not to exceed twenty one dollars (\$21.00) for any ground transportation motor vehicle that obtains a temporary permit (to accommodate vehicle maintenance) and/or a daily permit (to supplement fleet size). The refundable deposit will be forfeited if an AVI tag is not returned to the City of Phoenix within thirty (30) days after a permit has expired.~~

F. ~~Off-airport rental car companies and vehicle rental companies subleasing space from a fixed base operator shall pay, for the use of off-airport rental car company vehicles at the RCC, a fee of seven percent of the gross receipts received from that portion of the vehicle rental company's vehicle rental receipts derived from persons transported between the airport and such vehicle rental facility. The fees to be imposed at Phoenix Deer Valley Airport and Phoenix Goodyear Airport shall be commensurate in amount and application to identical fees imposed at Phoenix Sky Harbor International Airport as set forth in section G E, below.~~

G E. For purposes of computing gross receipts in this section Phoenix Sky Harbor International Airport, Phoenix Deer Valley Airport and Phoenix Goodyear Airport shall each be considered an independent operation, and the rental receipts derived from each airport shall be reported in accordance with the following:

1. Gross receipts includes all amounts received, billed (whether collected or not), delivered or realized by the off-airport rental car company, without deduction or offset, whether by cash, credit or otherwise related to the off-airport rental car company's vehicle rental concession as authorized by this article. All amounts are included in the definition of gross receipts unless specifically

excluded as provided in subsection 2 below. In determining whether an amount is or is not included in gross receipts the burden of proof is on the off-airport rental car company and all exclusions in subsection 2 will be construed narrowly.

2. Gross receipts shall not include:

(A) Taxes - Any fee or other charge levied by federal, state, county or municipal government that is explicitly identified by the taxing authority as a tax levied on the customer and required by law to be separately stated.

(B) Customer facility charge - As defined in Phoenix City Code Section 4-79 when collected and remitted to the City.

(C) Sums received for loss, conversion, disposal or abandonment of the off-airport rental car company's vehicles, provided that the off-airport rental car company retains documentation from a third-party that establishes to the City's satisfaction that the loss, conversion, disposal or abandonment occurred, and that the sums received do not exceed the amount necessary to repair or replace the vehicle that was subject to the loss, conversion, disposal or abandonment.

H F. No deductions shall be allowed from gross receipts for the payment of franchise fees or taxes levied on the off-airport rental car company's activities, facilities, equipment or real or personal property of the off-airport rental car company.

I G. Each off-airport rental car company acknowledges that its payments to the City under this article are for the company use of the airport, and that those payments do not reflect a fee that is imposed by the City upon customers renting cars from the company. Each off-airport rental car company understands that the City does not support the practice of transferring the company obligation for payment of the fees due under this article to its customers. Except as provided under Section 4-79 of this article, each off-airport rental car company is prohibited from stating or implying, in writing or orally, that the City or airport imposes or approves of any direct charge to its customers, including any surcharge that the company passes on to its customers to recoup airport use fees. Each off-airport rental car company is prohibited from misrepresenting to the public its prices or the terms and provisions of its rental agreement or those of its competitors, either orally or in writing. If an off-airport rental car company separately states and imposes a fee recoupment charge, recovery fee, or surcharge on its customers, that charge shall be immediately adjacent to time

and mileage charges on the customer's invoice and shall not be described as a tax.

J H. Each off-airport rental car company shall report all income, both cash and credit, in its monthly gross receipts statement to the City.

K I. All off-airport rental car companies shall keep true and accurate account records, books and data which shall, among other things, show all sales made and services performed for cash or credit or otherwise, without regard to whether paid or not, and also the gross sales of said business and the aggregate amount of all sales and services and orders, and of all of the off-airport rental car company's business conducted from the airport.

L J. The City and its agents shall have the right, at all reasonable times and during all business hours, to inspect and examine such records, cash registers, books and other data as required to confirm the gross receipts as defined above.

M K. Within ninety days after the end of each calendar year, the off-airport rental car company, at its sole expense, shall submit to the City a certified annual statement of gross receipts, prepared by an independent certified public accountant in accordance with the statement on auditing standards issued by the Standards Board of The American Institute of Certified Public Accountants ("AICPA Standards"), as the same may from time to time be amended or superceded:

Annual Gross Receipts	Annual Audit Statement
\$0.00—\$999,999.00	File a written audit statement based on a review which indicates that nothing in the inquiries or analytical testing has caused the reviewer to determine that the off-airport rental car company's payment of the concession privilege fee was inaccurate.
\$1,000,000.00—Up	File a written audit statement based upon an examination which contains an opinion that the concession privilege fees paid by the off-airport rental car company for the calendar year were made in accordance with the terms of this article. If the off-airport rental car company delivers a qualified opinion, an adverse opinion or a disclaimer of opinion as defined by the AICPA Standards, this shall constitute a failure to comply with the annual statement requirement.

N L. In the event of an overpayment or underpayment by the off-airport rental car company, an amount equal to such payment shall be promptly paid by, or credited to, the off-airport rental car company. If, through an audited statement, it is established that the off-airport rental car company overpaid the City, reimbursement will be conditioned upon the off-airport rental car company providing reasonable justifications for the overpayment that are satisfactory to the City.

O M. Off-airport rental car company vehicle fees shall be paid in accordance with the following schedule:

1. All fees assessed pursuant to this section shall be paid on a monthly basis on or before the twentieth day of the month next succeeding the month in which the fee accrues, and payment shall be made with forms prescribed by the Aviation Director for reporting, computing and remitting said fees.
2. Fees shall be deemed delinquent and assessed a delinquent account fee in accordance with Section 4-7 of the Phoenix City Code.

~~P N. Unscheduled taxicab and unscheduled contracted limousine annual permit~~ TAXICAB fees shall be assessed and collected in accordance with the current service contracts between each contracted taxicab and/or limousine owner and the City.

Q O. The Aviation Director may, in THE AVIATION DIRECTOR'S his sole discretion, waive any or all of the fees assessed by this section at Phoenix Goodyear Airport or Phoenix Deer Valley Airport when he THE AVIATION DIRECTOR determines that it is not cost-effective to assess and collect such fees.

R P. Failure to comply with the terms of this article or pay the fees as required may result in a non-renewal of the commercial ground transportation permit as provided in Section 4-7068 of the Phoenix City Code, or a suspension or revocation of the permittee's ~~deal or~~ permit as provided in Section 4-75. of the Phoenix City Code.

SECTION 12. That Phoenix City Code, Chapter 4, Article IV, Sections 4-80 through 4-86 are amended to read:

Sec. 4-80 Penalties.

Except where otherwise specifically provided in this Article ARTICLE or Section 36-156.02 of the City Code, a violation of the requirements of this Article

ARTICLE shall be deemed a Class 1 misdemeanor, and punishment therefore shall be as prescribed by the Phoenix City Code for Class 1 misdemeanors.

Sec. 4-81. Exemptions.

Except for subsections SECTION 4-77A(1)(2) SUBSECTION A, PARAGRAPHS 1, 2, and (3) 3, the requirements of this Article do not apply to a ground transportation motor vehicle owned and operated by the United States, the State of Arizona, or any political subdivision thereof or to any MOTOR vehicle operated on an airport pursuant to a separate lease, CONTRACT, or permit with the City.

Sec. 4-82. Taxicab and limousine operating rights; unscheduled PRIVILEGES; taxicab and limousine operators; effective dates of termination.

A. The Aviation Director may issue Phoenix Sky Harbor International Airport operating privileges for taxicab and limousine ground transportation motor vehicles only in accordance with subsection SUBSECTION B. of this section

B. Operating privileges.

1. ~~Unscheduled taxicab and limousine owners~~ TAXICAB PROVIDERS may obtain airport operating privileges pursuant to taxicab or limousine service contracts awarded by the Aviation Director on the basis of competitive bidding, requests for proposals SOLICITATION, or direct negotiations.

2. Taxicab and limousine service contracts may be awarded in such numbers and upon UNDER such terms and conditions as provide, in the judgment of THAT MAY BE REQUIRED BY the Aviation Director, TO PROVIDE an efficient number of taxicabs and limousines to serve the traveling public.

C. ~~Except as provided in Section 4-83, in the event of a conflict between the provisions of this Article and the terms and conditions of specific taxicab or limousine service contracts entered into pursuant to this Article, the terms and conditions of said service contracts shall be controlling.~~

Sec. 4-83. Established fare rates for taxicabs and contracted limousines.

Maximum and minimum passenger fare rates for fares applicable to ground transportation categories TAXICABS departing from Phoenix Sky Harbor International Airport (PSHIA) shall be as follows:

A.—~~Unscheduled taxicab.~~

1. Subject to ~~subsection A.SUBSECTIONS 3 AND 4~~ of this section, the taxicab fare per trip is ~~\$5.00~~ SHALL NOT EXCEED FIVE DOLLARS for the first mile and ~~\$2.30~~ TWO DOLLARS AND THIRTY CENTS for each additional mile. *4

2. ~~An owner~~ A TAXICAB PROVIDER may assess a traffic delay charge, in accordance with its service contract or rules and regulations promulgated as provided in this ~~article~~ ARTICLE, at a rate not to exceed ~~\$23.00~~ TWENTY-THREE DOLLARS per hour.*4

~~3.—An owner may charge a \$1.00 trip fee for each trip.~~

3. Notwithstanding any other provision in this ~~subsection~~ SECTION, a minimum fare of ~~\$15.00~~ FIFTEEN DOLLARS may be charged per trip from the ~~airport~~. *4 PSHIA.

B.—~~Unscheduled contracted limousines.~~

1. ~~An owner shall not charge, or allow a charge of, a fare in excess of the following rates per trip from the airport:~~

From Airport To:	Rates Per Trip (1—2 Passengers)
Zone A	\$35.00
Zone B	\$45.00
Zone C	\$55.00
Zone D	\$65.00
Zone E	\$75.00
Zone F	\$85.00
Additional passenger(s)	\$10.00/person

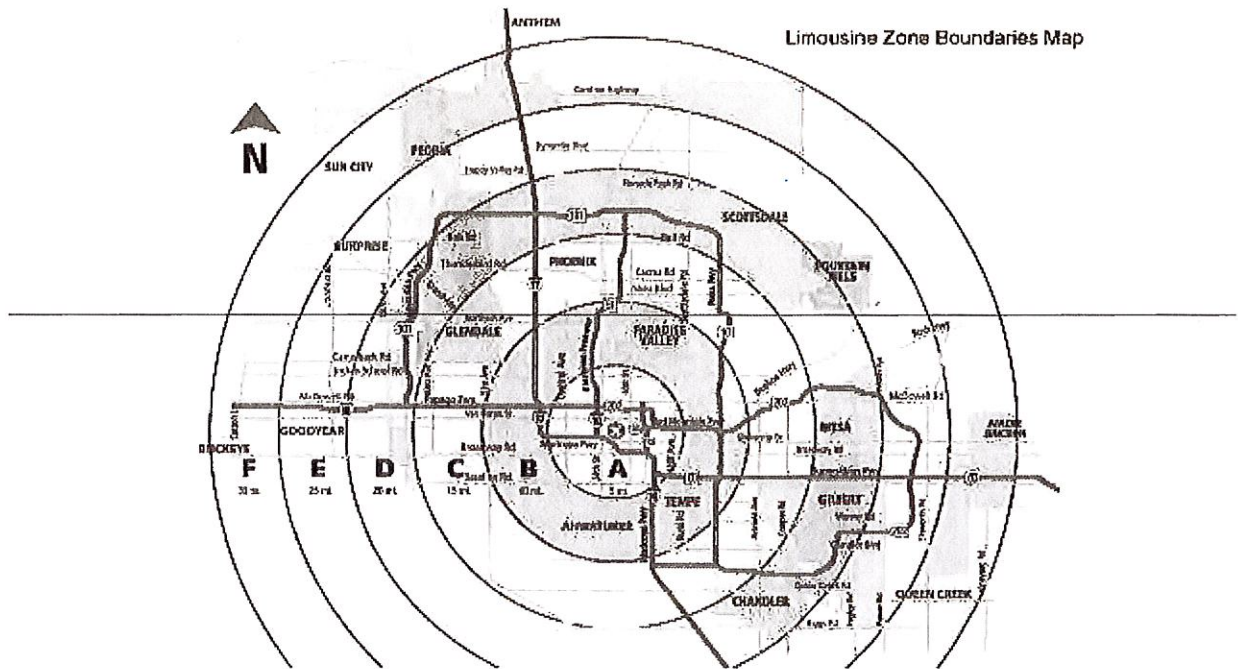
2. ~~Zone boundaries:~~ The geographic boundaries of the zones listed in subsection (b)(1) are in five (5) mile increments from Sky Harbor Airport, as described below and as shown in the attached limousine zone boundaries map.

- a. ~~Zone A~~ Five mile radius from Sky Harbor Airport.
- b. ~~Zone B~~ Ten mile radius from Sky Harbor Airport.
- c. ~~Zone C~~ Fifteen mile radius from Sky Harbor Airport.
- d. ~~Zone D~~ Twenty mile radius from Sky Harbor Airport.
- e. ~~Zone E~~ Twenty five mile radius from Sky Harbor Airport.
- f. ~~Zone F~~ Thirty mile radius from Sky Harbor Airport.

3. ~~Additional passenger rate:~~ For purposes of these rates, an additional passenger is any passenger in addition to the first two passengers.

4. NOTWITHSTANDING ANY OTHER PROVISION IN THIS SECTION, THE TAXICAB FARE PER TRIP TO THE DOWNTOWN PHOENIX AREA, AS DESCRIBED BY THE FOLLOWING BOUNDARIES, SHALL NOT EXCEED SEVENTEEN DOLLARS.

- a. NORTH BOUNDARY: ROOSEVELT STREET
- b. SOUTH BOUNDARY: LINCOLN STREET
- c. WEST BOUNDARY: SEVENTH AVENUE
- d. EAST BOUNDARY: SEVENTH STREET



Sec. 4-84. Definition; time scheduled SHARED RIDE van; operating rights; effective date of termination PRIVILEGES.

A. ~~"Time-scheduled van service" means operation of a fleet of vans connected and controlled by radio dispatch to pick up and deliver to an airport one or more passengers from circumscribed sectors of a general service area, and to pick up arriving passengers for delivery to their curbside destinations when such passenger(s) have contracted, or made prior arrangements, for the service prior to the van arriving in said airport.~~

A. ~~B.~~ B. The Aviation Director shall ~~MAY~~ issue AIRPORT operating privileges, including but not limited to, driver's permits and van authorizing decals, for time-scheduled ~~FOR SHARED RIDE~~ van service on City airports only in accordance with subsection ~~G.~~ SUBSECTION B.

B. ~~C.~~ C. Phoenix Sky Harbor International Airport shall be served by one time-scheduled SHARED RIDE van service, which shall be issued operating privileges in accordance with terms and conditions of an exclusive time-scheduled SHARED RIDE van service contract to be awarded from time to time by the Aviation Director on the basis of competitive bidding, ~~requests for proposals~~ SOLICITATION, or by direct negotiations.

Sec. 4-85. Intercity ground transporter PROVIDERS operating rights.

A. Intercity ground transporters PROVIDERS shall not provide transportation within a thirty-five-mile radius from PHOENIX Sky Harbor INTERNATIONAL Airport.

~~B. The Aviation Director may issue a notice of violation and/or notice of penalty for failure to comply with all applicable sections of Phoenix City Code, Chapter 4, Article IV.~~

Sec. 4-86. Small operator parcel.

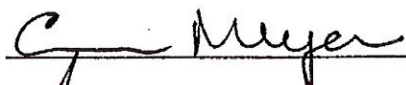
A. The Aviation Director may enter into month-to-month leases at the small operator parcel under such terms and conditions deemed necessary and convenient to the City THAT MAY BE REQUIRED BY THE AVIATION DIRECTOR.

PASSED by the Council of the City of Phoenix this 18th day of May, 2016.



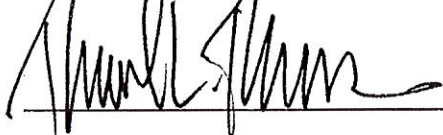
MAYOR

ATTEST:



City Clerk

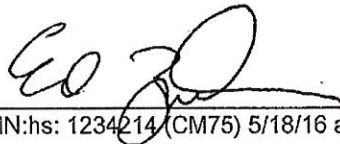
APPROVED AS TO FORM:



Acting City Attorney



REVIEWED BY:



City Manager

PMN:hs: 1234214 (CM75) 5/18/16 agenda

Exhibit 6

Ground Transportation Fees Benchmarking Study **Final Report**

Phoenix Sky Harbor International Airport

Project Sponsor: City of Phoenix Aviation Department
Date: July 30, 2019

Report Revision Log

Revision Date	Description	Pages	Reason
30 th July 2019	AUS, DEN, DFW data removed from chart resulting in revised average trip fee for off-airport parking	18	Based on comments from Fair Fees for PHX on 25 July 2019
	Revised average trip fee for off-airport parking	19, 27	
	Corrected trip fee for off-airport parking at MSP	37	

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4	Study Overview
6	Benchmark Airports
9	Comparison of Trip Fees
21	Benchmarking Observations
24	Recommendations
30	Appendix A: Benchmark Airport Case Studies
43	Appendix B: Additional Benchmarking Information
49	Appendix C: PHX GT Infrastructure
55	Appendix D: PHX GT Forecast

Study Overview

2100A 04/2018



Study Overview

Introduction

In 2016, the City of Phoenix (City) Council adopted an amendment to the City Code which addressed the Ground Transportation (GT) Fees at Phoenix Sky Harbor International Airport (PHX) from 2016-2020. As part of the amendment, the City of Phoenix Department of Aviation Department (AVN) was required to conduct a new study, by January 1, 2020, of comparable airports' trip fees. The City Code also outlined that industry participation would be sought in selecting the consulting team and throughout the study itself.

The 2018 PHX - GT Fees Benchmarking Study (Study) commenced as part of the commitment noted above. The Study was organized into three main deliverables: Technical Papers #1, #2 and a Final Report. This document is the Final Report submission of the benchmarking study.

Study Deliverables

TECHNICAL PAPER 1

- Propose a stakeholder involvement plan;
- Create a draft list of airports to be benchmarked;
- Plan for the collection of data and information on the agreed benchmarked airports and PHX;
- Review of previous GT fee studies to any identify gaps and deficiencies;
- Review Technical Paper #1 with stakeholders and consider and integrate feedback.

1

TECHNICAL PAPER 2

- Collect required data and information for PHX and the benchmarked airports;
- Compare airport GT fee structures and fee levels;
- Develop graphics and charts to support the study findings;
- Review Technical Paper #2 with stakeholders and consider and integrate feedback.

2

FINAL REPORT

- Provide summary of comparison between PHX and the benchmarked airports;
- Review draft final report with stakeholders;
- Produce final report following stakeholder review;
- Based on benchmarking, provide overall opinion of current City GT fees and suggestions for city code improvement if necessary.

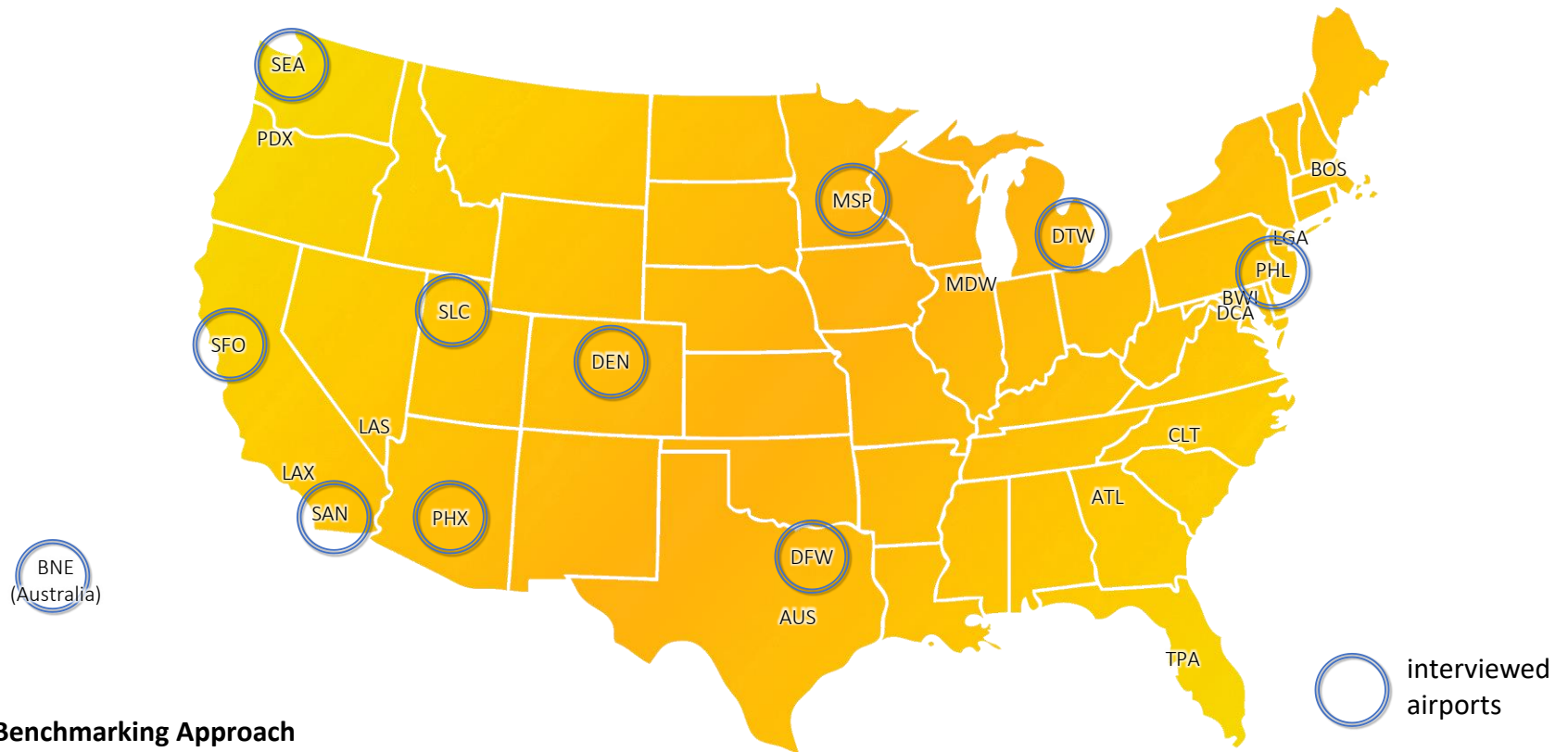
3

Benchmark Airports



benchmark airport

Benchmark Airports



Benchmarking Approach

Every airport has unique local governance, operations and stakeholders. Nevertheless, the basis for sound benchmarking is to define an “apples to apples” comparison to the greatest extent possible.

Counting PHX itself, 23 airports were included in the study. Desktop research was completed as a first step to gather publicly available information. The project team also reached out directly to all airports to supplement the information gathered through desktop research. The staff of 11 of the airports agreed to participate in telephone interview, including PHX, DEN, DFW, DTW, MSP, PHL, SAN, SEA, SFO, SLC and the one international airport in our study: BNE.

Additional contextual information about the airports included in the study is provided in the Appendix of the report.

Benchmark Airports

Selection Criteria 1: Passenger Volumes

Given this is a GT Fee Study the best passenger volume metric to use is “Originating and Terminating” passengers. In large hub airports over 50% of passengers may be transferring and these passengers do not typically utilize GT services.

→ The top 31 airports in the United States (including PHX) were ranked by Originating Passengers Per Day

Selection Criteria 2: Market-based Criteria

The list of top 31 airports was narrowed down by comparing the market-based criteria of Domestic or International Destination and Airline Type. Both of these criteria are potentially relevant to passenger behaviour and their sensitivity to GT costs. As such an airport was required to meet one of the two market based criteria to appear on the benchmarking list:

→ Domestic vs. International Share: the passenger’s journey sector (domestic or international) based on their final destination.

- PHX has 91% of its originating traffic going to domestic final destinations;
- Airports that were within +/- 6% of the PHX domestic share were selected, which equates to airports with 85% to 97% domestic share. This narrowed the selection to 18 airports (excluding PHX).

→ LCC vs. Non-LCC Share: the dominant airline in the passenger’s itinerary was considered and the consultant team looked at the share of originating passengers on Low Cost Carriers (LCC) versus Non Low Cost Carriers (Non-LCC) for each airport. To be consistent in our definition of an LCC, the list of LCCs matches that of the International Civil Aviation Organization (ICAO)¹.

- PHX has 44% of its originating traffic on LCC carriers based on the dominant airline of the journey;
- Airports that were within +/- 6% of the LCC share of PHX were considered, which equates to airports with 38% to 50% LCC share;
- This resulted in the addition of one more airport for a draft list total of 19 US airports (excluding PHX).

Privatized Airport Special Case and Stakeholder Input

In addition to these 19 US airports, one privatized international airport, Brisbane (Australia), was added in order to consider how commercially minded, privatized airports approach GT business.

Finally, in response to stakeholder feedback to include major western US airports, two airports were added – Los Angeles (LAX) and San Francisco (SFO).

¹ ICAO List of Low Cost Carriers based on ICAO Definition, June 2017

Comparison of Trip Fees



Comparison of Trip Fees

Introduction

Trip fees were gathered from all 22 benchmarked airports and compared against PHX 2019 fees.

Where possible like-for-like comparison has been made within each GT category. To achieve this, assumptions were made on vehicle capacity. This was a way to ensure that airports with a category-based fee and airports with a vehicle-capacity-based fee could be compared.

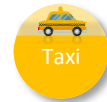
The comparison of trip fees provided in this section:

- Does not consider any additional fees that may be applied to GT operators such as permit fees and privilege fees.
- Was not intended to capture every vehicle size in the fleets of each GT service.

Pick-up and drop-off fees were included in the comparison of trip fees for Taxis, TNCs and Limousines. Other GT services are generally not required to pay drop-off trip fees.

Additional fee information is provided for the 11 interviewed airports in Appendix A of this report, “Benchmark Airport Case Studies”.

GT Vehicle Capacity Assumptions



Vehicle capacity assumed to be 4 passenger



Vehicle capacity assumed to be 4 passenger



Vehicle capacity assumed to be 4 passenger



Vehicle capacity assumed to be largest available category



Vehicle capacity assumed to be 15 passengers



Vehicle capacity assumed to be 15 passengers



Vehicle capacity assumed to be 15 passengers



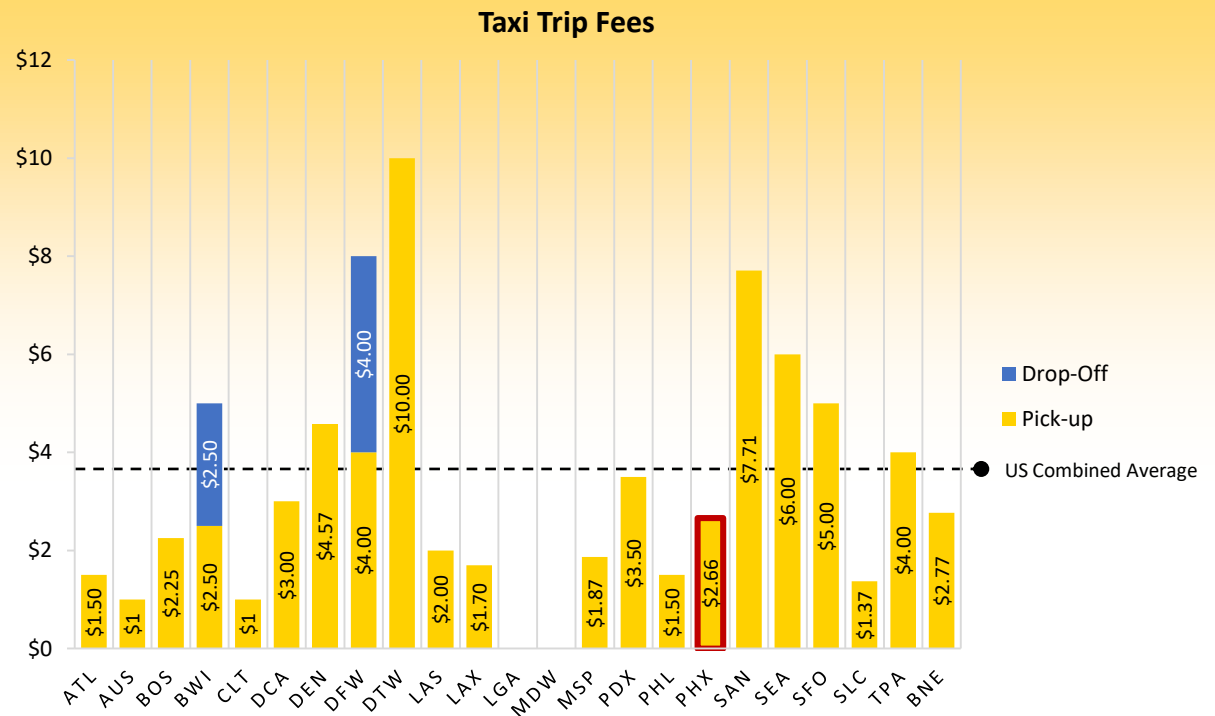
Vehicle capacity assumed to be 15 passengers

Comparison of Trip Fees



Observations

- 2 airports charge for pick-ups and drop-offs
- US average pick-up trip fee of \$3.36
- US average drop-off trip fee of \$3.25
- US average combined trip fee of \$3.68
- Of 20 US airports collecting trip fees, 10 were collecting more than PHX.



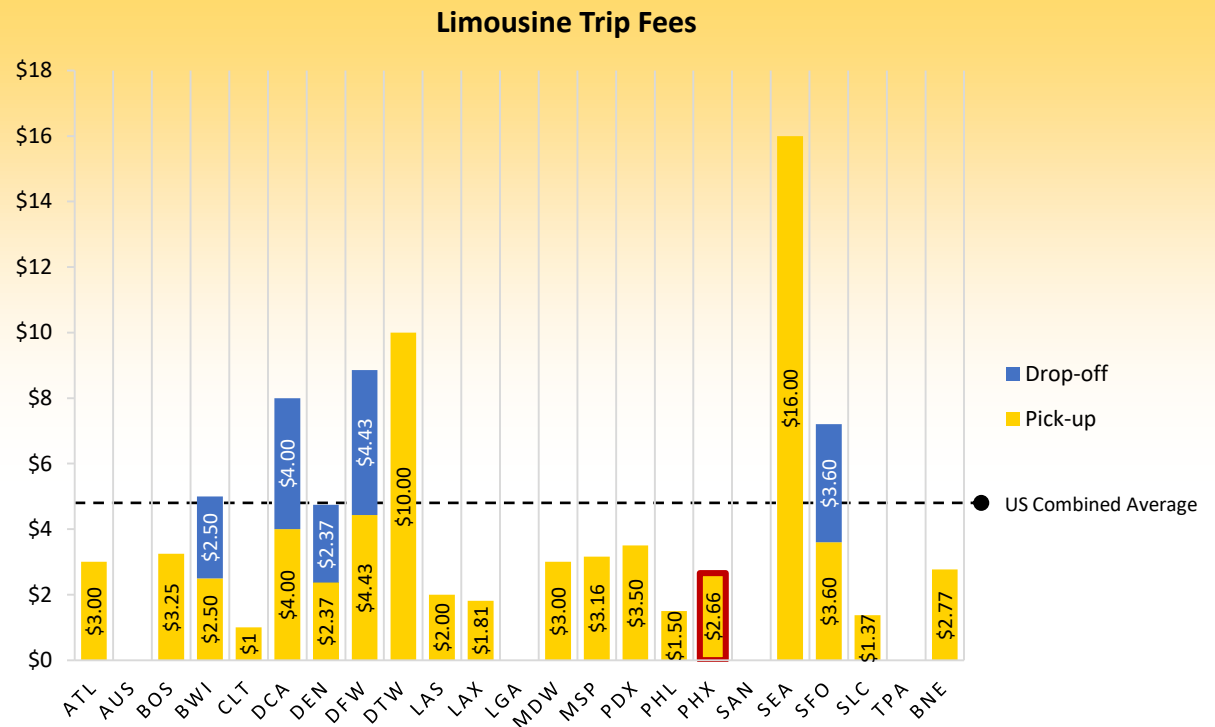
Note: Trip fees for MDW were not available through desktop research. BWI drop-off fee as per business agreement with taxi company. DFW has a toll roadway that requires payment for pick-up and drop-off trips. BNE airport fees have been converted to US dollars.

Comparison of Trip Fees



Observations

- 5 airports charge for pick-ups and drop-offs
- US average pick-up trip fee of \$3.84
- US average drop-off trip fee of \$3.38
- US average combined trip fee of \$4.78
- Of 18 US airports collecting trip fees, 12 were collecting more than PHX.



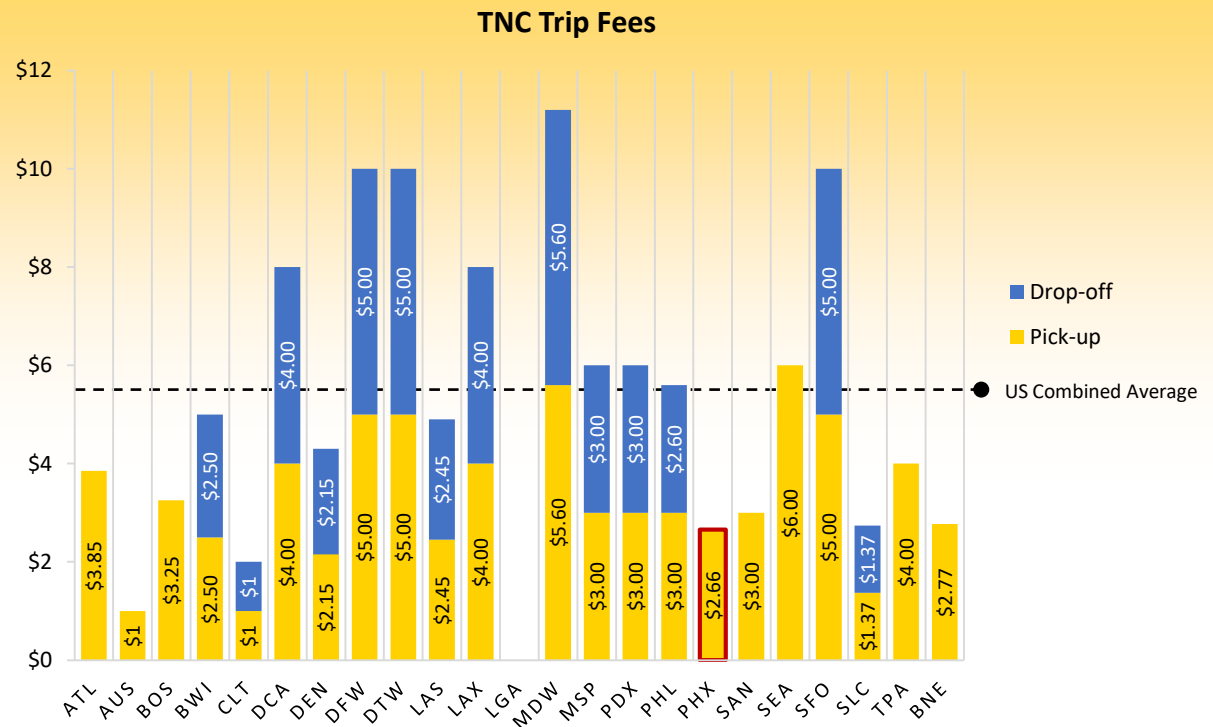
Note: Trip fees for AUS and TPA were not available through desktop research. BWI drop-off fee as per business agreement with limo company. DFW has a toll roadway that requires payment for pick-up and drop-off trips. BNE airport fees have been converted to US dollars.

Comparison of Trip Fees



Observations

- 64% of airports charge for pick-ups and drop-offs
- US average pick-up trip fee of \$3.37
- US average drop-off trip fee of \$3.33
- US average combined trip fee of \$5.60
- Of 21 US airports collecting trip fees, 18 were collecting more than PHX



Note: Trip fees for all airports were found through desktop research or direct conversations. BNE airport fees have been converted to US dollars.

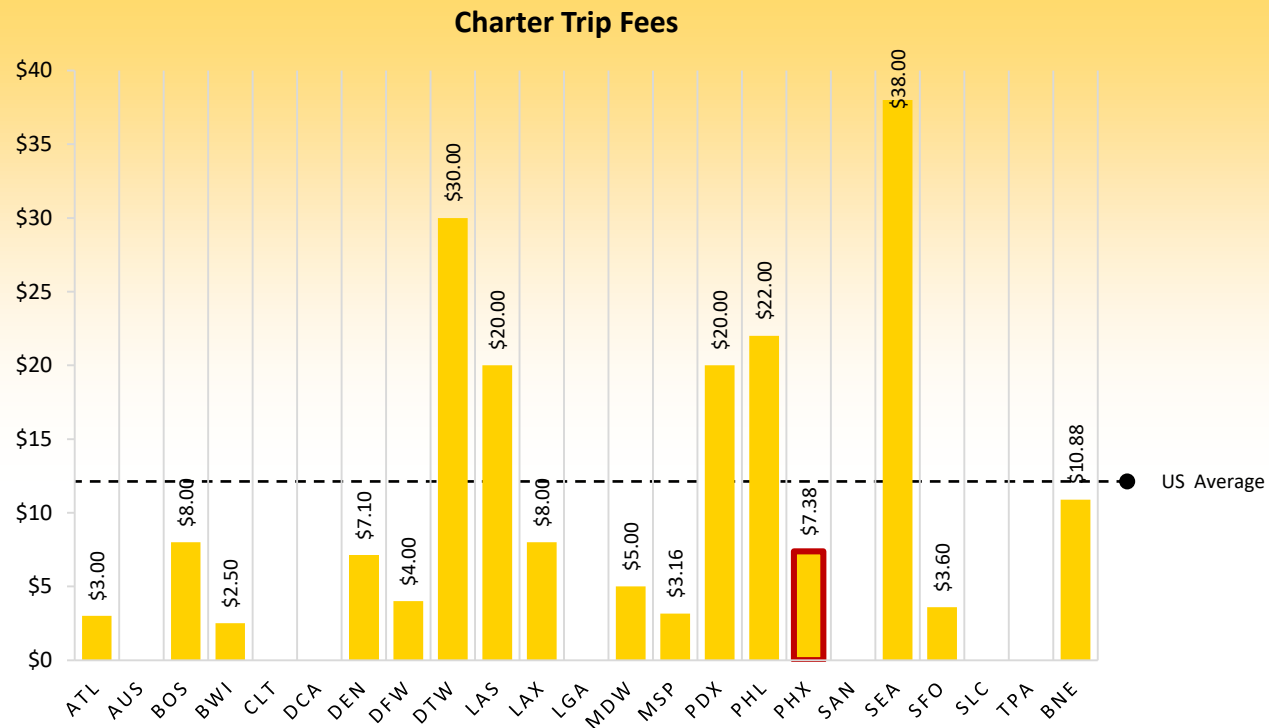
Boston: Massport is implementing a TNC fee of \$3.25 in both directions effective Oct/2019; note no more curbside hours except early morning so this is a fee for a garage pickup/dropoff location.

Comparison of Trip Fees



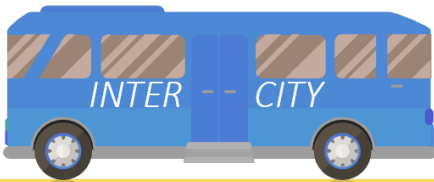
Observations

- US average trip fee of \$12.12
- Of 15 US airports collecting trip fees, 7 were collecting more than PHX.



Note: Charter vehicle capacity is assumed to be the largest available category. Trip fees for AUS, CLT, DCA and TPA were not available through desktop research. Only permit fees apply for SAN and SLC. BNE airport fees have been converted to US dollars.

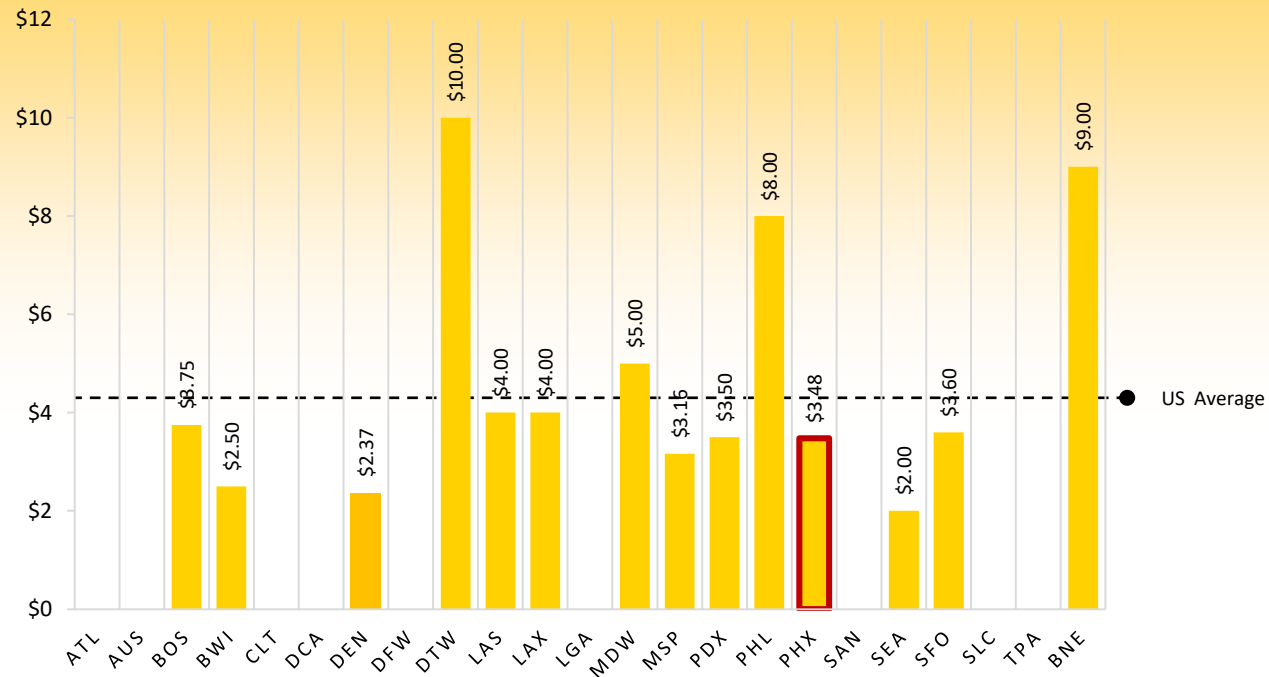
Comparison of Trip Fees



Observations

- US average trip fee of \$4.26
- Of 13 US airports collecting trip fees, 8 were collecting more than PHX.

Inter-City Shuttle Trip Fees



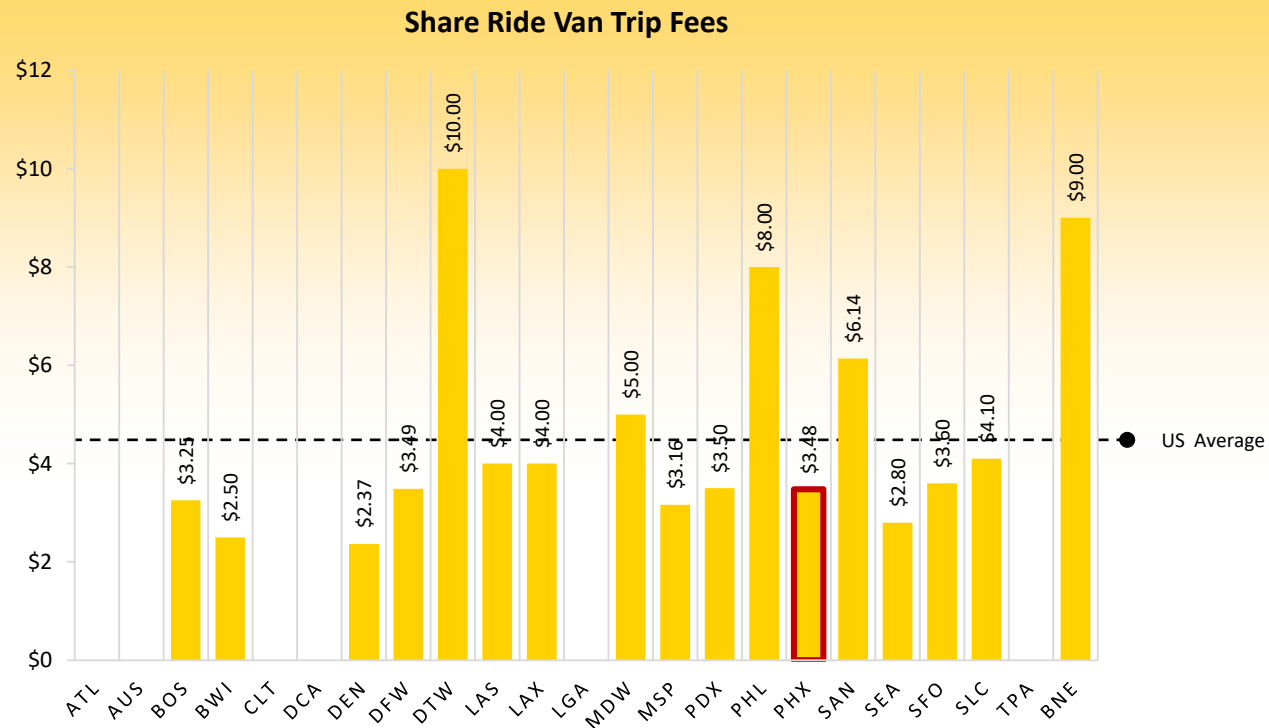
Note: Vehicle capacity assumed to be 15 seats. Trip fees for ATL, AUS, CLT, DCA, DFW and TPA were not available through desktop research. Only permit fees apply for SAN and SLC. BNE airport fees have been converted to US dollars.

Comparison of Trip Fees



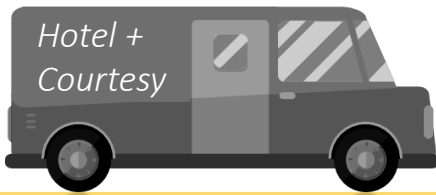
Observations

- US average trip fee of \$4.34
- Of 16 US airports collecting trip fees, 10 were collecting more than PHX



Note: Vehicle capacity assumed to be 15 seats. Trip fees for ATL, AUS, CLT, DCA, and TPA were not available through desktop research. BNE airport fees have been converted to US dollars.

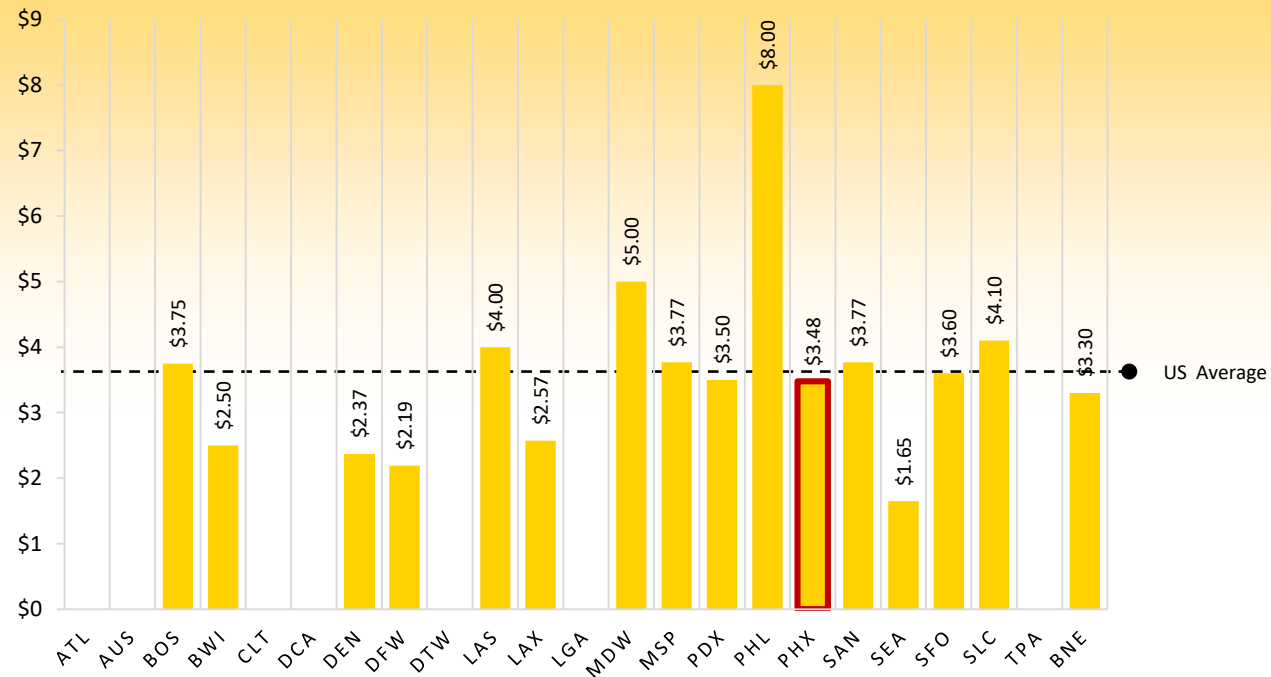
Comparison of Trip Fees



Observations

- US average trip fee of \$3.62
- Of 15 US airports collecting trip fees, 9 were collecting more than PHX

Hotel + Courtesy Shuttle Trip Fees



Note: Vehicle capacity assumed to be 15 seats. Trip fees for AUS, CLT, DCA and TPA were not available through desktop research. Only permit fees or concession agreement apply for ATL and DTW. BNE airport fees have been converted to US dollars.

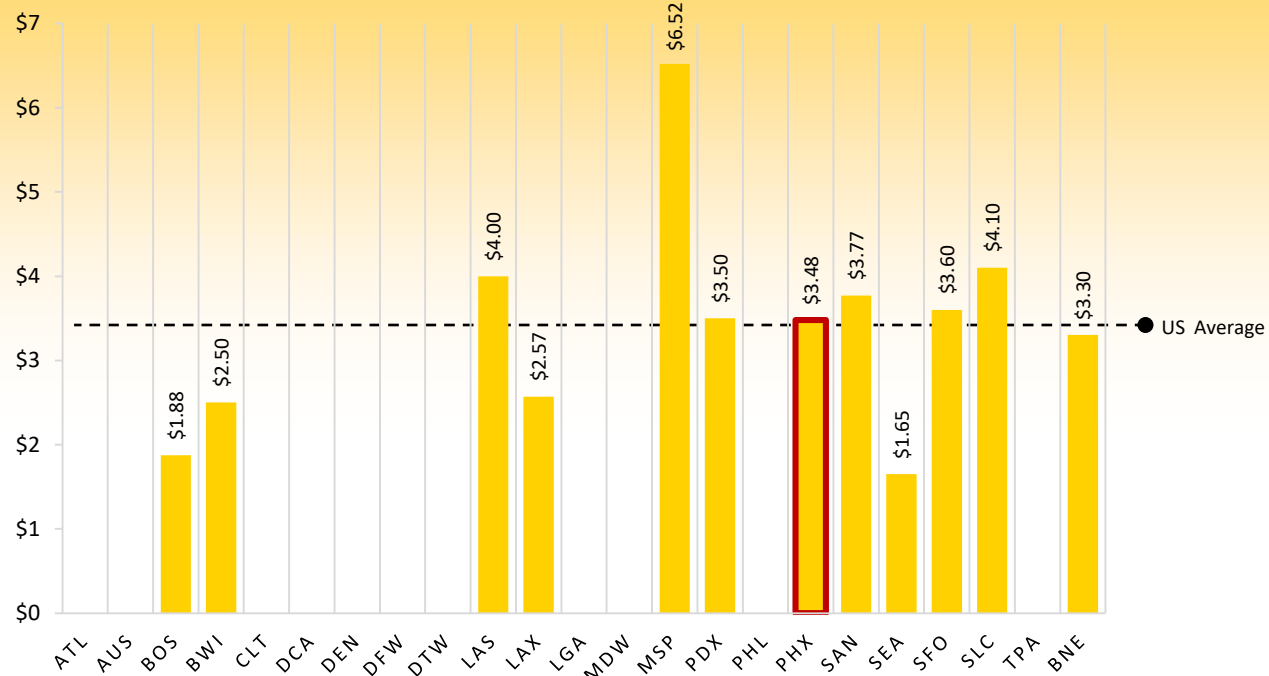
Comparison of Trip Fees



Observations

- US average trip fee of \$3.42
- Of 11 US airports, 6 were collecting more than PHX

Off Airport Parking Trip Fees











Note: Vehicle capacity assumed to be 15 seats. Trip fees for CLT, and DCA were not available through desktop research. Only permit fees or concession agreement apply for ATL, DTW and TPA. MSP trip fee data was provided by stakeholders. BNE airport fees have been converted to US dollars.

Note: A concession agreement is applied at AUS, DEN and DFW where a percentage of gross revenue is charged to operators. Stakeholders provided the following equivalent per trip fee for these airports based on their operation and charges incurred: AUS = \$5.09, DEN = \$6.32, DFW = \$8.67. If these equivalent trip fees were added back into the charges in the above chart, the average trip fee would be \$4.12.

Comparison of Trip Fees

Summary of Trip Fees

CATEGORY	VEHICLE CAPACITY ASSUMPTION	PHX per pickup	U.S. BENCHMARK AVERAGE per pickup	U.S. BENCHMARK AVERAGE combined pickup and drop off (where applicable)
 Taxi	4	\$2.66	\$3.36	\$3.68
 Limo	4	\$2.66	\$3.84	\$4.78
 TNC	4	\$2.66	\$3.37	\$5.60
 Charter	largest available	\$7.38	\$12.12	
 Inter City	15	\$3.48	\$4.26	
 Shared Ride	15	\$3.48	\$4.34	
 Hotel + Courtesy	15	\$3.48	\$3.62	
 Parking Off	15	\$3.48	\$3.42	

Comparison of Trip Fees



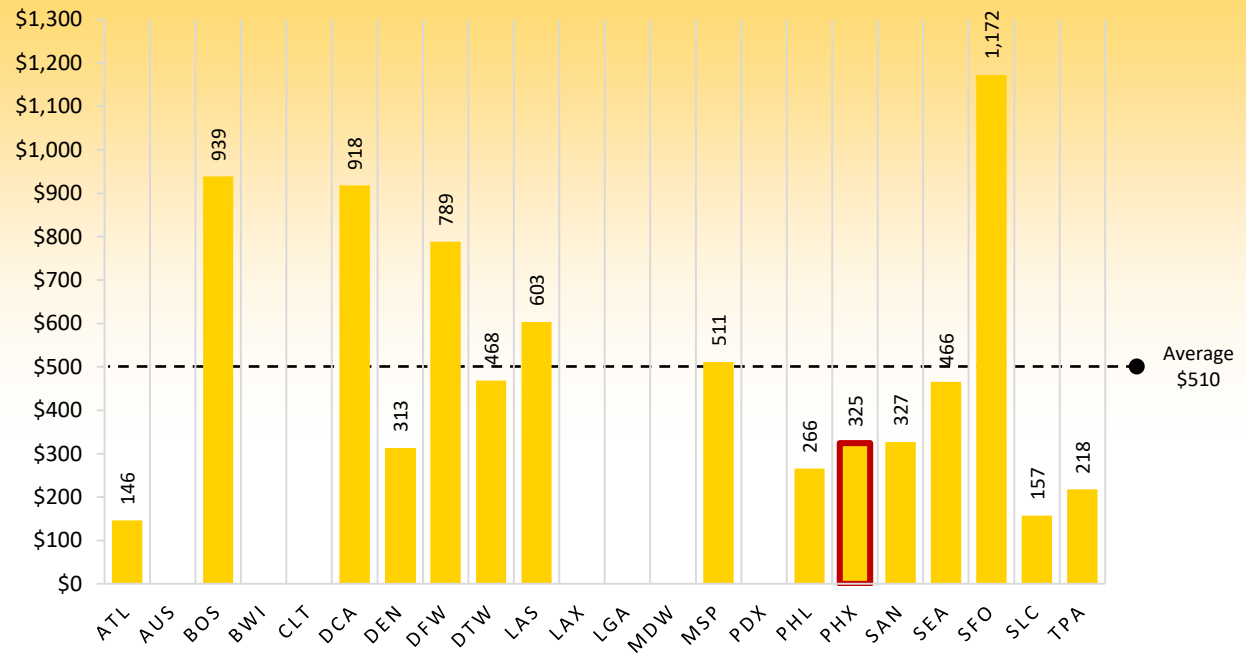
Other Considerations

Some benchmark airports charged other fees in addition to trip fees. The research identified that of the 23 airports in the study 17 also had permit fees and/or concession agreements. These fees combined with trip fees contributed to GT related total revenue.

Where available, annual GT revenue totals were collected from each airport directly or were researched via their annual reports.

The following graph compares airport annual GT revenue per 1,000 originating and destinating (O&D) passengers as a relatively neutral basis from which to compare overall fee levels or GT related revenue.

Annual GT Revenue per 1,000 O&D Passengers



Note 1: 2018 O&D data sourced from Data-In Intelligence-Out (diio.net). GT revenue sourced from airport annual reports for latest financial year or from direct conversations with airport. Airport with no available information for GT revenue have not been provided and are not included in determining the average.

Note 2: Each airport has a unique ratio of O&D passengers using Ground Transport vs. Car Rentals vs. Private Cars.

Benchmarking Observations



Benchmarking Observations

General Observations	Benchmark Example
The GT industry continues to change as the modal shift reaches a new balance	
Airports experience challenges with the introduction of TNCs resulting in drastic changes to roadway operation	MSP, SFO, BOS require pick-up in parking garage to reduce curbside activity
All modes of GT can present operational challenges	Car rental shuttles at PHL have very high frequency due to no trip fee
Many airports have additional fees on top of trip fees	DFW, DTW, MSP, PHL, SAN, SEA, SFO permit fees
Fees have been charged to incentivize use of alternate areas through flexibility in the fee structure	SFO
The majority of airports (14 of 22 in this study) charge TNCs both pick-up and drop-off fees, while other GT categories are only charged pick-up fees	Airports with TNC pick-up and drop-off fees: BWI, CLT, DCA, DEN, DFW, DTW, LAS, LAX, MDW, MSP, PDX, PHL, SFO, SLC
PHX remains below the average of the US benchmark airports for trip fees (except for off-airport parking). The largest difference observed was in TNCs.	
Each GT service category has a different trip fee average	
Many airports breakdown trip fees by GT service	Examples include: SFO, SEA, PDX, SAN, DCA, LAX
Cut through traffic can be mitigated through the introduction of toll roads	DFW
Many airports introduce dwell time fees to mitigate curb dwelling of vehicles	DFW, BNE, DEN, MSP, PHL, SFO, SLC
The majority of airports aim to recover all costs relating to GT through GT fees	
The level of autonomy to modify fees varies between airports. In many cases, reduced autonomy limits ability to address operational challenges.	PHX 3-year fee structure without TNCs definition
Alternate fuel vehicle rates exist as a method to encourage industry environmental standards but vary significantly	PHX 10%, SAN 266%, SFO 300% (delta between standard and “clean” vehicle fee)

Benchmarking Observations

Observations on Financial Goals

The following table highlights the financial goal detail provided by the interviewed airports:

	Airport
Financial goal takes into consideration Consumer Price Index, historical operating expenses, administration costs, penalty, interest and depreciation to airport roadways and facilities.	MSP
The approach used looks at GT associated costs and sets fees to recover 100% of costs.	DEN
Goal is to recover costs for GT-used facilities including curb in parking garage.	SEA
Aim to recover cost like staff, road improvement, signage, technology infrastructure, access points, roadways. In past SAN never recovered more than about 25% of their costs.	SAN
At DFW, market-based fees that are used to fund GT operations, maintain and build public infrastructure (non-aeronautical), plus a return on capital, which enables DFW to make future investments.	DFW
PHL has several different agreements with GT operators and is currently in the process of reviewing GT fees and their financial goals.	PHL
SFO aims to recover costs associated with roadway, staffing, administration (developing/maintaining roadways, police service, investigator, staff manager, etc.	SFO
At SLC, aim has been cost recovery of capital expenses, operating expenses, staffing and administration expenses. New GT lot to be developed, which will be included in cost recovery.	SLC

We also observed:

- Although cost recovery is common, each airport has a unique cost base and inventory of infrastructure associated with GT operations
- Some airports intend to recover all costs but do not achieve this target
- Some airports target making a profit. The financial goal to make a profit is used either to offset landing fees or to invest in infrastructure

Recommendations



RECOMMENDATIONS

Recommendations



Overall Recommendations

The following recommendations are based on benchmarking of the airports within this study.

GT Fees

- Revised trip fees should be enacted in the context of the fees of US airports benchmarked in this study.
- Separate trip fees by GT service (rather than seating capacity) should be established because each service imposes unique operational demands. This change would eliminate the fee issues with service providers that use multiple vehicle types.
- To address the unique features associated with TNC operators, such as the use of tracking technology and high-vehicle volumes impacting curbside operations, and to confirm to prevailing industry standards, TNC drop-off fees should be established.

Flexibility

- Flexibility to adjust rates should be introduced into the fee structure to enable AVN to respond in a timely manner to industry changes, for example variable fees and mechanisms to add new GT service categories

Future-proofing

- Demand management strategies should be explored to address developing issues of cut-through traffic and limited curb space.
- AVN should explore leveraging the Sky Train development to move pick-up and drop-off passengers out of the terminal core, which will reduce core congestion.

Recommendations

Applying GT Fee Recommendations

Three GT Fees recommendations were outlined to guide a transition towards more industry standard fees. This section applies a baseline for a new fee structure at PHX based on these recommendations.

1. Revised trip fees should be assessed in the context of the fee data of US airports benchmarked in this study.

2. Separate trip fees by GT service should be established because each service imposes unique operational demands.

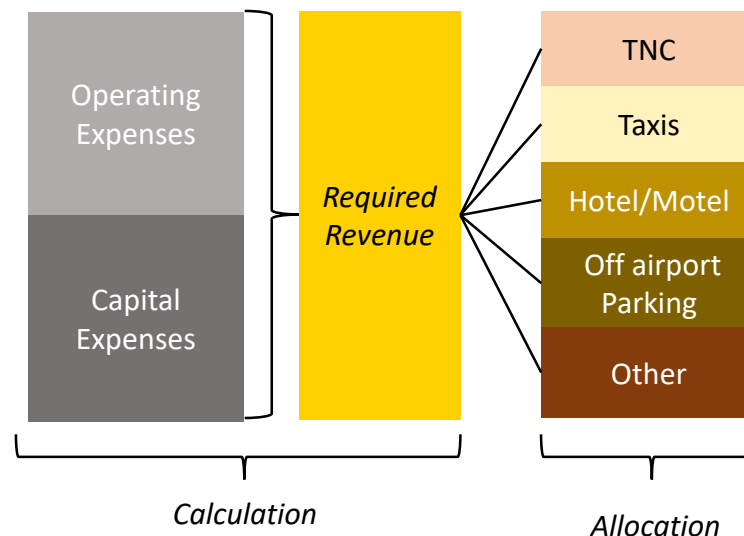
3. TNCs' unique impact should be addressed by aligning TNC category with prevailing industry standards through establishing drop-off fees.

How Airports Determine Fees

In determining the current GT fee structure at PHX, AVN applied typical financial goals, including cost recovery. The following graphic highlights the basic method employed when calculating the required revenue for a cost-recovery model. The cost-recovery financial model described here is similar to other airports.

But benchmarking demonstrated that various financial goals are applied differently in the industry (on a spectrum from partial cost recovery to cost plus profit).

Benchmarking also demonstrated that the methods used to collect fees varies in the industry.



Recommendations

Financial Goals and Types of Fees

The following table highlights the financial goals and types of fees charged to GT operators at each of the interviewed airports:

Airport	Financial Goal	Trip Fees	Permit Fees	Privilege Fees (% of Revenue)
PHX	Full Cost Recovery	✓	✗	✗
BNE	Profit	✓	✗	✗
DEN	Full Cost Recovery	✓	✗	✓
DFW	Profit	✓	✓	✓
DTW	Profit	✓	✓	✗
MSP	Partial Cost Recovery	✓	✓	✗
PHL	Under Review	✓	✓	✗
SAN	Partial Cost Recovery	✓	✓	✗
SEA	Full Cost Recovery	✓	✓	✗
SFO	Full Cost Recovery	✓	✓	✗
SLC	Full Cost Recovery	✓	✗	✗

Three important trends are observed from the 11 interviewed airports:

1. Financial Goal: Variable approaches are used across the industry.
2. Fee collection method: The one consistent approach used across the industry is the use of trip fees.
3. Majority of airports collect fees in addition to trip fees; PHX does not collect these other fees.

Recommendations

PHX Current GT Fees vs. Average Benchmark Fees

Trip fees are consistently utilized across the industry even though the benchmark airports have set different financial goals.

The table below compares the current PHX trip fees with the benchmarked average trip fees including TNC drop-off fees. This analysis is consistent with the three recommendations relating to GT Fees.

Scenario Comparison	Current Fees (2019)				Average Benchmark Fees			
Revenue \$m	\$9.1				\$18.5			
Total Commercial GT Trips (FY2019)	3,243,200				5,393,200			
Average Fee per Trip	\$2.80				\$3.43			
	Fee per GT Service	FY2019 Forecast Trips	Total Fee	% of Total Fee	Fee per GT Service	FY2019 Forecast Trips	Total Fee	% of Total Fee
Taxi Pick-up	\$2.66	424,500	\$ 1,129,170	12%	\$3.36	424,500	\$ 1,426,320	8%
Limo Pick-up	\$2.66	166,800	\$ 443,688	5%	\$3.84	166,800	\$ 640,512	3%
TNC Pick-up	\$2.66	2,150,000	\$ 5,719,000	63%	\$3.37	2,150,000	\$ 7,245,500	39%
TNC Drop-off	-	-	\$ -	0%	\$3.37	2,150,000	\$ 7,245,500	39%
Charter Pick-up	\$7.38	8,400	\$ 61,992	1%	\$12.12	8,400	\$ 101,808	1%
Intercity Pick-up	\$3.48	41,900	\$ 145,812	2%	\$4.26	41,900	\$ 178,494	1%
Shared Ride Van Pick-up	\$3.48	64,400	\$ 224,112	2%	\$4.34	64,400	\$ 279,496	2%
Hotel + Courtesy Pick-up	\$3.48	152,900	\$ 532,092	6%	\$3.62	152,900	\$ 553,498	3%
Parking Off Airport Pick-up	\$3.48	234,300	\$ 815,364	9%	\$3.42	234,300	\$ 801,306	4%

Recommendations

Specific Fee Recommendation

New GT Fees at PHX should be set and adjusted by the US Consumer Price Index (CPI). We view the average benchmark trip fees as a minimum for PHX because:

- Benchmarked trip fees are probably below market since the majority of airports have other fees in addition to these trip fees, and some of these comparative airport trip fees have not been adjusted in 3 to 4 years.
- The GT industry is still adapting to the introduction of TNC operations, and trip fees continue to change in this GT category (e.g. BOS will introduce a TNC drop-off fee later this year).

This proposed new structure will bring PHX closer in line with market rates. This approach results in trip fees for each GT category aligned with industry practice.

Next Steps

We recommend adopting a City Code amendment to reflect the new fees and fee structure including:

- Set new trip fees in the context of the CPI-adjusted US benchmarked average
- Change fee structure to establish trip fees by GT category, rather than by vehicle size
- In line with many other airports, introduce a TNC drop-off fee
- Provide flexibility in the City Code for AVN to set future rates to enable PHX to promptly respond to industry changes

Appendix A:
Benchmark Airport
Case Studies



Benchmark Airport Case Studies

An overview of each of the 11 interviewed airports is provided in this section. These “Case Studies” provide additional context to the trip fees provided in this report.

Financial Goal

An important consideration when comparing fees is the financial goal of airport management. The adjacent table provides a summary of the 11 interviewed airports.

Financial Goal of GT Department

		DEN		
		PHX		
		SEA		
	DFW	SFO	MSP	
BNE	DTW	SLC	SAN	PHL
Profit (for shareholders)	Profit (reinvested into the airport)	Full Cost Recovery	Partial Cost Recovery	Financial Goal Under Review

Level of Autonomy

Airports have varying levels of autonomy in setting of GT fees. Two categories were found to define the process of setting GT fees, these included:

- At airport management’s discretion
- With City Council or Authority Commissioners’ approval

Level of Autonomy in Setting Fees

		DEN
		MSP
		PHL
		PHX
		SEA
		SFO
	BNE	
	DFW	
	DTW	
	SAN	
	SLC	
At airport management's discretion		City Council or Authority Commissioners' approval needed

PHX: Phoenix Sky Harbor International Airport









2017 E/D Passengers/Annum:	43.3 m
Annual GT Revenue:	\$9.4 m
Financial Goal:	Full Cost Recovery
Demand Management Fee:	No
Privilege Fee:	No
Technology:	AVI + GPS
Level of Autonomy:	City Council approval needed

Fee Structure

- Pick-up fee only
- No permit fees
- AFV rate: 10% discount for monthly trip fee invoice for trips conducted by alternative fuel powered vehicles.
- In 2020 fees will be increased annually at lesser of 3% or CPI change for Los Angeles-Riverside-Orange County.
- 10% discount on trip fees for alternative fuel powered vehicles

Trip Fees

Permit Fees

 Taxi	\$ 2.66	/pickup
 Limo	\$ 2.66	/pickup
 TNC	\$ 2.66	/pickup
 Charter	\$ 7.38	/pickup
 Inter City	\$ 3.48	/pickup
 Shared Ride	\$ 3.48	/pickup
 Hotel & Courtesy	\$ 3.48	/pickup
 Parking Off	\$ 3.48	/pickup

Notes on Data

- 2019 trip fees provided
- Financial goal is representative of existing fee structure
- AVI: Automatic Vehicle Identification; GPS: Global Positioning Satellite; AFV: Alternative Fuel Vehicle
- Taxis, Limo and TNC services are assumed to have 4-seat capacity. Inter-City, Shared Ride, Hotel/Courtesy and Parking Off services are assumed to have 15-seat capacity. Charter service is assumed to have highest seat capacity category.

BNE: Brisbane International Airport

2017 E/D Passengers/Annum:	23.9 m
Annual GT Revenue:	\$9.2 m
Financial Goal:	Profit
Demand Management Fee:	Yes
Privilege Fee:	No
Technology:	Toll Road + GPS
Level of Autonomy:	At management's discretion

Fee Structure

- Pick-up fees only
- No permit fees
- No special AFV rate
- Toll road ensures all GT traffic on airport roads are charged for pick-ups
- Dwell time fees vary between GT services

Trip Fees

Permit Fees

 Taxi	\$ 3.90	/pick-up
 Limo	\$ 3.90	/pick-up
 TNC	\$ 3.90	/pick-up
 Charter	\$ 15.33	/pick-up
 Inter City	\$ 12.68	/pick-up
 Shared Ride	\$ 3.90	/pick-up
 Hotel & Courtesy	\$ 4.65	/pick-up
 Parking Off	\$ 4.65	/pick-up

Notes on Data

- 2019 trip fees provided in Australian Dollars. 0.71 Australian dollar to US dollar conversion rate applied for benchmarking.
- Taxis, Limo and TNC services are assumed to have 4-seat capacity. Inter-City, Shared Ride, Hotel/Courtesy and Parking Off services are assumed to have 15-seat capacity. Charter service is assumed to have highest seat capacity category.
- GPS: Global Positioning Satellite; AFV: Alternative Fuel Vehicle







DEN: Denver International Airport

2017 E/D Passengers/Annum:	58.3 m
Annual GT Revenue:	\$12.4 m
Financial Goal:	Full Cost Recovery
Demand Management Fee:	Yes
Privilege Fee:	No
Technology:	AVI + GPS
Level of Autonomy:	City approval needed

Fee Structure

- No permit fees apply
- AFV rate exist
- Only TNCs are charged pick-up and drop-off fee
- Dwell Fees:
 - Maximum 15 passengers, Dwell fee is \$2.13 for each 10 minutes after the first 10 minutes.
 - Maximum 31 passengers, Dwell fee is \$3.28 for each 10 minutes after the first 10 minutes.
 - Maximum 32 or more passengers, Dwell fee is \$4.97 for each 10 minutes after the first 10 minutes.

Trip Fees

 Taxi	\$ 4.57	/pick-up
 Limo	\$ 2.37	/pick-up
 TNC	\$ 2.15	/pick-up
 TNC	\$ 2.15	/drop-off
 Charter	\$ 7.10	/pick-up
 Inter City	\$2.37	/pick-up
 Shared Ride	\$ 2.37	/pick-up
 Hotel & Courtesy	\$ 2.37	/pick-up
 Parking Off		

Permit Fees

8% Of gross revenue

Notes on Data

- AVI: Automatic Vehicle Identification; GPS: Global Positioning Satellite; AFV: Alternative Fuel Vehicle
- Taxis, Limo and TNC services are assumed to have 4-seat capacity. Inter-City, Shared Ride, Hotel/Courtesy and Parking Off services are assumed to have 15-seat capacity. Charter service is assumed to have highest seat capacity category.



DFW: Dallas Fort-Worth International Airport

2017 E/D Passengers/Annum:	65.7 m
Annual GT Revenue:	\$23.6 m
Financial Goal:	Profit
Demand Management Fee:	Yes
Privilege Fee:	No
Technology:	AVI + Toll Road
Level of Autonomy:	At management's discretion

Fee Structure

- To establish market-based fees that are used to fund GT operations, maintain and build public infrastructure (non-aeronautical), plus a return on our Capital which enables DFW to continue to make future investments. Additionally, establishing a level playing field between all GT operators is also considered.
- Toll ensures all traffic on airport roads are charged for use
- Parking fees apply after 30 minutes
- No special AFV rate

Trip Fees

 Taxi	\$ 4.00 /exit
 Limo	\$ 4.43 /exit
 TNC	\$ 5.00 /exit
 Charter	\$ 4.00 /exit
 Inter City	N/A
 Shared Ride	\$ 3.49 /exit
 Hotel & Courtesy	\$ 2.19 /exit
 Parking Off	

Permit Fees

\$600 /annum/company +\$60 /vehicle/year
\$600 /annum/company
\$600 /annum/company
N/A
12% Of gross revenue

Notes on Data

- 2019 trip fees provided
- AVI: Automatic Vehicle Identification; AFV: Alternative Fuel Vehicle
- Taxis, Limo and TNC services are assumed to have 4-seat capacity. Inter-City, Shared Ride, Hotel/Courtesy and Parking Off services are assumed to have 15-seat capacity. Charter service is assumed to have highest seat capacity category.

DTW: Detroit Metropolitan Wayne County Airport

2017 E/D Passengers/Annum:	34.4 m
Annual GT Revenue:	\$9.5 m
Financial Goal:	Profit
Demand Management Fee:	No
Privilege Fee:	No
Technology:	AVI + GPS
Level of Autonomy:	At management's discretion

Fee Structure

- Any excess revenues from GT are used to reduce airline fees
- TNCs pay pick-up and drop-off fees while other trips fees only apply to pick-up.
- All courtesy vehicles not operated by the airport pay \$780 per month
- No special AFV rate

Trip Fees

Permit Fees

 Taxi	\$ 10.00 /pick-up	
 Limo	\$ 10.00 /pick-up	
 TNC	\$ 5.00 /pick-up \$ 5.00 /drop-off	
 Charter	\$ 30.00 /pick-up	
 Inter City		\$780 /month/vehicle
 Shared Ride	\$ 10.00 /pick-up	
 Hotel & Courtesy		\$780 /month/vehicle
 Parking Off		\$780 /month/vehicle

Notes on Data

- 2019 trip fees provided
- AVI: Automatic Vehicle Identification; GPS: Global Positioning Satellite; AFV: Alternative Fuel Vehicle
- Taxis, Limo and TNC services are assumed to have 4-seat capacity. Inter-City, Shared Ride, Hotel/Courtesy and Parking Off services are assumed to have 15-seat capacity. Charter service is assumed to have highest seat capacity category.

MSP: Minneapolis-Saint Paul International Airport

2017 E/D Passengers/Annum:	37.4 m
Annual GT Revenue:	\$12.3 m
Financial Goal:	Partial Cost Recovery
Demand Management Fee:	Yes
Privilege Fee:	No
Technology:	AVI + GPS
Level of Autonomy:	Commissioners' approval needed

Fee Structure

- Commercial vehicle permit only covers administration costs
- TNC permit includes license fee, driver permit and background check
- No special AFV rate

	Trip Fees	Permit Fees
 Taxi	\$ 1.87 /pick-up	\$ 3,450 /annum
 Limo	\$ 3.16 /pick-up	\$60 /annum/vehicle
 TNC	\$ 3.00 /pick-up \$ 3.00 /drop-off	\$ 605 /annum/driver
 Charter	\$ 3.16 /pick-up	\$60 /annum/vehicle
 Inter City	\$ 3.16 /pick-up	\$60 /annum/vehicle
 Shared Ride	\$ 3.16 /pick-up	\$60 /annum/vehicle
 Hotel & Courtesy	\$ 3.77 /pick-up	\$60 /annum/vehicle
 Parking Off	\$ 6.52 /pick-up	\$60 /annum/vehicle

Notes on Data

- 2019 trip fees provided
- AVI: Automatic Vehicle Identification; GPS: Global Positioning Satellite; AFV: Alternative Fuel Vehicle
- Taxis, Limo and TNC services are assumed to have 4-seat capacity. Inter-City, Shared Ride, Hotel/Courtesy and Parking Off services are assumed to have 15-seat capacity. Charter service is assumed to have highest seat capacity category.

PHL: Philadelphia International Airport

2017 E/D Passengers/Annum:	30.2 m
Annual GT Revenue:	\$5.6 m
Financial Goal:	Under Review
Demand Management Fee:	Yes
Privilege Fee:	No
Technology:	AVI + GPS
Level of Autonomy:	City approval needed

Fee Structure

- The airport has several different agreements with GT operators and is currently in the process of reviewing GT fees and their financial goals
- Dwell time fees vary between GT services
- No special AFV rate

	Trip Fees	Permit Fees
 Taxi	\$ 1.50 /pick-up	\$ 25 /annum/vehicle
 Limo	\$ 1.50 /pick-up	
 TNC	\$ 3.00 /pick-up \$ 2.60 /drop-off	\$ 25 /annum/vehicle
 Charter	\$ 22.00 /pick-up	\$ 25 /annum/vehicle
 Inter City	\$ 8.00 /pick-up	\$ 25 /annum/vehicle
 Shared Ride	\$ 8.00 /pick-up	\$ 25 /annum/vehicle
 Hotel & Courtesy	\$ 8.00 /pick-up	\$ 25 /annum/vehicle
 Parking Off	\$1.92 /passenger	

Notes on Data

- 2019 trip fees provided
- AVI: Automatic Vehicle Identification; GPS: Global Positioning Satellite; AFV: Alternative Fuel Vehicle
- Taxis, Limo and TNC services are assumed to have 4-seat capacity. Inter-City, Shared Ride, Hotel/Courtesy and Parking Off services are assumed to have 15-seat capacity. Charter service is assumed to have highest seat capacity category.

SAN: San Diego International Airport

2017 E/D Passengers/Annum:	20.7 m
Annual GT Revenue:	\$7.4 m
Financial Goal:	Partial Cost Recovery
Demand Management Fee:	No
Privilege Fee:	No
Technology:	AVI + GPS
Level of Autonomy:	At management's discretion

Fee Structure

- Pick-up fees only
- Alternative fuel vehicle pick-up fees apply for Taxis, Shared Ride, Off Airport Parking and Hotel Shuttles.
- AFV rates exist

	Trip Fees	Permit Fees
 Taxi	\$ 7.71 /pick-up	
 Limo		\$209 /annum/vehicle
 TNC	\$ 3.00 /pick-up	
 Charter		\$209 /annum/vehicle
 Inter City	N/A	N/A
 Shared Ride	\$ 6.14 /pick-up	
 Hotel & Courtesy	\$ 3.77 /pick-up	
 Parking Off	\$ 3.77 /pick-up	

Notes on Data

- 2019 trip fees provided
- AVI: Automatic Vehicle Identification; GPS: Global Positioning Satellite; AFV: Alternative Fuel Vehicle
- Taxis, Limo and TNC services are assumed to have 4-seat capacity. Inter-City, Shared Ride, Hotel/Courtesy and Parking Off services are assumed to have 15-seat capacity. Charter service is assumed to have highest seat capacity category.

SEA: Seattle-Tacoma International Airport

2017 E/D Passengers/Annum:	45.7 m
Annual GT Revenue:	\$15.7 m
Financial Goal:	Full Cost Recovery
Demand Management Fee:	No
Privilege Fee:	No
Technology:	AVI + GPS
Level of Autonomy:	Port Authority approval needed

Fee Structure

- Pick-up fees only
- TNC pick-up fee was defined to match Taxi pick-up fee which is part of a concession agreement
- Two types of fee structures exist for Taxis and Limousines: on-demand pays pick-up fee, pre-arranged pays annual permit.
- AFV rate: no special AFV rate but environmental standards are built into contract conditions.

Trip Fees

Permit Fees

 Taxi	\$ 6.00 /pick-up	\$610 /annum/vehicle
 Limo	\$ 16.00 /pick-up	\$655 /annum/vehicle
 TNC	\$ 6.00 /pick-up	
 Charter	\$ 38.00 /pick-up	
 Inter City	\$ 2.00 /pick-up	
 Shared Ride	\$ 2.80 /pick-up	
 Hotel & Courtesy	\$ 1.65 /pick-up	
 Parking Off	\$ 1.65 /pick-up	

Notes on Data








- 2019 trip fees provided
- AVI: Automatic Vehicle Identification; GPS: Global Positioning Satellite; AFV: Alternative Fuel Vehicle
- Taxis, Limo and TNC services are assumed to have 4-seat capacity. Inter-City, Shared Ride, Hotel/Courtesy and Parking Off services are assumed to have 15-seat capacity. Charter service is assumed to have highest seat capacity category.

SFO: San Francisco international Airport

2017 E/D Passengers/Annum:	53.1 m
Annual GT Revenue:	\$51.6 m
Financial Goal:	Full Cost Recovery
Demand Management Fee:	Yes
Privilege Fee:	No
Technology:	AVI + GPS
Level of Autonomy:	Commissioners' approval needed

Fee Structure

- Fee structure provides a fee range for airport management to use their discretion in order to manage operational challenges
- SFO is currently testing TNC demand management. Pick-up and drop-off fee in the parking garage currently set at \$3.60 (below rate applied for terminal curb).
- AFV rates apply in some categories.

	Trip Fees	Permit Fees
 Taxi	\$ 5.00 /pick-up	\$ 55.00 /annum/vehicle
 Limo	\$ 3.60 /pick-up \$ 3.60 /drop-off	\$ 55.00 /annum/vehicle
 TNC	\$ 5.00 /pick-up \$ 5.00 /drop-off	
 Charter	\$ 3.60 /pick-up	\$ 55.00 /annum/vehicle
 Inter City	\$ 3.60 /pick-up	\$ 55.00 /annum/vehicle
 Shared Ride	\$ 3.60 /pick-up	\$ 55.00 /annum/vehicle
 Hotel & Courtesy	\$ 3.60 /pick-up	\$ 55.00 /annum/vehicle
 Parking Off	\$ 3.60 /pick-up	\$ 55.00 /annum/vehicle

Notes on Data

- AVI: Automatic Vehicle Identification; GPS: Global Positioning Satellite; AFV: Alternative Fuel Vehicle
- Taxis, Limo and TNC services are assumed to have 4-seat capacity. Inter-City, Shared Ride, Hotel/Courtesy and Parking Off services are assumed to have 15-seat capacity. Charter service is assumed to have highest seat capacity category.

SLC: Salt Lake City International Airport









2017 E/D Passengers/Annum:	23.2 m
Annual GT Revenue:	N/A
Financial Goal:	Full Cost Recovery
Demand Management Fee:	Yes
Privilege Fee:	No
Technology:	AVI + GPS
Level of Autonomy:	At management's discretion

Fee Structure

- GT revenue for all AVI tag users of \$2.3 million
- TNCs are currently self-reporting
- Campus and terminal front dwell times apply. System is currently down due to programming issues.
- Non-Registered vehicles (No AVI tag) can pay a permit fee instead; \$50/day, or \$250/week, or \$500/year
- Charter and Inter-City fees under review at the time of writing of this report
- No special AFV rate

Trip Fees

Permit Fees

 Taxi	\$ 1.37	/pick-up
 Limo	\$ 1.37	/pick-up
 TNC	\$ 1.37	/pick-up
 Charter	\$ 1.37	/drop-off
 Inter City		
 Shared Ride	\$ 4.10	/pick-up
 Hotel & Courtesy	\$ 4.10	/pick-up
 Parking Off	\$ 4.10	/pick-up

Notes on Data

- AVI: Automatic Vehicle Identification; GPS: Global Positioning Satellite; AFV: Alternative Fuel Vehicle
- Taxis, Limo and TNC services are assumed to have 4-seat capacity. Inter-City, Shared Ride, Hotel/Courtesy and Parking Off services are assumed to have 15-seat capacity. Charter service is assumed to have highest seat capacity category.

Information
Benchmarking

Appendix B: Additional Benchmarking Information



Additional Benchmarking Information

Stakeholders requested other information from the airports being benchmarked to help provide insight into the GT fees being charged. The information in this appendix includes:

- Airport Contextual Information
- Other Taxes Imposed on GT Operators

The consultant team did NOT find a correlation between the information provided in this appendix and the relative trip fees charged at each airport.

Additional Benchmarking Information

Airport Contextual Information

Stakeholders requested contextual information from the airports being benchmarked to help provide insight into the GT fees being charged.

		Airport Information					Destination		Airline Type	
USA O&D Rank	O&D PPDEW	Airport	Code	Governance	Number of Terminals	Miles from Downtown	Domestic	International	LCC	Non-LCC
1	93,851	Los Angeles CA	LAX	City	9	17.3	67%	33%	29%	71%
4	60,325	San Francisco CA	SFO	City	5	13.6	71%	29%	21%	79%
6	56,512	Las Vegas NV	LAS	County	2	6.3	87%	13%	60%	39%
7	54,412	Denver CO	DEN	City and County	1	25.5	92%	8%	51%	49%
8	53,628	Atlanta GA	ATL	City	2	10.4	88%	12%	26%	74%
9	51,811	Boston MA	BOS	Port Authority	4	4.2	78%	22%	40%	60%
11	46,139	Seattle WA	SEA	Port Authority	1	13.7	87%	13%	16%	84%
12	40,989	Dallas/Fort Worth TX	DFW	Cities	5	19.5	85%	15%	11%	89%
13	39,643	Phoenix AZ	PHX	City	3	4.0	91%	9%	44%	56%
14	38,883	New York (LaGuardia) NY	LGA	Port Authority	5	9.2	90%	10%	21%	79%
17	30,882	San Diego CA	SAN	Airport Authority	2	3.4	92%	8%	46%	54%
18	30,746	Minneapolis, MN	MSP	Airport Commission	2	11.9	89%	11%	26%	74%
20	28,800	Philadelphia PA	PHL	City	7	11.0	88%	12%	24%	76%
21	28,401	Washington DC	DCA	Airport Authority	1	4.6	93%	7%	28%	72%
n/a	27,912	Brisbane AUSTRALIA	BNE	Private Corporation	2	17.1	72%	28%	52%	48%
22	27,795	Detroit MI	DTW	County	2	20.2	87%	13%	26%	74%
23	27,054	Baltimore MD	BWI	Airport Authority	1	10.3	91%	9%	71%	29%
24	25,939	Tampa FL	TPA	Airport Authority	1	8.5	90%	10%	51%	49%
25	24,190	Portland OR	PDX	Port Authority	1	10.1	90%	10%	26%	74%
28	20,191	Chicago (Midway) IL	MDW	City	1	10.9	95%	5%	93%	7%
29	19,923	Austin TX	AUS	City	2	8.8	91%	9%	47%	53%
30	19,762	Salt Lake City UT	SLC	City	2	8.2	92%	8%	24%	76%
31	19,110	Charlotte NC	CLT	City	1	7.9	89%	11%	9%	91%

Sources:

- Airbiz analysis O&D passenger traffic information from Diio Market Intelligence database (year-ended July 2018)
- ICAO List of Low Cost Carriers based on ICAO Definition, June 2017

Terms Used

- O&D = Origin and Destination
- PPDEW = Passengers Per Day Each Way
- E/D = Enplaned/Deplaned (passengers)
- LCC = Low Cost Carrier

Additional Benchmarking Information

Other Taxes Imposed on GT Operators

In addition to the fees charged by airport operators, the customers of commercial GT companies doing business at an airport are required to pay taxes imposed by local city and county governments. While none of the revenues resulting from these taxes are shared with or directly benefit local airports, some customers may not perceive the difference between the taxes charged by local governments and the fees charged by an airport operator, particularly if GT operators combine these taxes and fees into a single “below the line” item on the customer’s bill.

Types of Taxes

Fees and taxes imposed on the customers of GT operators by local governments are typically calculated in one of two ways:

1. Percentage of the total cost of renting a car, parking a vehicle, or the hotel room rate; or
2. Flat fee per transaction.

Examples of taxes imposed by city and county governments on the customers of GT companies are summarized below. These taxes are in addition to any state or local sales taxes.

Taxes on Airport Rental Car Customers

Examples of the taxes charged by local governments on customers renting cars at or near an airport are presented below.

Percentage of Rental Rate

Examples of local governments charging rental car customers a tax calculated as a percentage of rental car fees include:

- Chicago, Illinois – the Metropolitan Pier and Exposition Authority charges a 6% tax and the city of Chicago charges an additional 9% tax
- Salt Lake County, Utah – the County charges a 7% tax
- King County (Seattle), Washington – the County charges a 1.8% tax

Additional Benchmarking Information

Flat Rate Tax

Examples of local governments charging rental car customers a tax calculated as a flat amount include:

- Boston, Massachusetts – the City collects a \$10 fee per car rental transaction
- Pima County (Tucson), Arizona – the County collects a \$3.50 fee per car rental transaction
- Phoenix – Customers renting a car at Sky Harbor International Airport are required to pay a Maricopa County tax calculated as 3.25% of the rental-car company proceeds or \$2.50 per car rental transaction, whichever is larger.

Taxes on Parking Businesses

Examples of the taxes charged by local governments on customers parking a vehicle at or near an airport are presented below. These fees may be imposed upon all parking businesses in a community, not just those located near an airport.

Percentage of Parking Fee

Examples of city and county governments charging parking customers a tax calculated as a percentage of the parking fee include:

- Tincum Township, Pennsylvania (adjacent to Philadelphia International Airport) – the Township charges a 9.5% tax
- Dade County (Miami), Florida – the County charges a 15% tax
- Oakland, California – the City charges a 18.5% tax

Flat Rate Tax

Examples of city and county governments charging parking customers a tax calculated as a flat amount include:

- Salt Lake City, Utah – the City collects a \$0.50 fee per parking transaction
- City of SeaTac and Burien (both adjacent to Sea-Tac International Airport) – these cities charge a \$3.50 fee per parking transaction
- Phoenix – Customers parking a car on or near Sky Harbor International Airport are required to pay a City of Phoenix tax calculated as 2.1% of the parking fee.

Additional Benchmarking Information

Taxes on Hotel/Motel

Examples of the fees charged hotel guests are presented below. These fees are typically imposed upon the guests of all hotels in a community.

Percentage of Room Rate

Examples of city and county governments charging hotel guests a tax calculated as a percentage of their room rate include:

- Houston, Texas imposes a tax of 17%
- San Francisco imposes a tax of 15.5%
- Phoenix imposes a tax of 13.27%

Infrastructure
Transportation

Appendix C: PHX Ground Transportation Infrastructure



PHX Ground Transportation Infrastructure

This section outlines the infrastructure that support GT at PHX. The most recent GT transaction volumes at PHX have also been provided.

GT Infrastructure

Roadways

Roadways provide GT with access to PHX facilities.

Pick-Up and Drop-off Locations

PHX provides dedicated pick-up locations for GT Operators. Locations are provided across the airport property. Terminals 2, 3 and 4 have pick-up curb locations by GT Operator. The graphic on the following page highlights all dedicated pick-up locations.

Drop-off locations are not allocated or dedicated for GT Operators. GT Operators may only drop-off customers at the inner curb of all terminals, the departure level of Terminal 4, or in parking garages.

Designated Waiting Areas

The airport provides two designated waiting areas for authorized GT Operators until such a time as the passenger is ready for pick-up at the appropriate pick-up location. Waiting areas are open 24 hours a day and staffed by the Aviation Department.

Automated Vehicle Identification (AVI) System

AVI is a sophisticated and accurate vehicle tracking system. Electronic readers, positioned throughout the airport, detect AVI tags affixed to authorized vehicles. The system allows the Ground Transportation Office to track vehicle activity and provides reporting information utilized to determine trips. AVI tags are issued by the Aviation Department to authorized users.

Global Positioning Satellite (GPS) Technology

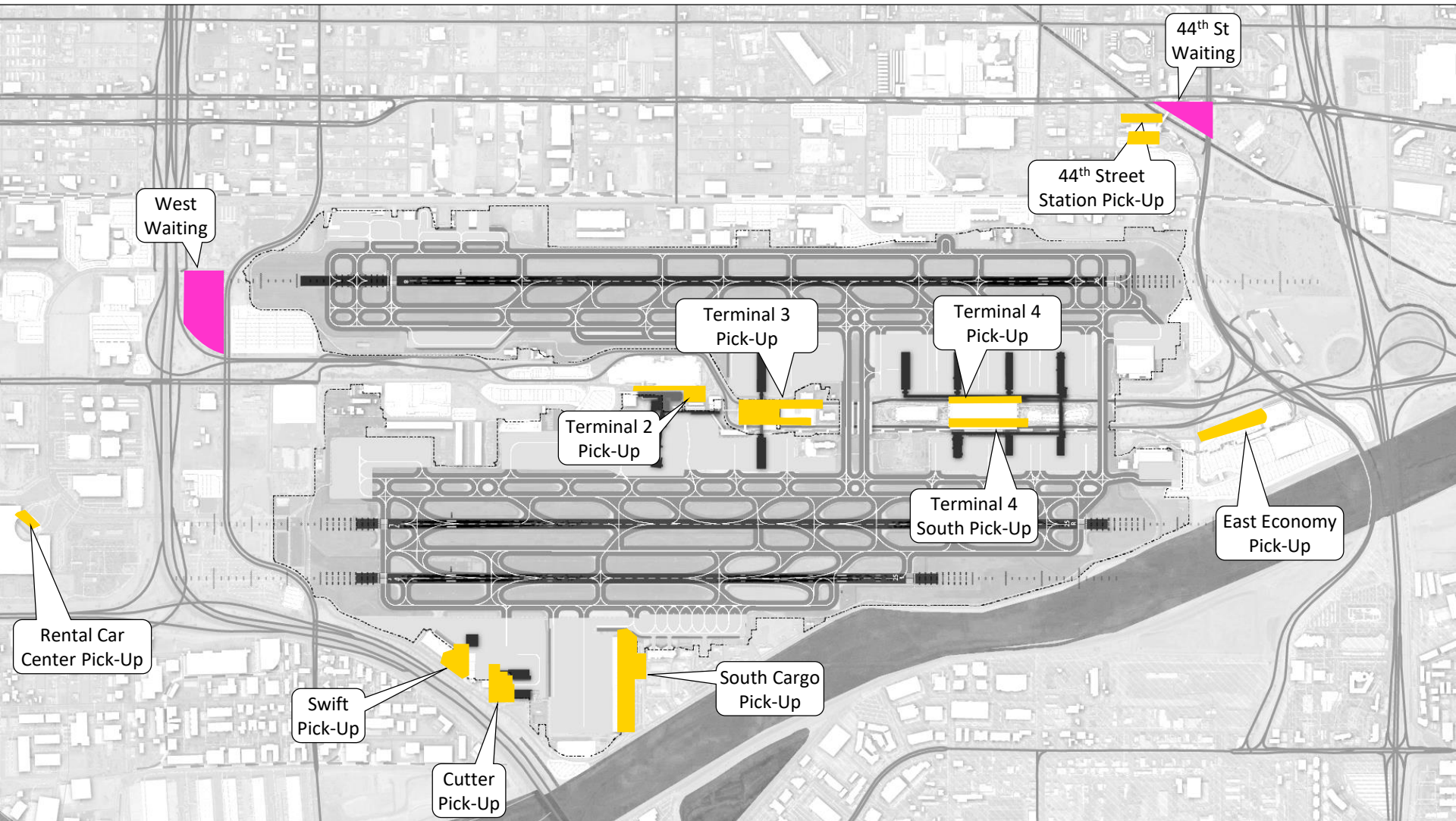
GPS technology is also used for GT Operator vehicle tracking (currently used only by TNC vehicles). Geofence boundaries have been established by the Aviation Department within which all GPS operators must report their activity.

Sky Train

Stage 2 of the Sky Train development is currently under construction and due for opening in 2023. The expansion will connect the terminals to the Rental Car Center (RCC), eliminating the need for the RCC shuttles on the roadways. This will significantly reduce traffic congestion and opens up curb access for GT operations.

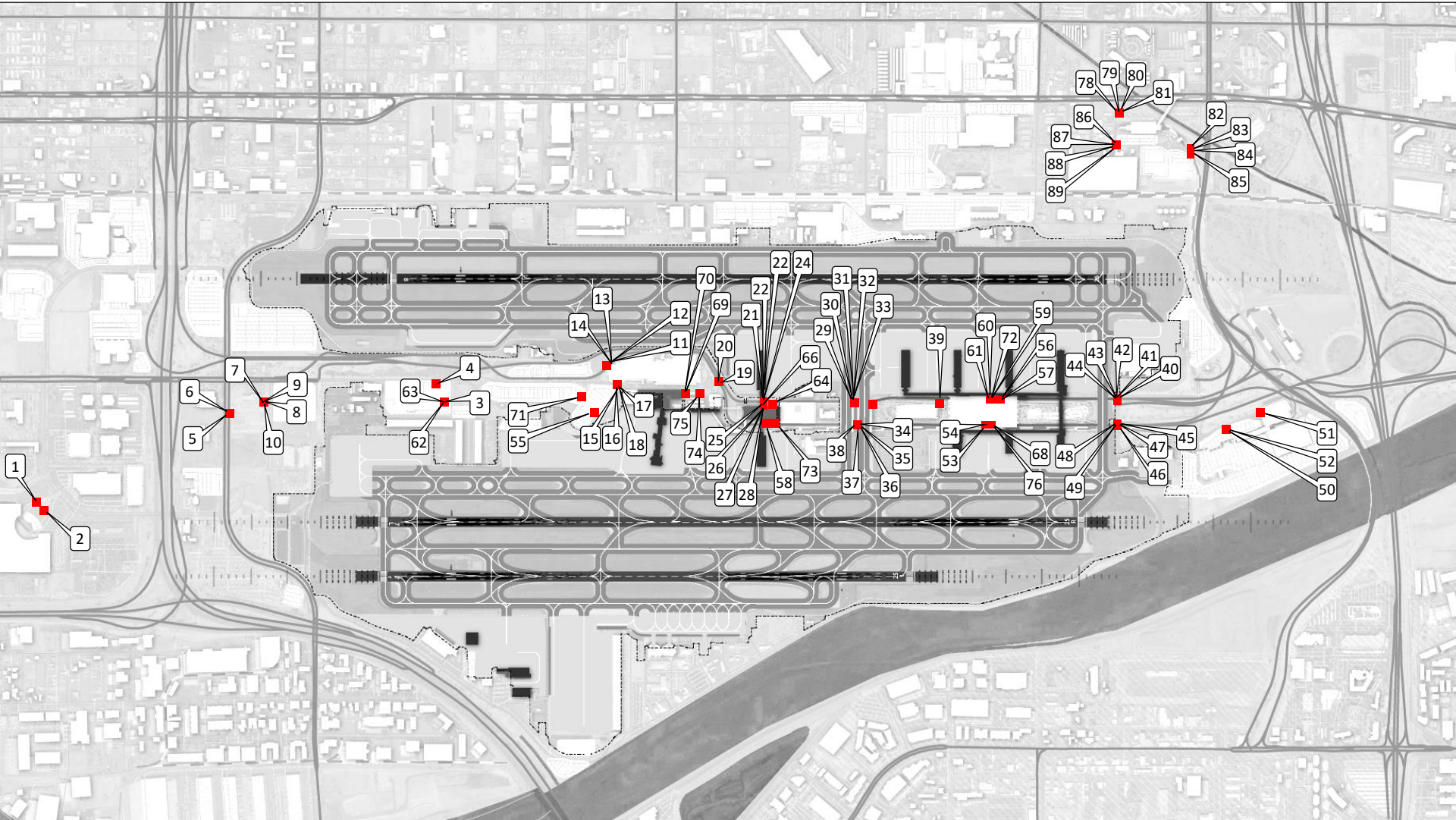
Ground Transportation Infrastructure

Pick-Up Locations and Waiting Areas



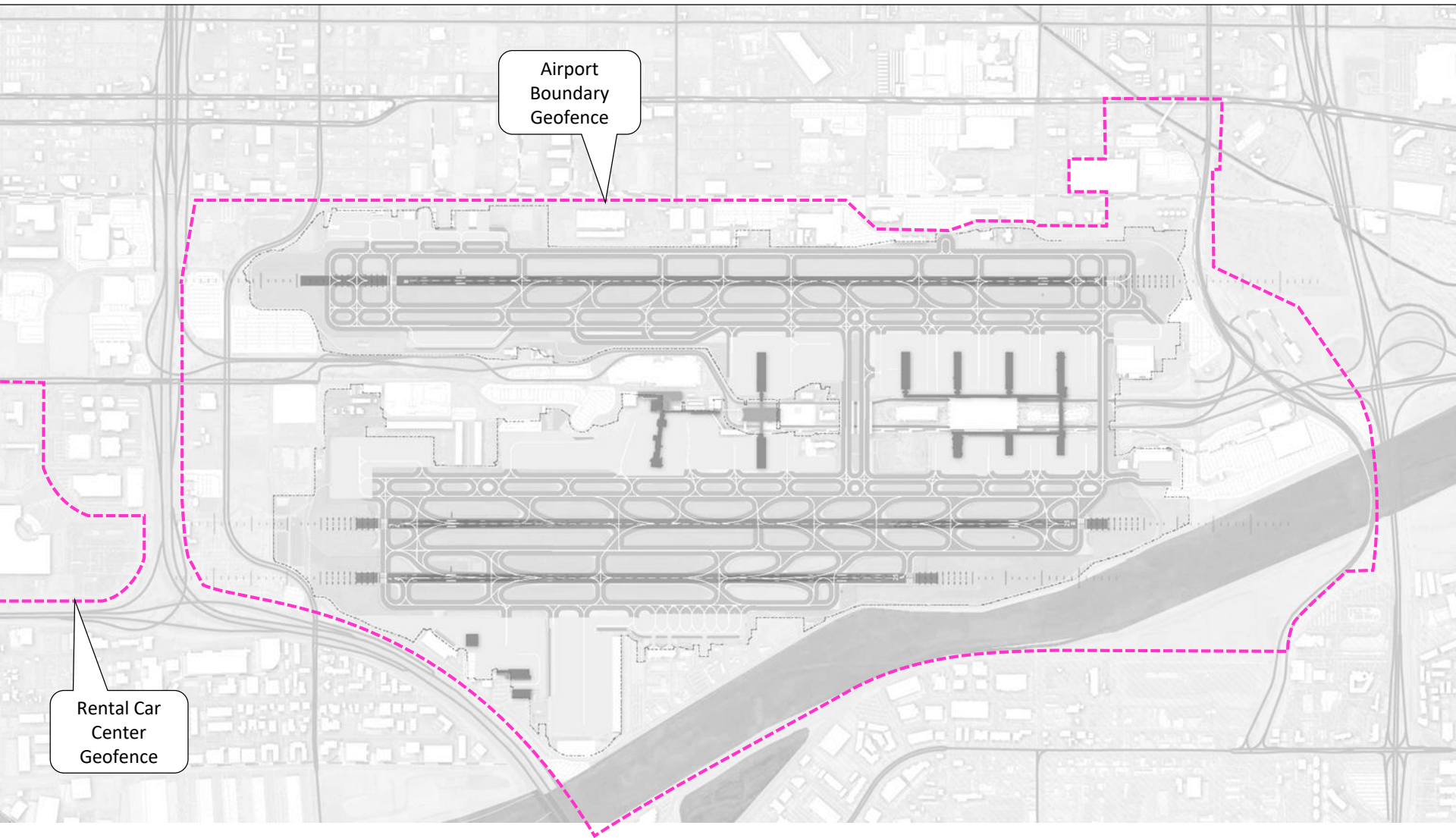
Ground Transportation Infrastructure

AVI Reader Locations



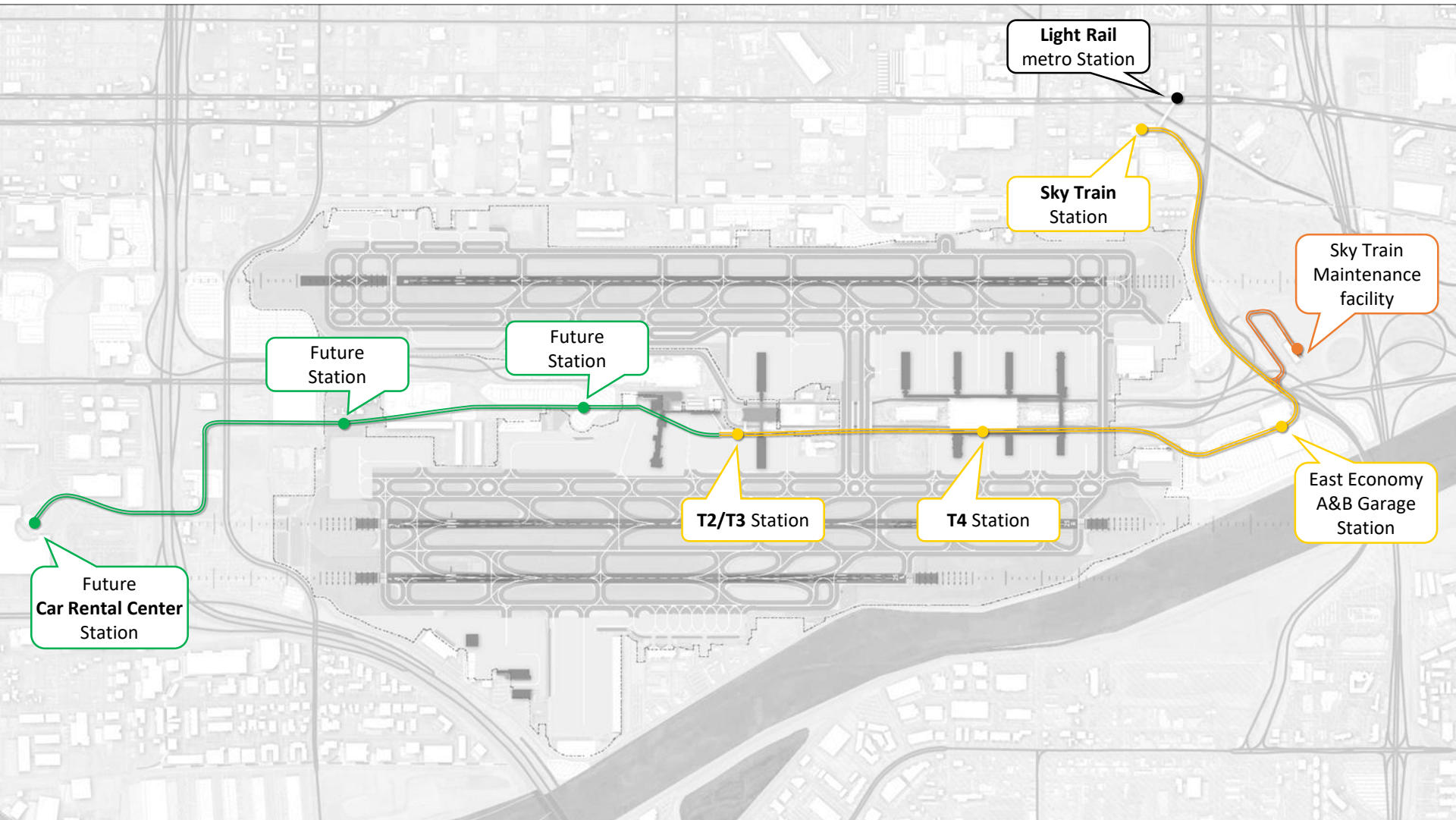
Ground Transportation Infrastructure

GPS Geofence



Ground Transportation Infrastructure

Sky Train



Forecast
Transportation
Appendix D:
PHX Ground
Transportation
Forecast



Ground Transportation Forecast

The PHX GT forecast has been developed to inform stakeholders about the anticipated GT market change over then next 5 years. The approach to the forecast is summarized in the adjacent graphic.

Sources of Information

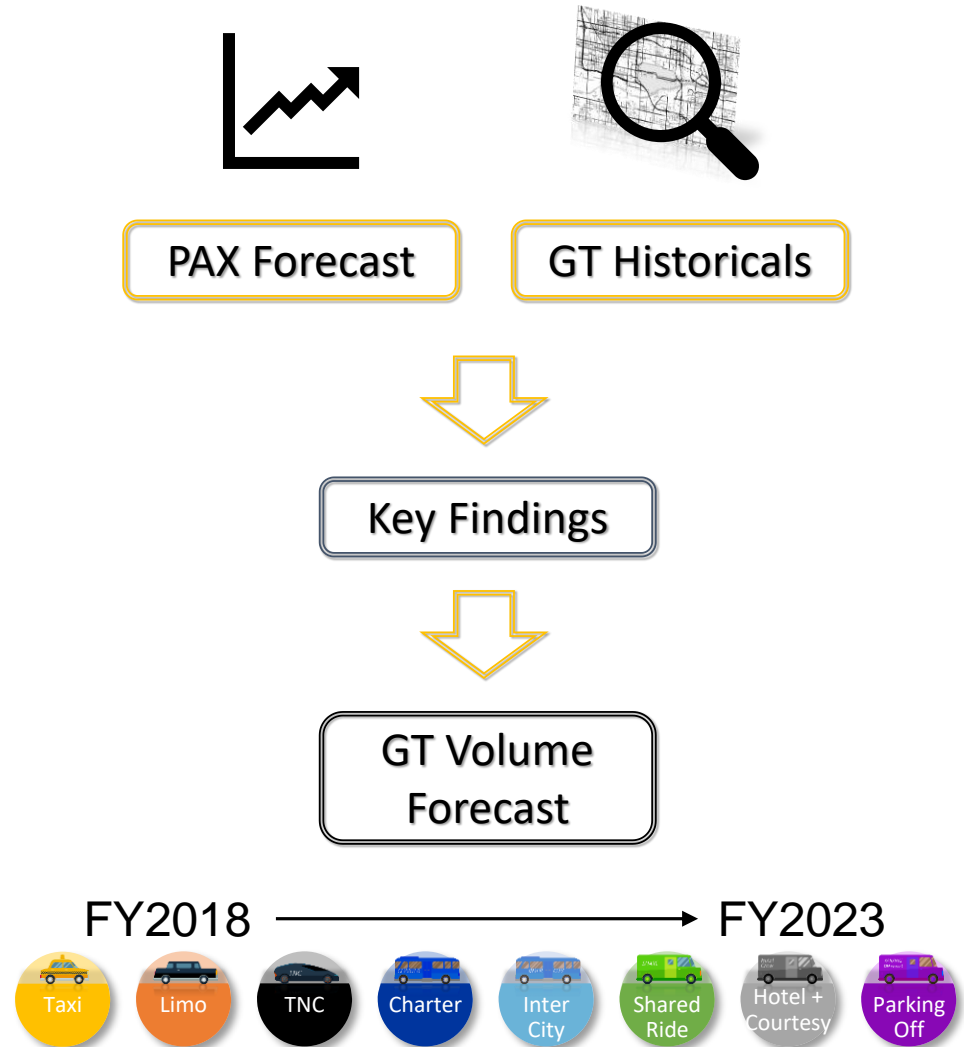
Two primary sources of information were used to develop the Key Findings: PHX Passenger (PAX) forecasts and GT historical transaction data.

PAX forecasts define the growth expectation for an airport. AVN is in the process of completing its **Comprehensive Asset Management Plan (CAMP)**. A primary task of CAMP was to produce aviation activity forecasts.

GT historical transactions that were reviewed included:

- Roadway traffic counts (all vehicles)
- Commercial GT service transactions
- Car rental transactions
- Parking (on-airport) transactions

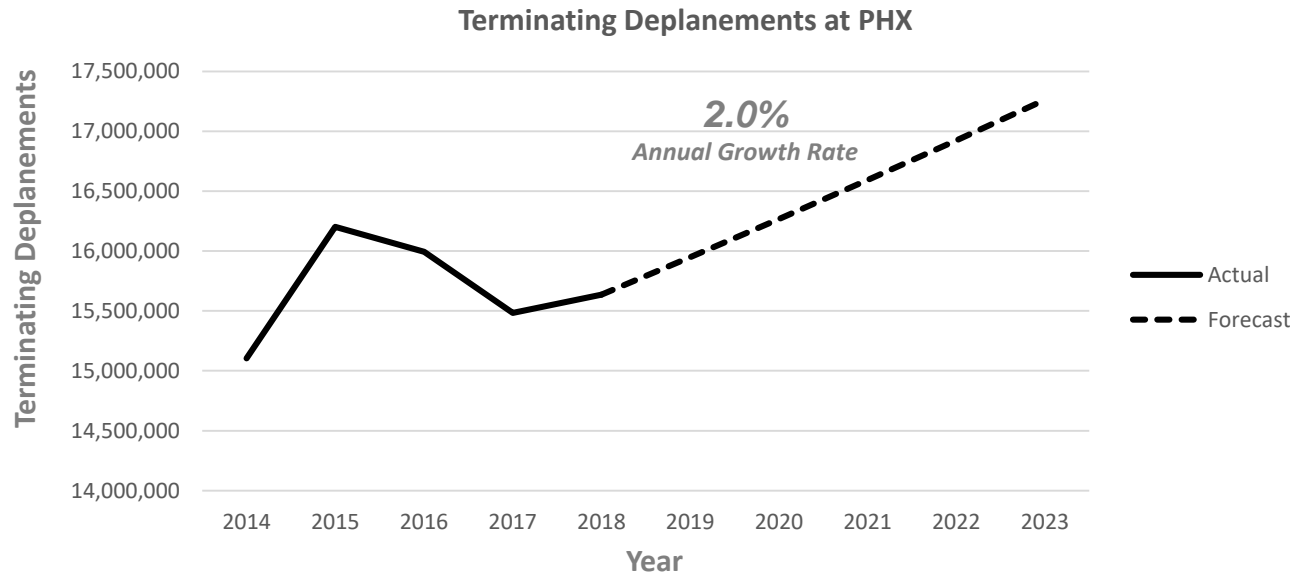
Approach to PHX GT Forecast



Ground Transportation Forecast

PAX Forecast

For this study, the growth rate for originating enplanements (2% growth based on projections made in the CAMP) is assumed to equal the growth rate for terminating deplanements. Terminating deplanements was used as the benchmark passenger statistic for driving baseline growth in commercial GT transactions. This metric was selected because terminating passengers, not connecting passengers, utilize commercial GT modes.



Ground Transportation Forecast

GT Historicals

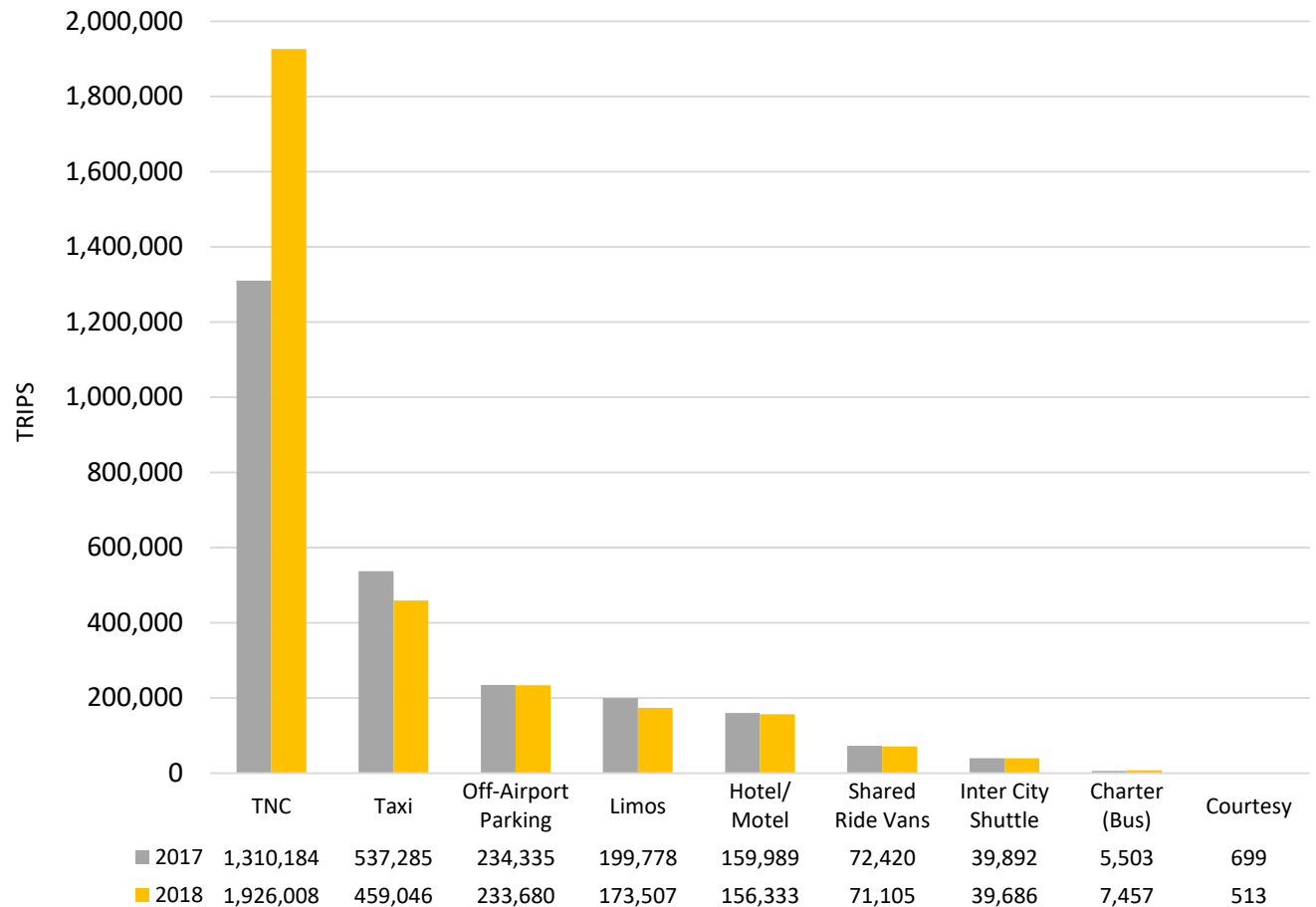
The adjacent graph presents GT transactions by service category. Only pick-ups are recorded as transactions at PHX.

TNCs were introduced at PHX in mid-2016. By 2017 they represented the largest GT service and continued to grow another 47% in 2018.

Other services have seen a decline in trips, most notably, taxicabs, pre-arranged and van service.

This is a typical observation at many airports in the US and presents a challenge to airport operations.

PHX Historical Transactions by GT Service



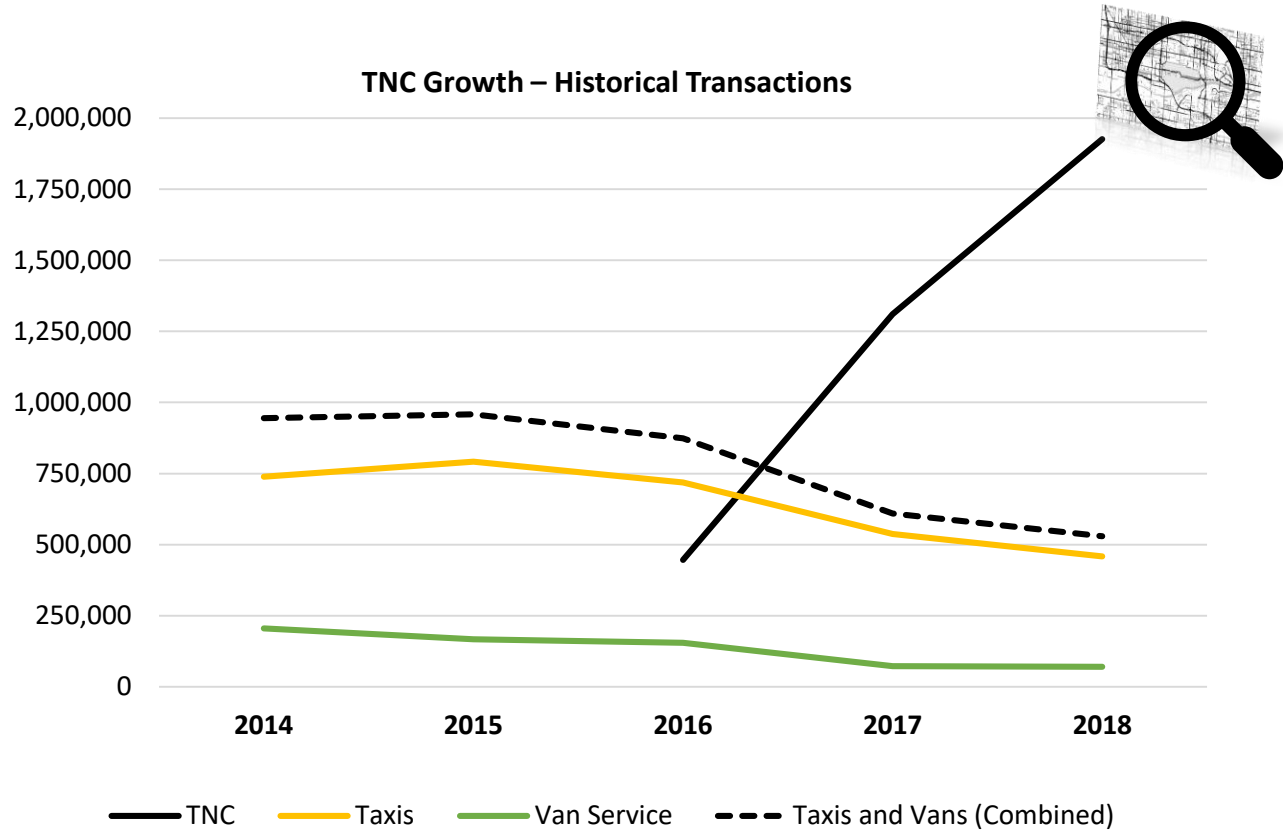
Source: PHX Department of Aviation – GT Transaction only record pick-ups

Ground Transportation Forecast

TNC Growth

The following graph highlights the decline of taxicab and shared-ride van transactions since the introduction of TNCs at PHX.

Important to note: TNC growth has exceeded the decline of other GT services, indicating that TNCs have drastically changed passenger habits for accessing the airport and created a new market in the process.



Annual Percent Change in Transactions

	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
TNCs	base year		base year	193%	47%
Taxis	base year	7%	-9%	-25%	-15%
Vans	base year	-19%	-7%	-53%	-2%
Taxi and Vans (Combined)	base year	2%	-9%	-30%	-13%

Source: PHX Department of Aviation – GT Transaction only record pick-ups

Ground Transportation Forecast

PHX Roadway Traffic Volumes

In support of the ongoing CAMP study, seven-day traffic counts were collected in October 2017. Traffic counts were collected at multiple locations along Sky Harbor Boulevard to identify the sources of traffic entering PHX. The counts collected were averaged to obtain an average daily volume of traffic activity, including commercial GT modes. This amounted to a daily traffic volume of 63,637.

From a review of 2017 passenger statistics for PHX, October approximated an average month of activity. Therefore, this daily average was multiplied by 365 to determine annual roadway traffic.

Parking and Car Rental

The analysis of data demonstrates that even with the substantial growth in TNC operations at PHX, parking transactions and car rental transactions have exceeded the growth of terminating deplanements.



	<u>CY 2017</u>
Commercial GT Transactions	2,560,085
Non-commercial Traffic	20,669,915
Total Roadway Traffic	23,230,000

Commercial GT Split of Traffic	11%
---------------------------------------	------------

	<u>CY 2017</u>	<u>CY 2018</u>
Terminating Deplanements	15,483,009	15,635,583
Terminating Deplanement Annual Growth		1.0%
Parking Transactions	4,256,485	4,328,031
Parking Annual Growth		1.7%
Car Rental Transactions	1,864,636	1,937,333
Car Rental Growth		3.9%

Ground Transportation Forecast

Key Findings

The following observations were used in making more informed activity projections.

Commercial GT Services



- Growth in overall GT transactions is largely driven by growth in TNC transactions.
- TNC transactions continue to grow.
- Taxi transactions have declined over the last 3 calendar years.
- Shared-ride Van, intercity shuttle, hotel + courtesy, and off-airport parking transactions slightly declined over the last two calendar years.
- Charter buses represent a small sample of the overall commercial GT transactions, but the number of transactions have grown each of the last 4 calendar years.

Other Observations

- Parking and rental car transactions have grown over the past 2 calendar years despite significant growth in TNC transactions. Therefore, it is anticipated that little to no growth in commercial GT transactions will come from parking and rental car transactions.
- Passengers who have historically been dropped off or picked up by friends or family at the private vehicle curb may be choosing to use a commercial GT mode or parking. Based on the data, it is likely that many are switching to the TNC mode. Passengers may also be choosing TNCs rather than shared-ride van or hotel + courtesy shuttles, which would generate more commercial GT transactions (rides/transactions are no longer being shared among multiple travel parties but are rather distributed to multiple vehicles).

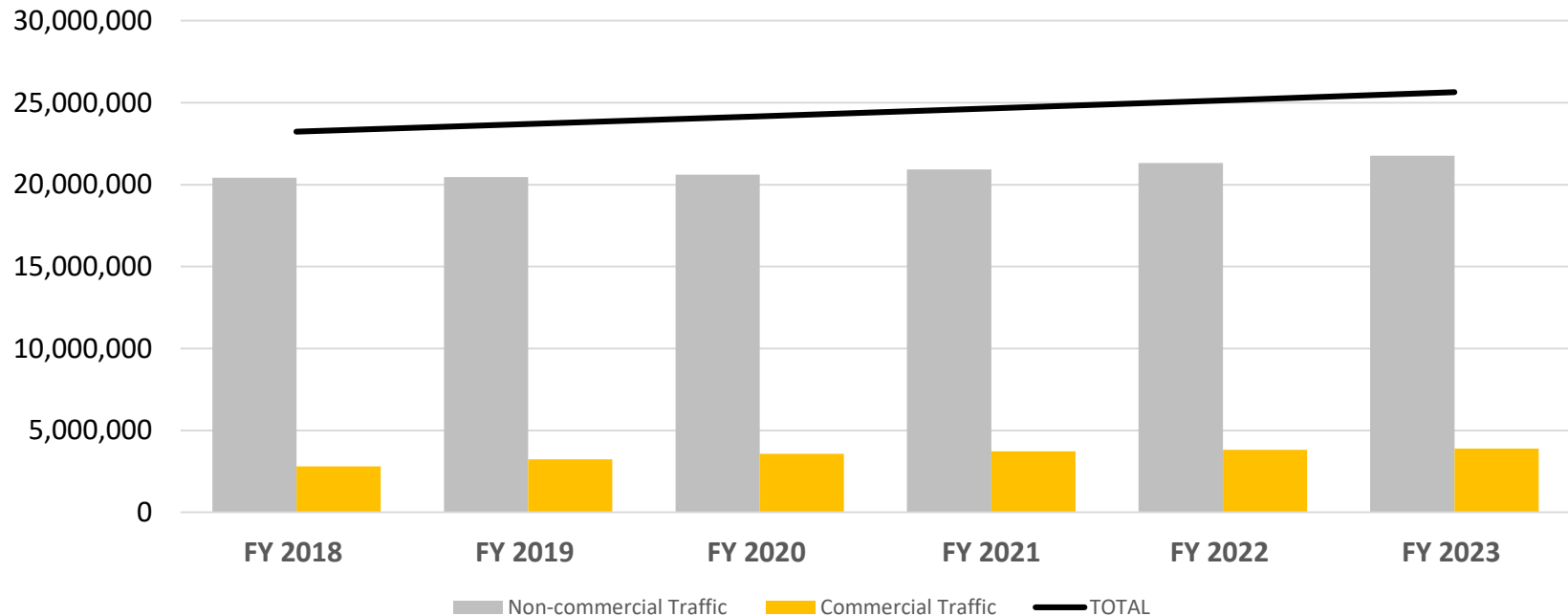
Ground Transportation Forecast

Traffic Volume Projections

- Total traffic volumes are expected to grow with expected growth in terminating deplanement passengers
- Commercial traffic is expected to continue to gain share over non-commercial traffic in the initial years of the forecast before reaching a steady state by FY2021, when TNCs are projected to mature and reach their peak.

Note: traffic volumes are provided for Financial Years (July 1st to June 30th) for the purpose of financial modeling. Total traffic volumes for CY2018 and FY2018 are assumed to be identical.

High Level Traffic Volume Breakdown

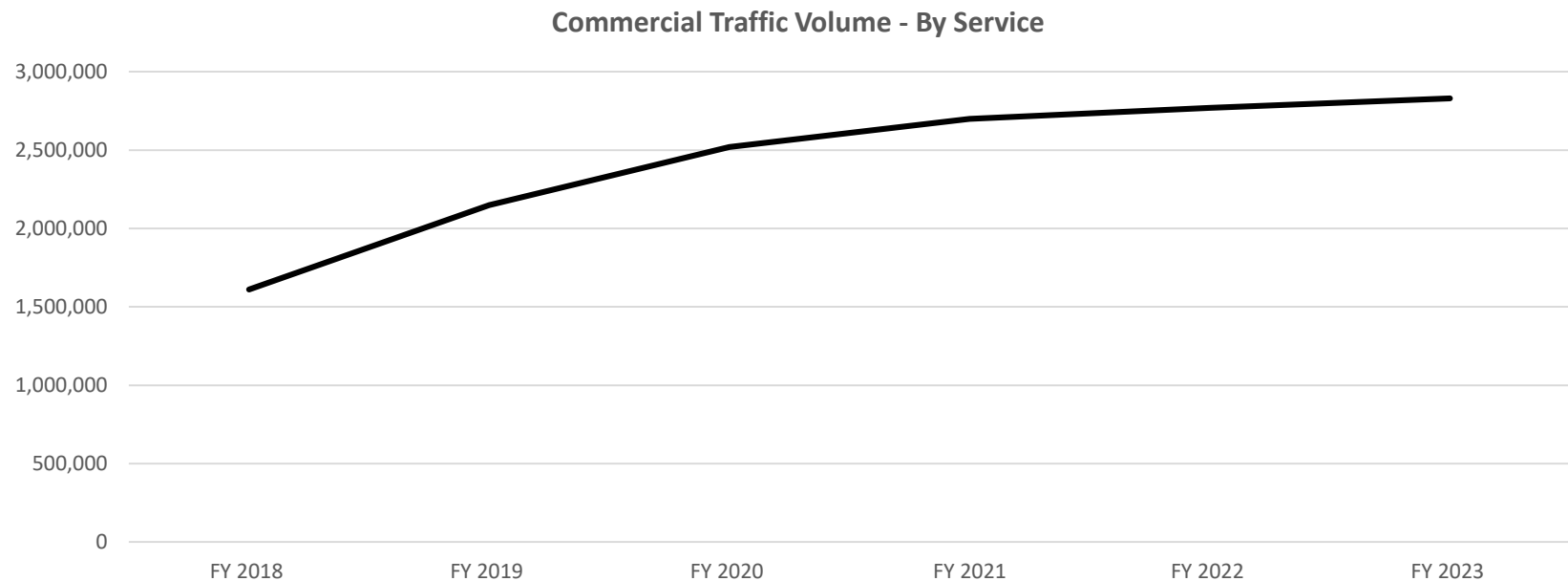


Ground Transportation Forecast

TNC Activity

In two years, TNC activity has grown substantially. Based on historical performance the growth rate is projected to decrease until becoming stable in FY2021. Thereafter, growth is expected to be consistent with growth in terminating passenger deplanements.

Note: volumes shown represent pick-up transactions only.

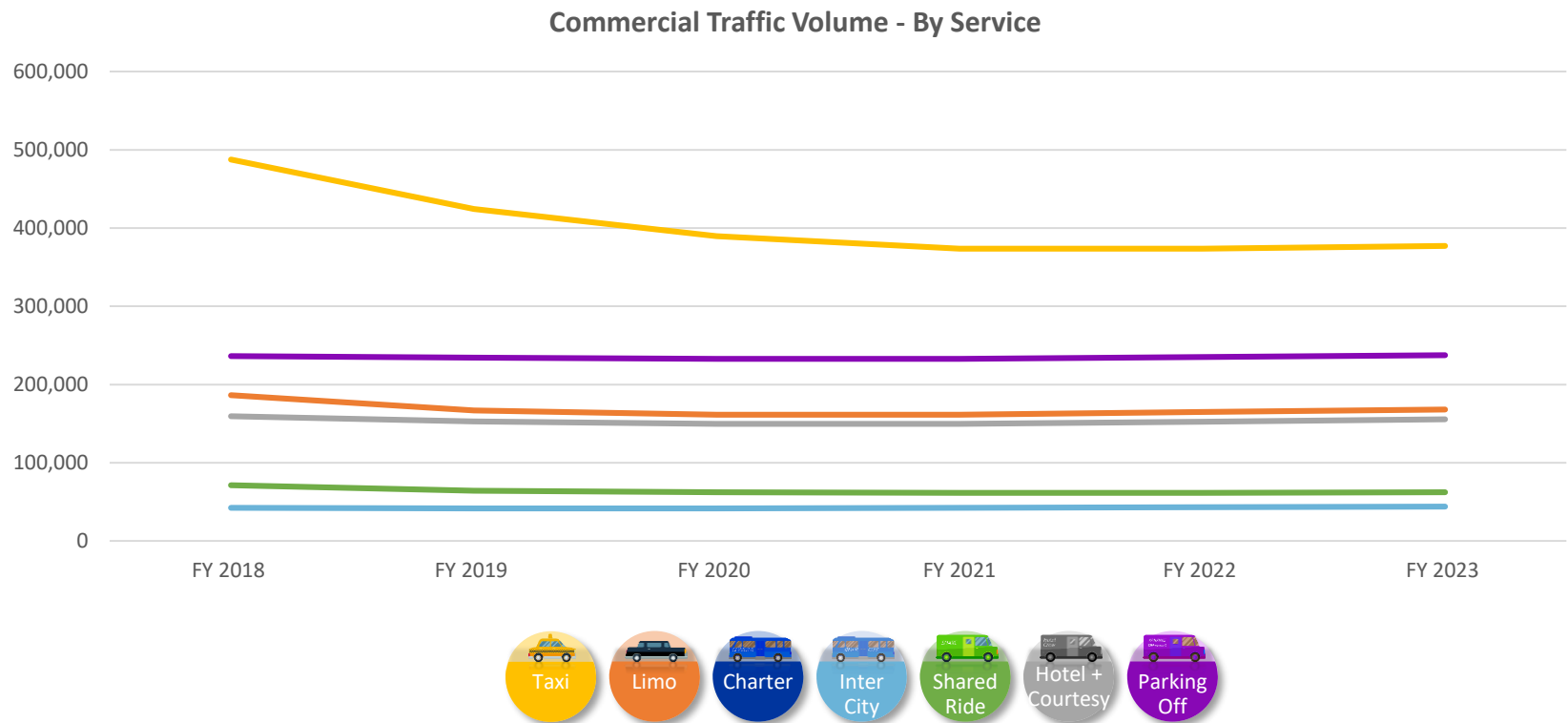


Ground Transportation Forecast

Other Commercial GT Activity

All other commercial GT services are expected to follow their current historical growth trends till FY2021, when TNC growth is projected to stabilize. Thereafter, growth is expected to be consistent with growth in terminating passenger deplanements.

Note: volumes shown represent pick-up transactions only



Traffic Volume Detail – Actual and Forecast

GT Traffic Volume Share Detail – Actual + Forecast

GT Traffic volume shares including TNC drop-offs were forecasted by Kimley-Horn as follows:

Traffic Share	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
HIGH LEVEL BREAKDOWN						
Non-commercial Traffic	18,820,300	18,306,800	18,082,300	18,218,100	18,558,787	18,934,900
Commercial Traffic	4,409,700	5,393,200	6,087,700	6,431,900	6,581,213	6,715,100
TOTAL	23,230,000	23,700,000	24,170,000	24,650,000	25,140,000	25,650,000
Traffic Share	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
DETAIL LEVEL BREAKDOWN						
Non-Commercial Vehicles	18,820,300	18,306,800	18,082,300	18,218,100	18,558,787	18,934,900
Taxi	487,500	424,500	389,700	373,700	373,500	377,000
Limo	186,300	166,800	161,600	161,600	164,800	168,100
TNC Pick-ups	1,610,000	2,150,000	2,520,000	2,700,000	2,770,000	2,830,000
TNC Drop-offs	1,610,000	2,150,000	2,520,000	2,700,000	2,770,000	2,830,000
Charter	6,200	8,400	9,400	10,100	10,300	10,500
Intercity	42,500	41,900	41,900	42,300	43,100	44,000
Shared Ride Van	71,500	64,400	62,400	61,700	61,700	62,300
Hotel + Courtesy	159,500	152,900	149,700	149,600	152,600	155,700
Parking Off Airport	236,200	234,300	233,000	232,900	235,213	237,500
TOTAL	23,230,000	23,700,000	24,170,000	24,650,000	25,140,000	25,650,000

Traffic Volume Share Detail – Actual and Forecast

GT Traffic Volume Share Detail – Percentages

GT Traffic volume shares including TNC drop-offs were forecasted by Kimley-Horn as follows :

Traffic Share	FY 2018 % Share	FY 2019 % Share	FY 2020 % Share	FY 2021 % Share	FY 2022 % Share	FY 2023 % Share
HIGH LEVEL BREAKDOWN						
Non-commercial Traffic	81.02%	77.24%	74.81%	73.91%	73.82%	73.82%
Commercial Traffic	18.98%	22.76%	25.19%	26.09%	26.18%	26.18%
TOTAL	100%	100%	100%	100%	100%	100%
Traffic Share	FY 2018 % Share	FY 2019 % Share	FY 2020 % Share	FY 2021 % Share	FY 2022 % Share	FY 2023 % Share
DETAIL LEVEL BREAKDOWN						
Non-Commercial Vehicles	81.02%	77.24%	74.81%	73.91%	73.82%	73.82%
Taxi	2.10%	1.79%	1.61%	1.52%	1.49%	1.47%
Limo	0.80%	0.70%	0.67%	0.66%	0.66%	0.66%
TNC Pick-ups	6.93%	9.07%	10.43%	10.95%	11.02%	11.03%
TNC Drop-offs	6.93%	9.07%	10.43%	10.95%	11.02%	11.03%
Charter	0.03%	0.04%	0.04%	0.04%	0.04%	0.04%
Intercity	0.18%	0.18%	0.17%	0.17%	0.17%	0.17%
Shared Ride Van	0.31%	0.27%	0.26%	0.25%	0.25%	0.24%
Hotel + Courtesy	0.69%	0.65%	0.62%	0.61%	0.61%	0.61%
Parking Off Airport	1.02%	0.99%	0.96%	0.94%	0.94%	0.93%
TOTAL	100%	100%	100%	100%	100%	100%



250 – 1820 Fir Street
Vancouver, British Columbia, Canada
1-604-629-5540

Exhibit 7

ORDINANCE G-6650

AN ORDINANCE RELATING TO COMMERCIAL GROUND TRANSPORTATION AT PHOENIX AIRPORTS; AMENDING PHOENIX CITY CODE CHAPTER 4, ARTICLE I, SECTION 4-4; ARTICLE IV, SECTION 4-67, SECTION 4-68, SECTION 4-75, SECTION 4-77, AND SECTION 4-78; AND CONFORMING AND RENUMBERING CHAPTER 4 OF THE PHOENIX CITY CODE AS NECESSARY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX as

follows:

SECTION 1. The Phoenix City Code, Chapter 4, Article I, Section 4-4 is

amended to read:

Sec. 4-4. Written permission required for commercial activities and solicitation at the airport.

The use of any portion of the airport for revenue-producing commercial activities or to solicit business or funds is prohibited unless authorized by the Aviation Director by lease, permit or license agreement under such terms and conditions that may be required by the Aviation Director for the safe, efficient and orderly use of the airport. EXCEPT WHERE OTHERWISE SPECIFICALLY PROVIDED IN THIS CHAPTER OR SECTION 36-156.02, A VIOLATION OF THE REQUIREMENTS OF THIS ARTICLE SHALL BE DEEMED A CLASS 1 MISDEMEANOR.

SECTION 2. The Phoenix City Code, Chapter 4, Article IV, Section 4-67, is amended to read:

Sec. 4-67. Definitions.

In this article, unless the context otherwise requires:

Airport terminal zone means those parts of Phoenix Sky Harbor International Airport that are within 500 feet of any AIR passenger terminal., including the Lincoln J. Ragsdale Executive Terminal.

Alternative fuel means the energy source, other than gasoline or diesel, used to power a motor vehicle, as prescribed in airport rules and regulations.

Authorized provider means a person, authorized by the Aviation Director under permit or contract, to engage in commercial ground transportation.

Authorized signer means a designated representative of an authorized provider, who is authorized to act on behalf of the provider, including requesting or certifying identification media for a driver, and including accepting service of a notice of violation and civil citation.

Automated vehicle identification (AVI) means radio frequency identification used to track a ground transportation motor vehicle while on an airport.

Automated vehicle identification tag (AVI Tag) means a radio frequency identification transponder placed on a ground transportation motor vehicle for the purpose of tracking ground transportation operations on an airport.

Bus means a motor vehicle designed for carrying 16 or more passengers, including the driver.

Commercial ground transportation means the use of a ground transportation motor vehicle for commercial activity.

Commercial ground transportation permit or permit means written permission issued by the Aviation Director to authorize a person to engage in commercial ground transportation.

Commercial ground transportation provider or provider means a person that engages in commercial ground transportation. FOR PURPOSES OF THIS ARTICLE, ANY PERSON ENGAGING IN COMMERCIAL PICK-UPS AND DROP-OFFS AT THE AIRPORT OR COMMERCIAL PICK-UPS ONLY IS DEEMED TO BE A COMMERCIAL GROUND

TRANSPORTATION PROVIDER. ANY PERSON WHO ENGAGES IN COMMERCIAL DROP-OFFS ONLY AT THE AIRPORT IS DEEMED NOT TO BE A COMMERCIAL GROUND TRANSPORTATION PROVIDER.

Courtesy vehicle means a motor vehicle operated by an authorized provider for the purpose of picking up OR DROPPING OFF a passenger at an airport and transporting the passenger to an off-airport location, including a hotel, motel or commercial parking lot, where the authorized provider or driver does not directly charge or receive a fee from the passenger for the transportation service.

Designated local point of contact means a representative of an authorized provider, who is authorized to act as an authorized signer in all ways except for signing the permit.

Designated waiting area means an area on an airport designated by the Aviation Director where an authorized provider or driver operating under an authorized provider's permit or contract may stop, stand, or park a ground transportation motor vehicle.

Digital network or software application means any online-enabled application, software, website, or system that is offered or used by an authorized provider and that enables a potential passenger to arrange a ride with a transportation network driver.

Disabled services vehicle means a van or any other motor vehicle that is designated by the Aviation Director as a disabled services vehicle authorized to operate on an airport in accordance with this article.

Driver means any PERSON individual who drives, ~~is driving,~~ or ~~is in actual physical control of,~~ a ground transportation motor vehicle.

Geofence means an electronic perimeter, designated by the Aviation Director, of airport property and sub-perimeters within airport property.

Global positioning satellite (GPS) means any global positioning satellite technology, approved by the Aviation Director, used to track a ground transportation motor vehicle while on an airport.

Ground transportation motor vehicle means a motor vehicle used for commercial activity, including a bus, courtesy vehicle, disabled services vehicle, motorcycle, off-airport rental car company vehicle, shared ride van, taxicab, other designated vehicle, prearranged vehicle, transportation network company vehicle, or intercity provider vehicle.

Identification media means a physical identification or digital identification that identifies a driver as required in this article, issued or approved by the Aviation Director.

Include or including means including, but not limited to; and, including, without limitation.

INDEPENDENT OPERATOR PARCEL MEANS THE AREA IN THE RENTAL CAR CENTER THAT PROVIDES SHARED SPACE FOR UP TO FIVE RENTAL CAR COMPANIES, EACH OF WHOM HAS A MARKET SHARE OF THE TOTAL PHOENIX AREA RENTAL CAR MARKET OF APPROXIMATELY ONE PERCENT OR LESS.

Intercity provider means an authorized provider that uses an intercity provider vehicle.

Intercity provider vehicle means a motor vehicle used to transport passengers and baggage from Phoenix Sky Harbor International Airport to cities or towns located farther than a 35-mile radius from Phoenix Sky Harbor International Airport, and that are otherwise outside of the service areas of other authorized providers under contract with the City to operate at Phoenix Sky Harbor International Airport.

Motor vehicle means a device IN OR ON ~~upon~~ which any individual PERSON is or may be transported ~~upon~~ ON a public highway, excepting a device moved by human power or used exclusively upon stationary rails or tracks.

Motorcycle means a motor vehicle that has a seat or saddle for the use of the rider and that is designed to travel on not more than three wheels in contact with the ground.

Notice of violation (NOV) means a violation of this article that resulted in the Aviation Director issuing a notice to the authorized provider.

Off-airport rental car company vehicle means a motor vehicle operated by or on behalf of an off-airport rental car company for the purpose of transporting customers and baggage between the Rental Car Center (RCC) and an off-airport rental car company facility located off the airport, where no direct fee is paid by the person or baggage transporter for the service so rendered.

Other designated vehicle means a motor vehicle of a type not otherwise defined herein that may be designated by the Aviation Director as a ground transportation motor vehicle authorized to operate on an airport in accordance with this article.

Permittee means any person to whom the Aviation Director has issued a commercial ground transportation permit as provided in this article.

Person means an individual, association, company, corporation, joint venture, limited liability company, organization, partnership, two or more individuals acting as a unit, and any other entity.

Prearranged provider means an authorized provider that uses a prearranged vehicle.

Prearranged vehicle means a ground transportation motor vehicle used to pick up a passenger(s) on an airport, where the authorized provider has scheduled the pick-up OR DROP-OFF OF A PASSENGER prior to BEFORE THE PROVIDER enterEDing an airport, or while parked in a designated waiting area.

Safety regulations means those parts of Title 49 C.F.R. adopted by the Arizona Department of Transportation—Motor Vehicle Division, as published in the Arizona Administrative Code as R17-5-202, as the same are amended from time to time.

Shared ride means nonexclusive use of a ground transportation motor vehicle by two or more unrelated passengers, to predetermined destinations or destinations agreed upon by the passengers and driver.

Shared ride van service means operation of a fleet of multi-passenger vans, under contract with the City of Phoenix, to conduct shared ride commercial ground transportation.

~~*Small operator parcel* means the area in the rental car center that provides shared space for up to five rental car companies, each of whom has a market share of the total Phoenix area rental car market of approximately one percent or less.~~

Taxicab means a motor vehicle authorized under a contract with the City of Phoenix, with a designated seating capacity of less than seven passengers, excluding the driver, having four doors for passenger ingress and egress, furnished for hire on an exclusive basis.

Taxicab meter means a meter device that conforms to the standards established by the City Manager pursuant to Section 36-202, and that otherwise measures the distance driven and/or time upon which the fare is based, and numerically displays in dollars and cents the fare in a manner readily visible to the passengers.

Trade dress means a distinct logo, insignia or emblem attached to, and visible from 50 feet in front of, a ground transportation motor vehicle, as approved by the Aviation Director.

Transportation network company means an entity that has been issued a permit by the State of Arizona, that operates in the State of Arizona, that uses a digital network or software application to connect passenger(s) to transportation network services provided by transportation network company drivers, and that may but is not deemed to own, operate or control a personal motor vehicle of a transportation network driver.

TRANSPORTATION NETWORK COMPANY CURB SHARE (OR "TNC CURB SHARE") MEANS THE MINIMUM PERCENTAGE OF TERMINAL CURB LINEAR FEET ALLOCATED FOR TRANSPORTATION NETWORK COMPANIES, COMPARED TO THE TOTAL TERMINAL CURB LINEAR FEET ALLOCATED FOR ALL AUTHORIZED PROVIDERS.

Transportation network company vehicle means a motor vehicle with a seating capacity not exceeding eight passenger(s), including the driver, that is authorized by a transportation network company, and that is used by a transportation network driver to provide transportation network services.

Transportation network driver means an individual PERSON who receives connections to potential passenger(s) and related services from a transportation network company in exchange for payment of a fee to the transportation network company and who operates a transportation network company vehicle.

Transportation network services means the transportation of a passenger between points chosen by the passenger and arranged with a transportation network driver through the use of a transportation network company's digital network or software application.

Trip means an authorized provider picking up OR DROPPING OFF a passenger on an airport.

Trip fee means a fee imposed pursuant to Section 4-78.

Virtual waybill means a digital identification of the authorized provider's company, the driver's name, the vehicle make, model, and license plate number, the passenger's name, and the date and time of the transaction.

Waybill means a physical document identifying a passenger pick-up including the date, time, company, terminal, license plate number, driver, airline, flight number, and passenger name.

ZERO-EMISSIONS VEHICLE MEANS A VEHICLE THAT EMITS NO EXHAUST GAS FROM THE ONBOARD SOURCE OF POWER.

SECTION 3. The Phoenix City Code, Chapter 4, Article IV, Section 4-68 is amended to read:

Sec. 4-68. Commercial ground transportation; permit required; application; requirements; expiration.

A. No person may engage in commercial ground transportation, including the commercial activity of picking up OR DROPPING OFF A passenger(s) ~~OR~~ AT an airport, without a valid commercial ground transportation permit, EXCEPT A PERSON WHO ENGAGES IN COMMERCIAL DROP-OFFS ONLY OR except as specified in Sections 4-82 and 4-84.

B. Commercial ground transportation permit application. An applicant for a commercial ground transportation permit or renewal shall complete or update an application form provided by the Aviation Director and shall provide information and certifications deemed necessary by the Aviation Director, including:

1. The name, address, and billing address of the applicant.
2. A list of authorized signers and designated local points of contact.
3. An acceptable certificate of automobile liability insurance with at least the minimum amounts of coverage required by Arizona law and airport rules and regulations.
4. An indemnification agreement in favor of the City of Phoenix.
5. A statement of whether the applicant will operate on a prearranged or courtesy basis.
6. A certification that all statements of the applicant are true and complete, and an acknowledgment that any falsification or material omission will void the permit.

7. A statement that the applicant complies with all applicable Federal, State, and local laws, including the Americans with Disabilities Act, 42 U.S.C. Secs. 12101 et seq., and Section 504 of the Rehabilitation Act, and that the applicant will provide accessible ground transportation to customers protected by these laws or, if unable to do so, make alternative arrangement for accessible transportation within 30 minutes after learning of the customer's needs.
8. A statement indicating whether the applicant will use automated vehicle identification (AVI), global positioning satellite (GPS) technology, or other technology approved by the Aviation Director to track the motor vehicle(s) to be used for commercial activity on an airport.
9. A statement indicating which of the background check options in subsection (C)(1) of this section the applicant will require drivers operating under the applicant's permit to complete.
10. A statement that the applicant will require all authorized signers and designated local points of contact to undergo background checks as prescribed in airport rules and regulations.
11. A statement that all vehicles operated on behalf of the applicant will undergo and pass an industry standard inspection, as designated by the Aviation Director, at a minimum of once every 12 months.
12. A statement indicating whether the applicant will use a vehicle decal, issued by the Aviation Director, or a valid trade dress, approved by the Aviation Director, for vehicles operated under the applicant's permit.
13. An applicant applying to operate using trade dress for vehicle identification shall provide a sample of its trade dress to the Aviation Director with the permit application.
14. A statement indicating which driver identification method, as described in Section 4-69, the applicant will require drivers operating under the applicant's permit to use.
15. A statement verifying applicant and all drivers operating under the applicant's permit have been informed of and will comply with airport rules and regulations.

C. Permittee requirements.

1. Permittee may only use one of the following options for all drivers operating under that permittee's permit:

a. A permittee that uses the Aviation Department criminal history records check with security threat assessment background check for all drivers and authorized signers operating under that permittee's permit shall do so in accordance with the following:

(1) Applicant shall have each driver and authorized signer operating under permittee's permit go to the Aviation Department offices to submit one full set of fingerprints;

(2) Applicant shall submit documents that establish identity, employment eligibility, and citizenship status in accordance with 49 C.F.R. Part 1542 and other Department of Homeland Security Transportation Security Administration (TSA) requirements, including security directives, and shall be required to obtain authorization from the TSA in compliance with the requirements of the security threat assessment;

(3) The criminal history records check shall be designed to identify, at a minimum, the crimes identified in 49 C.F.R. 1542.209(d); and

(4) The Aviation Department will submit or electronically transmit all completed fingerprint cards to the Department of Public Safety, appropriate Federal agency, or other authorized agency or contractor to conduct a criminal history records check. Criminal history records checks conducted by the Department of Public Safety will be conducted pursuant to Section 41-1750, Arizona Revised Statutes, and Public Law 92-544, as amended. The Department of Public Safety is authorized to exchange the submitted fingerprint card information with the Federal Bureau of Investigation for a national criminal history records check.

b. A permittee that uses the enhanced third-party name-based background check for all drivers and authorized signers operating under that permittee's permit shall do so in accordance with the following:

- (1) The background check shall include a local and national criminal background check that includes a search of a multijurisdictional criminal records locator or similar, validated commercial nationwide database and a national sex offender registry database;
- (2) The background check shall be conducted at least once every two years by a consumer reporting agency accredited by the National Association of Professional Background Screeners;
- (3) Data point identifiers shall include, at a minimum, the name, date of birth, address, and social security number of the applicant;
- (4) The background check shall include an adjudication process;
- (5) The background check shall be designed to identify any criminal history for a minimum of the past ten years;
- (6) The background check shall be designed to identify, at a minimum, the crimes identified in 49 C.F.R. 1542.209(d);
- (7) The permittee shall obtain authorization from the TSA in compliance with the requirements of the security threat assessment for anyone operating under permittee's permit; and
- (8) The permittee shall permit the Aviation Director to conduct a random monthly background check audit, at any time throughout the term of the commercial ground transportation permit, of up to ten percent of the pool of drivers operating under that permittee's permit, who have made a pick-up OR DROP-OFF AT an airport in the month preceding the audit request date. The audit will be conducted as follows:
 - (A) The audit will be performed by a third party accredited by the National Association of Professional Background Screeners and selected by the Aviation Director;

(B) The Aviation Director will provide permittee with a list of driver names or unique driver identification numbers. Any driver declining to consent to a background check will be ineligible to conduct pick-ups on an airport until the consent is granted;

(C) Permittee shall provide identifying information, which shall include, at a minimum, the name, date of birth, address, and social security number, for the drivers selected by the Aviation Director to the third-party background check provider;

(D) Permittee shall certify to the Aviation Director, in a manner approved by the Aviation Director, the results of the audit; and

(E) In the event that an audited driver fails the background check according to the criteria in subsection (C)(3) of this section, the permittee shall remove the driver's authority to operate on an airport within 24 hours.

c. A permittee that uses the name-based background check for all drivers operating under permittee's permit shall do so in accordance with the following:

(1) The background check shall include a local and national criminal background check that includes a search of a multijurisdictional criminal records locator or similar, validated commercial nationwide database and a national sex offender registry database;

(2) Data point identifiers shall include, at a minimum, the name, address, age, and driver's license number;

(3) The background check shall include an adjudication process; and

(4) The permittee shall permit the Aviation Director to conduct a random monthly background check audit, at any time throughout the term of the commercial ground transportation permit, of up to ten

percent of the pool of drivers operating under that permittee's permit, who have made a pick-up on an airport in the month preceding the audit request date. The audit will be conducted as follows:

(A) The audit will be performed by a third party accredited by the National Association of Professional Background Screeners and selected by the Aviation Director;

(B) The Aviation Director will provide permittee with a list of driver names or unique driver identification numbers. Any driver declining to consent to a background check will be ineligible to conduct pick-ups OR DROP-OFFS AT an airport until the consent is granted;

(C) Permittee shall provide identifying information, which shall include, at a minimum, the name, address, age, and driver's license number, for the drivers selected by the Aviation Director to the third-party background check provider;

(D) Permittee shall certify to the Aviation Director, in a manner approved by the Aviation Director, the results of the audit; and

(E) In the event that an audited driver fails the background check according to the criteria in subsection (C)(4) of this section, the permittee shall remove the driver's authority to operate on an airport within 24 hours.

2. Any permittee that uses the background check option identified in subsection (C)(1)(a) of this section shall not allow anyone to operate under that permittee's permit who:

a. Is identified as a disqualified individual as set forth in 49 C.F.R. Part 1542; or

b. Is identified as a disqualified individual as set forth in Department of Homeland Security Transportation Security Administration requirements, including security directives.

3. Any permittee that uses the background check option identified in subsection (C)(1)(b) of this section shall not allow anyone to operate under its permit who:

a. Has had more than three moving violations, or one major violation, pursuant to Title 28, Arizona Revised Statutes, in the preceding three years. Major violations include attempting to evade the police, reckless driving or driving on a suspended or revoked license; or

b. Has been convicted within the preceding ten years of violation of Section 13-706, 28-1381, 28-1382 or 28-1383 or Title 13, Chapter 14, 19, 22, 23, 34 or 35.1, Arizona Revised Statutes, or a violation of any crime identified in 49 C.F.R. 1542.209(d); or

c. Is listed in a national sex offender registry database.

4. Any permittee that uses the background check option identified in subsection (C)(1)(c) of this section shall not allow anyone to operate under its permit who:

a. Has had more than three moving violations, or one major violation, pursuant to Title 28, Arizona Revised Statutes, in the preceding three years. Major violations include attempting to evade the police, reckless driving or driving on a suspended or revoked license; or

b. Has been convicted within the preceding seven years of violation of Section 13-706, 28-1381, 28-1382 or 28-1383 or Title 13, Chapter 14, 19, 22, 23, 34 or 35.1, Arizona Revised Statutes; or

c. Is listed in a national sex offender registry database.

5. Any permittee that uses the background check option identified in subsection (C)(1)(a) of this section shall remove a driver's authority to operate under that permittee's permit within 24 hours of discovering that the driver's background check no longer complies with subsection (C)(1)(a) or (C)(2) of this section.

6. Any permittee that uses the background check option identified in subsection (C)(1)(b) of this section shall remove a driver's authority to operate under permittee's permit within 24 hours of discovering that the driver's background check no longer complies with subsection (C)(1)(b) or (C)(3) of this section.

7. Any permittee that uses the background check option identified in subsection (C)(1)(c) of this section shall remove a driver's authority to operate under that permittee's permit within 24 hours of discovering that the driver's background check no longer complies with subsection (C)(1)(c) or (C)(4) of this section.

8. Permittee shall require authorized signers and designated local points of contact to undergo background checks as prescribed in airport rules and regulations.

9. Permittee shall ensure that each driver operating under that permittee's permit obtains a driver's identification media as provided in Section 4-69 and has a physical or virtual waybill for each pick-up. Permittee shall require that drivers make that identification media and waybill available to airport representatives upon request.

10. A permittee that uses trade dress shall require each driver operating under that permittee's permit to display the permittee's trade dress, approved by the Aviation Director, at all times while on an airport and that the driver will make available to airport representatives, upon request, a waybill indicating a transaction that matches the permittee's trade dress.

11. Permittee shall ensure each vehicle operated under that permittee's permit has undergone and passed an industry standard inspection, as designated by the Aviation Director, within the previous 12 months. Permittee shall allow the Aviation Director to conduct an audit, at any time throughout the term of the commercial ground transportation permit, of the vehicle inspection records.

12. Any permittee that uses GPS trip tracking shall electronically notify airport representatives of the tracking information required by the Aviation Director, including the driver's unique identifier, immediately upon the driver entering on an airport. Permittees using GPS trip tracking shall make available to the City upon request the name of the driver associated with the driver's unique identifier.

13. Except as approved by the Aviation Director, any permittee that uses GPS trip tracking shall disable its mobile application's functionality and ability for a driver operating under that permittee's permit to accept a reservation while that driver is on an airport within the geofence established by the Aviation Director, unless the driver is in a designated waiting area.

14. Any permittee that uses GPS trip tracking shall provide clear wayfinding directions to passengers who are being picked up on an airport, through the permittee's mobile application, to direct them to the proper pick-up location. Upon written notice from the Aviation Director of any nonconformity with this section, the permittee shall take all steps necessary to remedy the condition, conduct, and/or violation immediately.

15. Unless permittee demonstrates that exigent circumstances exist that prevent compliance, permittee shall provide accessible ground transportation to customers protected by all applicable Federal, State, and local laws, including the Americans with Disabilities Act, 42 U.S.C. Secs. 12101 et seq., and Section 504 of the Rehabilitation Act, or, if unable to do so, make alternative arrangement for accessible transportation within 30 minutes after learning of the customer's needs.

16. Permittee shall require all authorized signers and designated local points of contact to accept service of all notices of violation and citations issued to that permittee.

17. Permittee shall immediately terminate a driver's authorization to operate under that permittee's permit if the driver's identification media is revoked under Section 4-75.

a. Permittee shall retrieve any placard issued to the driver under Section 4-69(B) and return the placard to the Aviation Director within five days of notification.

b. Permittee shall retrieve any placard issued to the driver under Section 4-69(C)(1) within five days of notification.

18. Permittee shall notify the Aviation Director of any addition or removal of a name to the permittee's list of authorized signers or designated local points of contact authorized to operate under that permittee's permit within five days of the change.

19. Permittee and all authorized signers, designated local points of contact and drivers operating under that permittee's permit shall comply with all airport rules and regulations.

D. A permit will expire, unless terminated sooner, two years from the date the permit was issued.

E. The Aviation Director will not issue a permit to, or renew a permit for, an applicant that is not in good financial standing with the City.

F. The Aviation Director may issue a temporary or daily use permit as the Aviation Director deems necessary for the safe, efficient and orderly operation on an airport.

G. To ensure the safe, orderly, and efficient use of an airport, the Aviation Director may regulate and restrict the number of ground transportation motor vehicles on an airport.

H. A commercial ground transportation permit shall not be construed to be a contract, agreement or grant of a franchise or any property right to engage in commercial activity on an airport and is revocable.

I. A permit applicant requesting reconsideration of the Aviation Director's decision to deny its permit shall have five calendar days after date of service of notice if personally served, or 14 calendar days from the date of mailing by certified mail at the last address submitted to the Aviation Department, to request reconsideration by the Aviation Director. The request for reconsideration of the denial of a permit shall be in writing and shall state the specific allegations in the Aviation Director's decision with which the permit applicant disagrees. The request for reconsideration shall either be personally delivered to the Aviation Director or deposited in the United States mail, certified, return receipt requested, postage prepaid, addressed to the Office of the Aviation Director, within the above-stated time. Unless the Aviation Director requires additional information, or in the event of exigent circumstances, the Aviation Director will notify the permit applicant in writing of the Aviation Director's final decision within ten business days after the request for reconsideration is received.

J. If a permittee violates any provisions of this article, the permittee is subject to Sections 4-75, 4-77, and 4-80, and the Aviation Director may deny the renewal of the permittee's permit.

SECTION 4. The Phoenix City Code, Chapter 4, Article IV, Section 4-75, is amended to read:

Sec. 4-75. Notices of violation; suspension of operating privileges; revocation of operating privileges; effect of revocation.

A. When reasonable grounds exist to believe that an authorized provider, or a driver, has by act or omission violated a provision of this article, or any rules and regulations promulgated in connection therewith, the Aviation Director may issue a notice of violation, which may include

suspension or revocation of a permit, and suspension or revocation of identification media.

B. An authorized provider may request a review of a notice of violation by an airport representative as prescribed by the rules and regulations promulgated by the Aviation Director. The request for review shall be filed with the Aviation Director within five calendar days after date of service of the notice of violation if personally served or served to the last e-mail address the authorized provider submitted to the Aviation Department, or within seven calendar days from the date of mailing by certified mail at the last address submitted to the Aviation Department. As part of the request, if the authorized provider submits evidence to demonstrate that the authorized provider has promptly remedied the violation and that remedy is deemed sufficient by the airport representative, then a suspension or revocation of the permit, or the suspension or revocation of identification media, will be voided.

C. If a review by an airport representative is not requested or the suspension or revocation is not voided by the reviewing airport representative, the suspension or revocation will take effect immediately. Suspensions in excess of five days will automatically be stayed upon the filing of an appeal.

D. An authorized provider that has completed a review of a notice of violation by an airport representative, and is aggrieved by the airport representative's determination, may file a notice of appeal with the hearing officer so designated by the Aviation Director within:

1. Ten calendar days after date of service of the ~~notice of violation~~ AIRPORT REPRESENTATIVE'S DETERMINATION if personally served or served to the last e-mail address the authorized provider submitted to the Aviation Department; or

2. Fifteen calendar days from the date of mailing by certified mail at the last address submitted to the Aviation Department.

E. The notice of appeal shall set forth the specific objections to the notice of violation. The objections form the basis of the appeal.

F. The hearing officer shall set a time and place for the hearing as soon as practicable, but no later than 15 business days after receipt of the notice of appeal.

G. The hearing shall be conducted in an informal manner to determine whether there is a sufficient factual and legal basis to support the notice of violation. The hearing officer shall not be bound by the technical rules of

evidence in the conduct of the hearing; provided, that the decision of the hearing officer shall in all cases be based upon substantial and reliable evidence. All parties to the hearing shall have the right to present evidence. The burden of proof shall be at all times upon the party or parties appealing the notice of violation.

H. The decision of the hearing officer shall be rendered within 15 business days after close of the record and shall be based upon the evidence presented. The hearing officer's decision may include one of the following:

1. Affirm the notice of violation;
2. Modify the notice of violation; or
3. Reverse the notice of violation.

I. The decision of the hearing officer is final.

J. The Aviation Director may serve a notice of violation on an authorized provider through its authorized signer or designated local point of contact.

K. A person whose conduct by act or omission was responsible for the revocation of a permit or driver identification media, may not apply for a commercial ground transportation permit or driver identification media.

L. A person whose conduct was responsible for the suspension or revocation of a permit or driver identification media may not operate under any authorized provider's permit or contract on an airport during the term of the suspension or revocation.

M. It is unlawful to continue to operate on an airport during the period of time a suspension or revocation of a permit or driver identification media is in place.

SECTION 5. The Phoenix City Code, Chapter 4, Article IV, Section 4-77, is amended to read:

Sec. 4-77. Prohibited acts.

A. It is unlawful for a driver to violate, through act or omission, any of the following:

1. A driver shall not stop, stand, or park a ground transportation motor vehicle except in areas designated for its category of

passenger pick-up OR DROP-OFF as posted by the Aviation Director.

2. A driver shall not pick-up OR DROP-OFF passengers except in parking garages, or in designated loading OR UNLOADING zones posted by the Aviation Director for that activity.

3. A driver shall not leave a motor vehicle unattended while in a posted PICK-UP OR DROP-OFF loading OR UNLOADING zone on an airport. For purposes of this subsection, a vehicle is "unattended" when the driver is not within 15 feet from the vehicle.

4. A driver shall not stop, stand, or park a motor vehicle on an airport without displaying the following information in a manner prescribed in rules and regulations:

- a. The fare to be charged;
- b. The name of the driver;
- c. The name of the provider;
- d. How and where to lodge a complaint; and
- e. A valid vehicle decal or trade dress.

5. Except in designated waiting areas, a driver operating under a permit for a prearranged provider shall not stop or park a ground transportation motor vehicle on an airport without having a prearranged customer.

6. A driver shall not stop, stand or park a ground transportation motor vehicle at Phoenix Sky Harbor International Airport unless the vehicle is properly equipped with an automated vehicle identification (AVI) tag or the driver is using global positioning satellite (GPS) trip tracking as required in Section 4-72 and airport rules and regulations.

7. A driver shall not take a route that is not the most direct and rapid route to the passenger's destination unless agreed upon by the passenger.

8. A driver shall not engage in any physical fighting or loud, boisterous verbal disputes while on an airport or while transporting passengers from an airport.

9. A driver shall not solicit passengers for hire on an airport, except as authorized by the Aviation Director by written agreement designating specific locations and conditions for that activity. Except as authorized by the Aviation Director, fare negotiations with passengers shall take place outside of the AIR terminals and only in areas designated by the Aviation Director.

10. A driver shall meet a passenger(s) in the AIR terminals only in areas designated by the Aviation Director. The driver shall have in physical possession, at all times while in AN AIR terminal for the purpose of meeting a passenger, the driver's identification placard and a waybill for the passenger pick-up.

11. A driver shall not pick up OR DROP-OFF passengers except as authorized by a permittee under Section 4-68 or contracted taxicab provider under Section 4-82 or shared ride van service under Section 4-84.

12. A driver operating under the permit of a prearranged provider shall not charge more than the rate agreed upon with the passenger in that specific prearranged transaction.

13. A driver shall not alter, deface, tamper with, or damage an AVI tag or GPS trip tracking device. A driver shall not attempt to circumvent a trip tracking system.

14. A driver operating under the permit or contract of an authorized provider authorized to operate using GPS trip tracking shall maintain that authorized provider's mobile application open at all times while on an airport.

15. A driver shall not alter, tamper with, deface, or damage an identification media, a vehicle decal, or vehicle trade dress.

16. A driver shall:

a. Obtain and maintain a valid vehicle decal or trade dress as required in Section 4-71;

b. Obtain, maintain and make available to airport representatives upon request a valid driver identification media as required in Section 4-69;

c. Have proof of valid insurance meeting requirements set forth in Section 4-68(B)(3);

d. Make the driver identification media, and physical or virtual waybill, or copy of the written agreement with the prearranged passenger, available to airport representatives upon request; and

e. Leave the passenger pick-up area immediately after pick-up, if the passenger cancels the reservation, or as otherwise directed by the Aviation Department.

F. LEAVE THE PASSENGER DROP-OFF AREA IMMEDIATELY AFTER DROP-OFF OR AS OTHERWISE DIRECTED BY THE AVIATION DEPARTMENT.

17. A taxicab driver shall not park in a posted loading zone on an airport without having a properly installed, approved and sealed taxicab meter that is correctly set to calculate the fare or rate displayed on the outside of the vehicle; and without having a roof or top sign mounted on the taxicab that readily identifies the vehicle as a taxicab.

18. A taxicab driver shall not charge more than the fare prescribed in Section 4-83.

B. It is unlawful for a commercial ground transportation provider to violate, through act or omission, any of the following:

1. A provider may only stop, stand, or park a motor vehicle, or allow a motor vehicle to stop, stand, or park, in parking garages or areas designated for its category of passenger pick-up OR DROP-OFF as posted by the Aviation Director.

2. A provider shall not stop, stand, or park a motor vehicle, or allow a vehicle to stop, stand, or park on an airport without displaying the following information in a manner prescribed in rules and regulations:

- a. The fare to be charged;
- b. The name of the driver;
- c. The name of the provider;
- d. How and where to lodge a complaint; and
- e. A valid vehicle decal or trade dress.

3. A provider shall not solicit passengers for hire on an airport, except as authorized by the Aviation Director by written agreement designating specific locations and conditions for that activity. Except as authorized by the Aviation Director, fare negotiations with passengers shall take place outside of the terminals and only in areas designated by the Aviation Director.

4. Prearranged providers shall not charge more than the rate agreed upon with the passenger in that specific prearranged transaction.

5. A taxicab provider shall not charge more than the fare prescribed in Section 4-83, and displayed on the vehicle, or the amount visibly shown on the meter.

6. A permittee shall not fail to comply with the requirements of Section 4-68.

7. A provider shall not misrepresent the nature, scope, or quality of its driver background checks.

8. A taxicab provider shall not fail to have a properly installed, approved and sealed taxicab meter that is correctly set to calculate the fare or rate displayed on the outside of the taxicab; and shall not fail to have a roof or top sign mounted on the taxicab that readily identifies the vehicle as a taxicab.

9. Rental car companies shall use only the common transportation system, provided by the City, as the exclusive means to transport customers to and from the airport terminal zone.

Off-airport rental car companies shall pick up and drop off passengers only at the curb position at the RCC designated for off-airport rental car companies.

The requirements in this subsection (B)(9) do not apply to disabled services vehicles picking up OR DROPPING OFF customers with special needs or to rental car customers renting from a facility located in space subleased from a fixed base operator.

10. Loading and unloading at the curb position at the RCC designated for off-airport rental car companies and at the curb positions for the common transportation system are governed by airport rules and regulations posted on the airport's website.

11. A provider shall not alter, deface, tamper with, or damage an AVI tag or GPS trip tracking device. A provider shall not attempt to circumvent a trip tracking system.

12. A provider shall not alter, tamper with, deface, or damage an identification media, a vehicle decal, or vehicle trade dress.

13. A provider shall not stop, stand or park a ground transportation motor vehicle at Phoenix Sky Harbor International Airport unless the vehicle is properly equipped with an automated vehicle identification (AVI) tag or the provider is using global positioning satellite (GPS) trip tracking as required in Section 4-72 and airport rules and regulations.

C. It is unlawful for an authorized signer or designated local point of contact to violate any of the following:

1. An authorized signer or designated local point of contact shall not authorize any driver that has not passed a background check or is prohibited to operate pursuant to Section 4-68.

2. An authorized signer or designated local point of contact shall not authorize any vehicle that has not passed the inspection required in Section 4-68.

D. The FOLLOWING REMEDIES ARE CUMULATIVE. The City may proceed under one or more of theSE following remedies:

1. *Civil traffic violations; PENALTIES.*

a. A violation under subsections (A)(1) through (6) and (B)(1) and THROUGH (2) of this section ARE shall constitute a civil traffic violationS, subject to a civil sanction PENALTY as provided in Section 36-156.02.

b. A VIOLATION UNDER SUBSECTION (A)(7) THROUGH (18), (B)(3) THROUGH (13), AND C OF THIS SECTION ARE A CIVIL VIOLATION SUBJECT TO A PENALTY OF:

1. FOR THE FIRST VIOLATION, NOT LESS THAN \$100.00;

2. FOR THE SECOND VIOLATION WITHIN 36 MONTHS OF THE COMMISSION OF A

PRIOR VIOLATION, NOT LESS THAN \$250.00;

3. FOR THE THIRD OR ANY SUBSEQUENT VIOLATION WITHIN 36 MONTHS OF THE COMMISSION OF A PRIOR VIOLATION, NOT LESS THAN \$500.00.

c. FOR THIS SECTION, THE 36-MONTH PERIOD, WILL BE DETERMINED BY THE DATES THE VIOLATIONS WERE COMMITTED. A PERSON SHALL BE ASSESSED THE ENHANCED CIVIL PENALTY UPON A FINDING OF RESPONSIBILITY FOR ANY VIOLATION COMMITTED WITHIN 36 MONTHS OF THE COMMISSION OF ANOTHER VIOLATION FOR WHICH THAT PERSON WAS CONVICTED OR FOUND RESPONSIBLE, IRRESPECTIVE OF THE ORDER IN WHICH THE VIOLATIONS OCCURRED OR WHETHER THE PRIOR VIOLATION WAS CIVIL OR CRIMINAL.

2. Civil sanctions.

~~a. A violation under subsection (A)(7) through (18), (B)(3) through (13), or C of this section is subject to a civil sanction of:~~

~~(1) For the first violation, not less than \$100.00;~~

~~(2) For the second violation within 36 months of the commission of a prior violation shall be subject to a civil sanction of not less than \$250.00;~~

~~(3) For the third violation within 36 months of the commission of a violation shall be subject to a civil sanction of not less than \$500.00.~~

~~b. The 36-month period, for this section, shall be calculated by the dates the violations were committed. Any person shall receive the enhanced civil sanction upon a finding of responsibility for any violation which was committed within 36 months of the commission of another violation for which that person was convicted or found responsible, irrespective of the order in which the violations occurred or whether the prior violation was civil or criminal.~~

23. ~~Criminal VIOLATIONSsanctions.~~ A violation of subsections (A)(9) through (18), (B)(3) through (13), and OR C of this section shall IS A CLASS 1 MISDEMEANOR be a criminal violation subject to the provisions of Section 4-80.

3. THE OWNER OF RECORD, ACCORDING TO THE ARIZONA DEPARTMENT OF TRANSPORTATION MOTOR VEHICLE DIVISION, FOR A VEHICLE OBSERVED COMMITTING ANY OF THE ABOVE VIOLATIONS IS PRESUMED TO CONTROL THE VEHICLE AT THE TIME OF THE VIOLATION. IF MORE THAN ONE PERSON IS LISTED AS THE OWNER OF THE VEHICLE, THOSE PERSONS ARE JOINTLY AND SEVERALLY PRESUMED TO CONTROL THE VEHICLE.

E. Each day any violation of any provision of this article, or the failure to perform any act or duty required by this article, exists shall constitute a separate violation or offense.

SECTION 6. The Phoenix City Code, Chapter 4, Article IV, Section 4-78, is

amended to read:

Sec. 4-78. Fees.

A. *Trip fees.* Except for off-airport rental car companies, EFFECTIVE FEBRUARY 1, 2020, all authorized providers shall WILL pay the trip fees set forth below.

1. TRANSPORTATION NETWORK COMPANIES (TNC), ALL VEHICLE SIZES

EFFECTIVE DATE	DROP-OFF	PICK-UP
FEBRUARY 1, 2020	\$4.00	\$4.00
JANUARY 1, 2021	\$4.25	\$4.25
JANUARY 1, 2022	\$4.50	\$4.50
JANUARY 1, 2023	\$4.75	\$4.75
JANUARY 1, 2024	\$5.00	\$5.00

BEGINNING JANUARY 1, 2025, TRANSPORTATION NETWORK COMPANY TRIP FEES WILL AUTOMATICALLY INCREASE ANNUALLY AT THE GREATER RATE OF THREE PERCENT OR THE PERCENTAGE CHANGE IN THE MOST CURRENT CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS (CPI-U), PHOENIX-MESA-SCOTTSDALE, PUBLISHED BY THE U.S. DEPARTMENT OF LABOR,

BUREAU OF LABOR STATISTICS (OR SIMILAR REVISED INDEX PUBLISHED BY THE BUREAU).

2. NON-TNC AUTHORIZED PROVIDERS

VEHICLE SIZE	DROP-OFF	PICK-UP
1-8 SEATS	\$1.75	\$1.75
9-23 SEATS	\$2.25	\$2.25
24+ SEATS	\$5.00	\$5.00

BEGINNING JANUARY 1, 2021, NON-TNC AUTHORIZED PROVIDER TRIP FEES WILL AUTOMATICALLY INCREASE ANNUALLY AT THE GREATER RATE OF THREE PERCENT OR THE PERCENTAGE CHANGE IN THE MOST CURRENT CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS (CPI-U), PHOENIX-MESA-SCOTTSDALE, PUBLISHED BY THE U.S. DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS (OR SIMILAR REVISED INDEX PUBLISHED BY THE BUREAU).

1.— ~~All authorized providers permitted prior to June 18, 2016, shall pay trip fees as follows:~~

Vehicle Size	Beginning January 1, 2017	Beginning January 1, 2018	Beginning January 1, 2019
1-8 Seats	\$2.25	\$2.75	\$3.25
9-23 Seats	\$2.75	\$3.20	\$4.25
24+ Seats	\$6.50	\$7.50	\$9.00

2.— ~~Saving clause. From June 18, 2016, through December 31, 2016, all authorized providers permitted prior to June 18, 2016, shall pay all fees as existed in this section immediately prior to June 18, 2016.~~

3.— ~~All authorized providers permitted on or after June 18, 2016, shall pay trip fees as follows:~~

Vehicle Size	Beginning June 18, 2016
1-8 Seats	\$3.25
9-23 Seats	\$4.25
24+ Seats	\$9.00

4.— ~~The Aviation Department's estimated annual revenues pursuant to this subsection A are as follows:~~

~~2017—\$7,012,687.00~~

~~2018—\$7,842,608.00~~

~~2019—\$8,678,004.00~~

~~In January of calendar years 2018 and 2019, the Aviation Department will conduct a review of estimated revenue versus actual revenue. Based on the results of each calendar year review: (a) if total revenue in the preceding calendar year reviewed is less than or equal to total estimated revenue for that same calendar year reviewed, then the current calendar year fees will be as set forth in subsections (A)(1) and (3) of this section; or (b) if total revenue in the preceding calendar year reviewed exceeds total estimated revenue for that same calendar year, then the current year's rates will be proportionately adjusted to achieve the current year's estimated revenue using the preceding calendar year's actual trips.~~

~~5.—The Aviation Department will conduct a study by January 1, 2020, of comparable airports' trip fees. The Aviation Department will seek industry participation in the selection of the consultant and participation in the study.~~

~~6.—Beginning January 1, 2020, fees will increase annually at the lesser of three percent or the percent of change in the most current Consumer Price Index for Los Angeles-Riverside-Orange County, CA, All Urban Consumers, published by the U.S. Department of Labor, Bureau of Labor Statistics, or such revised index that may be subsequently published by the Bureau.~~

~~73. For authorized providers using global positioning system (GPS) trip tracking, trip fees apply once each time a driver enters a geofence, makes one or more stops, and completes a pick-up OR DROP-OFF of one or more passengers. For all other authorized providers, trip fees apply once each time a driver enters OR EXITS an airport and stops at one or more designated passenger pick-up OR DROP-OFF locations.~~

~~84. For authorized providers using GPS trip tracking, IF in the event that AN authorized provider's GPS trip tracking system fails (downtime), and the authorized provider is unable to account for trips during THE such downtime in the subsequent monthly report, the Aviation Director will determine that authorized provider's monthly fee for THE such downtime based upon the PROVIDER'S~~

highest monthly number of passenger pick-ups OR DROP-OFFS in the last 12 months for the same amount of time, taking into account the time of day and day of week.

95. Authorized providers using GPS trip tracking, and all authorized providers using designated pick-up OR DROP-OFF locations where there is no automated vehicle identification (AVI) reader, shall report all trips for that month to the City no later than 15 calendar days after the last day of the month.

~~406.~~ The Aviation Director ~~WILL~~ ~~may provide a discount AN~~ AUTHORIZED PROVIDER'S MONTHLY TRIP FEE INVOICE ~~of~~ BY up to ten percent of an authorized provider's monthly trip fee invoice for EACH trips MADE conducted by alternative-fuel-powered ~~ground transportation motor vehicles~~ OR FORTY PERCENT FOR EACH TRIP MADE BY ZERO-EMISSIONS VEHICLES. THE AVIATION DIRECTOR WILL ALSO DISCOUNT THE INVOICE THIRTY PERCENT FOR EACH TRIP THAT INITIATES OR TERMINATES AT THE 44TH STREET OR 24TH STREET PHX SKY TRAIN STATION, AS THOSE AREAS ARE FORMALLY IDENTIFIED BY THE AVIATION DIRECTOR.

447. All fees assessed pursuant to this section shall be paid on a monthly basis on or before the thirtieth day from the billing date, and payment shall be made with forms prescribed by the Aviation Director for reporting, computing and remitting said fees.

428. An authorized provider may dispute the calculation of trip fees as provided in airport rules and regulations.

439. An authorized provider may request specific documents provided to the City be treated as confidential or proprietary (collectively confidential); provided, that the authorized provider clearly labels the documents "confidential." The City will notify the authorized provider in writing of any public records request to view the documents or any portion of the documents marked "confidential." Authorized provider will have seven calendar days from the date such notice is received to obtain a court order enjoining the release of the documents marked confidential. If the authorized provider does not provide the City with a court order enjoining release of the documents, the City will make the documents requested available for inspection as required under the public records law seven calendar days after the written notice to the authorized provider is received.

10. THE TNC CURB SHARE WILL BE THIRTY PERCENT BEGINNING JANUARY 1, 2020; FORTY PERCENT BEGINNING JANUARY 1, 2021; AND, FIFTY PERCENT BEGINNING JANUARY 1, 2022. BEGINNING JANUARY 1, 2023, AND ADJUSTED ANNUALLY THEREAFTER, THE TNC CURB SHARE WILL BE EQUIVALENT TO THE PERCENTAGE OF ALL TNC TERMINAL TRIPS COMPARED TO ALL AUTHORIZED PROVIDER TERMINAL TRIPS DURING THE PRECEDING YEAR.

B. The Aviation Director may establish such other fees for temporary or daily use permits as the Aviation Director deems necessary for the safe, efficient and orderly operation of an airport.

C. *Books and records.*

1. Authorized provider agrees to maintain and make available to the Aviation Department during regular business hours accurate books and accounting records relating to its operations under this article. Authorized provider shall make available all records within Maricopa County. If authorized provider fails to make available all records within Maricopa County, authorized provider agrees to reimburse the Aviation Department for reasonable expenses involved in traveling to the records storage site. Authorized provider shall cooperate with the inspection and/or audit. In the event an inspection or audit shows that authorized provider has underpaid its monthly fees by more than three percent, the Aviation Department may require authorized provider to reimburse the Aviation Department for the costs of the inspection and/or audit. Authorized provider shall promptly remedy any noncompliance found through the inspection and/or audit. Authorized provider shall maintain the data and records in an accessible location and condition for a period of not less than five years from the expiration of its contract or permit, or the last date of operations on an airport, whichever is later.

2. The Aviation Director reserves the right to request any and all reports deemed necessary from authorized provider in its performance under this article, or for auditing purposes, at no cost to the Aviation Department. These reports shall be submitted within ten business days from the date the request was made unless instructed otherwise in writing by the Aviation Director.

D. Off-airport rental car companies and vehicle rental companies subleasing space from a fixed base operator shall pay, for the use of off-airport rental car company vehicles at the RCC, a fee of seven percent of the gross receipts received from that portion of the vehicle rental

company's vehicle rental receipts derived from persons transported between the airport and such vehicle rental facility. The fees to be imposed at Phoenix Deer Valley Airport and Phoenix Goodyear Airport shall be commensurate in amount and application to identical fees imposed at Phoenix Sky Harbor International Airport as set forth in subsection E of this section.

E. For purposes of computing gross receipts in this section Phoenix Sky Harbor International Airport, Phoenix Deer Valley Airport and Phoenix Goodyear Airport shall each be considered an independent operation, and the rental receipts derived from each airport shall be reported in accordance with the following:

1. Gross receipts includes all amounts received, billed (whether collected or not), delivered or realized by the off-airport rental car company, without deduction or offset, whether by cash, credit or otherwise related to the off-airport rental car company's vehicle rental concession as authorized by this article. All amounts are included in the definition of gross receipts unless specifically excluded as provided in subsection (E)(2) of this section. In determining whether an amount is or is not included in gross receipts the burden of proof is on the off-airport rental car company and all exclusions in subsection (E)(2) of this section will be construed narrowly.

2. Gross receipts shall not include:

- (A) Taxes—Any fee or other charge levied by Federal, State, County or municipal government that is explicitly identified by the taxing authority as a tax levied on the customer and required by law to be separately stated.

- (B) Customer facility charge—As defined in Section 4-79 when collected and remitted to the City.

- (C) Sums received for loss, conversion, disposal or abandonment of the off-airport rental car company's vehicles; provided, that the off-airport rental car company retains documentation from a third party that establishes to the City's satisfaction that the loss, conversion, disposal or abandonment occurred, and that the sums received do not exceed the amount necessary to repair or replace the vehicle that was subject to the loss, conversion, disposal or abandonment.

F. No deductions shall be allowed from gross receipts for the payment of franchise fees or taxes levied on the off-airport rental car company's activities, facilities, equipment or real or personal property of the off-airport rental car company.

G. Each off-airport rental car company acknowledges that its payments to the City under this article are for the company use of the airport, and that those payments do not reflect a fee that is imposed by the City upon customers renting cars from the company. Each off-airport rental car company understands that the City does not support the practice of transferring the company obligation for payment of the fees due under this article to its customers. Except as provided under Section 4-79, each off-airport rental car company is prohibited from stating or implying, in writing or orally, that the City or airport imposes or approves of any direct charge to its customers, including any surcharge that the company passes on to its customers to recoup airport use fees. Each off-airport rental car company is prohibited from misrepresenting to the public its prices or the terms and provisions of its rental agreement or those of its competitors, either orally or in writing. If an off-airport rental car company separately states and imposes a fee recoupment charge, recovery fee, or surcharge on its customers, that charge shall be immediately adjacent to time and mileage charges on the customer's invoice and shall not be described as a tax.

H. Each off-airport rental car company shall report all income, both cash and credit, in its monthly gross receipts statement to the City.

I. All off-airport rental car companies shall keep true and accurate account records, books and data which shall, among other things, show all sales made and services performed for cash or credit or otherwise, without regard to whether paid or not, and also the gross sales of said business and the aggregate amount of all sales and services and orders, and of all of the off-airport rental car company's business conducted from the airport.

J. The City and its agents shall have the right, at all reasonable times and during all business hours, to inspect and examine such records, cash registers, books and other data as required to confirm the gross receipts as defined above.

K. Within 90 days after the end of each calendar year, the off-airport rental car company, at its sole expense, shall submit to the City a certified annual statement of gross receipts, prepared by an independent certified public accountant in accordance with the statement on auditing standards issued by the Standards Board of The American Institute of Certified

Public Accountants ("AICPA Standards"), as the same may from time to time be amended or superseded:

Annual Gross Receipts	Annual Audit Statement
\$0.00—\$999,999.00	File a written audit statement based on a review which indicates that nothing in the inquiries or analytical testing has caused the reviewer to determine that the off-airport rental car company's payment of the concession privilege fee was inaccurate.
\$1,000,000.00—Up	File a written audit statement based upon an examination which contains an opinion that the concession privilege fees paid by the off-airport rental car company for the calendar year were made in accordance with the terms of this article. If the off-airport rental car company delivers a qualified opinion, an adverse opinion or a disclaimer of opinion as defined by the AICPA Standards, this shall constitute a failure to comply with the annual statement requirement.

L. In the event of an overpayment or underpayment by the off-airport rental car company, an amount equal to such payment shall be promptly paid by, or credited to, the off-airport rental car company. If, through an audited statement, it is established that the off-airport rental car company overpaid the City, reimbursement will be conditioned upon the off-airport rental car company providing reasonable justifications for the overpayment that are satisfactory to the City.

M. Off-airport rental car company vehicle fees shall be paid in accordance with the following schedule:

1. All fees assessed pursuant to this section shall be paid on a monthly basis on or before the twentieth day of the month next succeeding the month in which the fee accrues, and payment shall be made with forms prescribed by the Aviation Director for reporting, computing and remitting said fees.
2. Fees shall be deemed delinquent and assessed a delinquent account fee in accordance with Section 4-7.

N. Taxicab fees shall be assessed and collected in accordance with the current service contracts between each contracted taxicab owner and the City.

O. The Aviation Director may, in the Aviation Director's sole discretion, waive any or all of the fees assessed by this section at Phoenix Goodyear Airport or Phoenix Deer Valley Airport when the Aviation Director determines that it is not cost-effective to assess and collect such fees.

P. Failure to comply with the terms of this article or pay the fees as required may result in a nonrenewal of the commercial ground transportation permit as provided in Section 4-68, or a suspension or revocation of the permittee's permit as provided in Section 4-75.

SECTION 7. This Ordinance is effective February 1, 2020.

SECTION 8. All other provisions of Chapter 4, Articles I and IV, of the Phoenix City Code, not specifically amended hereby, or renumbered as necessary, will remain in full force and effect.

PASSED by the Council of the City of Phoenix this 18th day of December 2019.


MAYOR

ATTEST:


City Clerk

APPROVED AS TO FORM:


Acting City Attorney
JEM

REVIEWED BY:


City Manager

JEM/jr; 2154905; 12/18/19; LF 19-3067

Exhibit 8



Amend Phoenix City Code Chapter 4 Related to Commercial Ground Transportation Trip Fees (Ordinance G-6650)

Request to amend Phoenix City Code Chapter 4 to increase existing and set new commercial ground transportation trip fees, to create a process to annually adjust trip fees, and to make conforming, clarifying, and renumbering changes as necessary.

Summary

Background

City Council approved changes to commercial ground transportation trip fees on Oct. 16, 2019. It was determined that certain statutory notice requirements had not been met. This item satisfies the notice requirements and finalizes the commercial ground transportation trip fee changes Council approved on Oct. 16, 2019. As the statute (A.R.S. section 9-499.15) prescribes, this item was properly posted on the City's website on Oct. 18, 2019 and on Nov. 26, 2019.

Commercial Trip Fees and Annual Increases

City Code requires that, by Jan. 1, 2020, staff conduct a study of peer airports' commercial ground transportation (GT) trip fees. City Code also authorizes GT stakeholders to participate in the selection of the consultant for this review. Beginning fall 2018, staff and GT stakeholders scoped the study and investigated peer airport trip fees. Through summer 2019, staff conducted monthly meetings with GT stakeholders, totaling over 15 large and small group GT stakeholder meetings held.

The completed study reviewed peer airports' GT revenue collection with Phoenix Sky Harbor International Airports' (PHX) revenue. PHX consistently collects less GT revenue compared to its peers. The proposal seeks to increase trip fees for permitted GT providers, establish drop-off trip fees for providers, and provide for predictable, annual trip-fee rate increases.

These fees are calculated to recover PHX's costs for the GT providers' proportionate share of existing and future ground-transportation infrastructure, improvements, and operation/maintenance of this infrastructure, including maintenance of the PHX Sky Train, and to comply with federal law requiring PHX to achieve and maintain economic self-sufficiency.

Effective Date

If passed, the ordinance - including the new and increased trip fees it establishes - will become effective on Feb. 1, 2020.

Attachments

- Attachment A - Summary Sheet
- Attachment B - Draft Ordinance

Financial Impact

The revenue will cover the proportional share of the ground transportation expenses.

Concurrence/Previous Council Action

The Transportation, Infrastructure and Innovation Subcommittee recommended approval of this item on Oct. 2, 2019 by a 4-0 vote. The full City Council approved this item on Oct. 16, 2019 by a 7-2 vote.

Public Outreach

Extensive stakeholder outreach was conducted during the peer-review of commercial ground transportation fees as well as stakeholder review of the proposed City Code amendment, which culminated in the previous Council action approving the changes. Additional public outreach involving transportation network companies has also occurred since then.

Location

Phoenix Sky Harbor International Airport, 3400 E. Sky Harbor Blvd.
Council District: 8

Responsible Department

This item is submitted by Assistant City Manager Deanna Jonovich and the Aviation Department.

Exhibit 9

PROPOSITION 126 – SAMPLE BALLOT/BALLOT FORMAT

PROPOSITION 126

PROPOSED AMENDMENT TO THE CONSTITUTION BY THE INITIATIVE RELATING TO PROHIBITION OF TAXATION OF SERVICES

OFFICIAL TITLE

AMENDING ARTICLE IX OF THE ARIZONA CONSTITUTION BY AMENDING SECTION 6 AND ADDING SECTION 25, AND AMENDING ARTICLE XIII, SECTION 2, OF THE ARIZONA CONSTITUTION; PROHIBITING THE TAXATION OF ANY SERVICE THAT WAS NOT TAXED AS OF DECEMBER 31, 2017.

DESCRIPTIVE TITLE

THE CONSTITUTIONAL AMENDMENT WOULD PROHIBIT THE STATE AND EACH COUNTY, CITY, TOWN, DISTRICT, OR OTHER POLITICAL SUBDIVISION IN ARIZONA FROM IMPOSING A NEW OR INCREASED TAX ON SERVICES THAT WAS NOT ALREADY IN EFFECT ON DECEMBER 31, 2017.

A “YES” vote will prohibit the State and local governments from enacting any new or increased tax on services that was not already in effect on December 31, 2017.	YES <input type="checkbox"/>
A “NO” vote will preserve the State and local governments’ existing authority to impose a tax on services in the future.	NO <input type="checkbox"/>