ARIZONA
PUBLICITY PAMPHLET

Propositions to be submitted to the
qualified electors of the State of Arizona
at the

GENERAL ELECTION
NOVEMBER 4, 1986

COMPILED AND ISSUED BY

ROSE MOFFORD

Secretary of State
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SECRETARY OF STATE

DEAR ARIZONANS:

A maximum of seven measures will be submitted for your approval or rejection on the November 4, 1986 General Election Ballot. The referendum numbered 301 has not been verified by this office and may or may not appear on the general election ballot, therefore, please review your sample ballot provided by the county and mailed to you approximately 10 days prior to the election to determine if it will be on the ballot. This publicity pamphlet contains the complete text of each measure, a legislative council analysis, arguments for and against, the ballot format containing the official title, descriptive title and the effect of a "yes" and "no" vote, as well as the number by which each proposition will be designated. These items are published pursuant to Section 19-123 Arizona Revised Statutes.

The descriptive titles and the effect of a "yes" vote and the effect of a "no" vote contained within the ballot formats have been revised and approved by the Attorney General, pursuant to Section 19-135, A.R.S.

As mandated by the Federal Voting Rights Act of 1965, amended in 1970, 1975 and 1982, this pamphlet is available in both English and Spanish.

The propositions contained herein represent issues of vital importance to all Arizona voters. I urge you to read carefully each of the measures and the effect a "yes" or "no" vote will have upon them so that you will be ready to fully exercise your right to vote on November 4th. A voter's guide is printed on page 47 to assist you in casting your ballot.

Sincerely,

ROSE MOFFORD
Secretary of State
Proposition 100

OFFICIAL TITLE

PROPOSITION 100

HOUSE CONCURRENT RESOLUTION 2007

A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA RELATING TO THE CORPORATION COMMISSION; PROVIDING DEFINITION OF PUBLIC SERVICE CORPORATIONS TO INCLUDE CERTAIN TELECOMMUNICATIONS CORPORATIONS, PROVIDING FOR LIMITATION ON TELECOMMUNICATIONS CORPORATIONS' ABILITY TO CONDUCT BUSINESS IN ARIZONA; REQUIRING CARRIERS SUBJECT TO CONTROL BY LAW; PROVIDING THAT THE CORPORATION COMMISSION SHALL, TAKE ACTION ASSURING CERTAIN TELECOMMUNICATIONS SERVICE PRICING, TRANSMISSION OF MESSAGES BY CONNECTING CARRIERS, PRESCRIBING, EXCEPT FOR CERTAIN TELECOMMUNICATIONS CORPORATIONS FROM PROPERTY VALUATION REQUIREMENTS FOR PUBLIC SERVICE CORPORATIONS, AND AMENDING ARTICLE XV, SECTIONS 2, 3, 9, 10, AND 14, CONSTITUTION OF ARIZONA.

TEXT OF PROPOSED AMENDMENT

It is resolved by the House of Representatives of the State of Arizona, the Senate concurring:

1. The following amendments of article XV, sections 2, 3, 9, 10 and 14, Constitution of Arizona, are proposed to become valid when approved by a majority of the qualified electors voting thereon and upon proclamation of the governor:

2. "Public service corporation" defined

Section 2. All corporations other than municipal engaged in furnishing gas, oil, or electricity for light, fuel, or power, or in furnishing water for irrigation, as public utilities or local purposes, or in furnishing, for profit, heat, light, or air or steam for heating or cooling purposes; or in operating in oil fields, mining, manufacturing, transporting, storing, refining and disposing of sewage through a system, for profit; or in transmitting messages or furnishing public telegraph or telephone service; and from and after January 1, 1987, all corporations, other than municipal, providing telecommunication services to the legislature prescribed by law, and all corporations other than municipal, operating as common carriers, shall be deemed public service corporations.

3. Commission as to classifications, rates and charges, rules, contracts, and accounts, local regulations

Section 3. The Corporation Commission shall have full power to, and shall, prescribe just and reasonable classifications to be used as the basis of rates and charges to be made and collected by public service corporations within the State for service rendered therein, and shall, as provided by law, take such action as is necessary to assure the Statewide availability and affordability of telecommunication service and a statewide telecommunication network, and make reasonable rules, regulations, and orders, by which such corporations shall be governed in the transaction of business within the State, and may prescribe the form of contracts and the systems of keeping accounts to be used by such corporations in transacting such business, and make and enforce reasonable rules, regulations, and orders for the control and regulation of, and for the protection of, the health, the employees and the interest of such corporations, and the public welfare.

4. Commission in case of corporations other than municipal

Section 4. The Corporation Commission shall have the power to regulate, except for certain telecommunications service, the rates, rules, regulations, and orders for the control and regulation of, and for the protection of, the health, the employees and the interest of such corporations, and the public welfare, and may make reasonable rules, regulations, and orders, by which such corporations shall be governed in the transaction of business within the State, and may prescribe the form of contracts and the systems of keeping accounts to be used by such corporations in transacting such business, and make and enforce reasonable rules, regulations, and orders for the control and regulation of, and for the protection of, the health, the employees and the interest of such corporations, and the public welfare.

5. Certification

Section 5. Every public service corporation engaged in the business of transmitting messages for profit, providing telecommunications services as prescribed by law shall provide service and at reasonable rates, subject to the control of the Corporation Commission, and shall comply with any rules and regulations prescribed by the Corporation Commission and shall subject to control by law.

6. Transmission of messages by connecting carriers

Section 6. Every public service corporation engaged in the business of transmitting messages for profit, providing telecommunications services as prescribed by law shall provide service and at reasonable rates, subject to the control of the Corporation Commission, and shall comply with any rules and regulations prescribed by the Corporation Commission and shall subject to control by law.

7. Utilization of telephone facilities

Section 7. Every public service corporation engaged in the business of transmitting messages for profit, providing telecommunications services as prescribed by law shall provide service and at reasonable rates, subject to the control of the Corporation Commission, and shall comply with any rules and regulations prescribed by the Corporation Commission and shall subject to control by law.

8. Availability of transmission facilities

Section 8. Every public service corporation engaged in the business of transmitting messages for profit, providing telecommunications services as prescribed by law shall provide service and at reasonable rates, subject to the control of the Corporation Commission, and shall comply with any rules and regulations prescribed by the Corporation Commission and shall subject to control by law.

9. Transmission of messages by connecting carriers

Section 9. Every public service corporation engaged in the business of transmitting messages for profit, providing telecommunications services as prescribed by law shall provide service and at reasonable rates, subject to the control of the Corporation Commission, and shall comply with any rules and regulations prescribed by the Corporation Commission and shall subject to control by law.

10. Railways as public highways other corporations as common carriers

Section 10. Railways hereafter constructed, or that may hereafter be constructed, in this State, are hereby declared public highways and all persons, corporations or other entities are hereby declared to be common carriers and subject to control by law. All electric, transmission, telegraph, telephone, or pipeline corporations, for the transmission of electricity, messages, water, oil, or other products for profit are declared to be common carriers and subject to control by law and from and after January 1, 1987 all corporations, other than municipal, providing telecommunications services as the legislature prescribed by law, are declared to be common carriers and subject to control by law.

11. Value of property of public service corporations

Section 11. The value of property of public service corporations shall be determined in accordance with the Constitution of Arizona and the statute thereunder.

FINAL VOTE CAST BY THE LEGISLATURE ON HCR 2007

HOUSE—Ayres, 35
Natzke, 19
Noyes, 14
Not Voting, 4

SENATE—Ayres, 16
Not Voting, 4


ANALYSIS BY LEGISLATIVE COUNCIL

(In compliance with A.R.S. section 9-1924)

At the present time, the Arizona Constitution provides that all corporations (except municipal) which are in the business of transmitting messages or furnishing telegraph or telephone service to the public are subject to the control and regulation of the Corporation Commission. The Constitution permits classification and the setting of rates for products and services by the Corporation Commission, and it requires that such services be made available to the public at just, reasonable and adequate rates. The Constitution further provides that the Corporation Commission has the power to regulate all matters pertaining to the operation and business of such corporations.

Proposition 100 would provide that after January 1, 1987, for corporations that furnish telecommunications (telephone) service, the Arizona Corporation Commission shall have the power, as the State Legislature prescribes by law, to order that any product, market or service of these companies is no longer subject to regulation by the Corporation Commission. The determination of what is a corporation providing telecommunications (telephone) service and the extent of the power by the Corporation Commission to regulate would be given to the Legislature under this Proposition.

Proposition 100 would also require the Corporation Commission, as provided by law, to take necessary action to ensure that telecommunication (telephone) service is available and affordable statewide. This Proposition would continue the requirement that companies provide service and transmit messages of other telecommunications (telephone) corporations but would no longer require the Corporation Commission to decide the value of the property of these corporations.

LEGISLATIVE COUNCIL ARGUMENTS FAVORING

PROPOSITION 100

Regulation of competitive telecommunications (telephone) products and services will build a strong competitive industry which is beneficial to Arizona consumers by giving them a wider choice and potentially reducing service costs through greater competition. Proposition 100 combines the best aspects of competition and regulation of services controlled by a monopoly with the power to remove unnecessary government interference where free market competition is available.

The current system is strictly set by the Arizona Constitution which not only requires complete regulation of telephone and telegraph companies but also gives all the authority to the Arizona Corporation Commission to control the telecommunications (telephone) industry. Proposition 100 establishes oversight to other such corporations. PERSONS without delay or discrimination, under such rules and regulations as shall be prescribed by the Corporation Commission, or by law.

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of this system by the State Legislature and thereby gives voters greater access to more elected state representatives for settling any grievances they may have in the area of telecommunications (telephone) services.

This Proposition assures every citizen of Arizona, whether in cities or remote rural areas, that he will have affordable and available telephone service. In fact, the Legislature has already passed laws that will go into effect at the same time as this Proposition to set up a universal service fund to offset any increased consumer costs that may temporarily result from free competition.

Proposition 100 increases the ability to meet changing circumstances in telecommunications by giving the Corporation Commission the day-to-day authority to regulate or deregulate the changing communication industries. At the same time, new powers and responsibilities are given to any new level of government. This Proposition is the first and most important step to keep Arizona in step with the modern deregulated telecommunications (telephone) industry.

Legislative Council: Arguments Opposing Proposition 100

**PROPOSITION 100**

What is called "deregulation" of telecommunications (telephone) services in this Proposition is not deregulation at all, it is just a shifting of control over these services from the Arizona Corporation Commission to the State Legislature. The power to deregulate is authorized only as allowed by law, and the Legislature retains the power to grant, suspend, or revoke the Commission's permits. Also, the definition of telecommunications (telephone) services is left to the Legislature, a part-time body which is removed from the everyday duties and constraints of the communications industry. Because the laws controlling regulation would be made by the Legislature, a small handful of highly paid lobbyists who represent only the interests of private companies would have too much influence in decisions that affect all of us.

Proposition 100 will not reduce the telephone service costs or promote competition for major telephones. The few companies that have decided that they can afford to do this business provide almost identical service, often with no big differences in service costs. This proposition does not change this.

The legislative proposal for a universal service fund to support rural areas of this state is competition driven telephone rates up on a "tax" of up to 10% on telephone bills for all of the state's telephone users to pay as a result of deregulation.

Based on the economic interests affected by Proposition 100 and the unexpected and unforeseen results of the shift in control of telecommunications (telephone) services to the Legislature, more in-depth study of the issues is necessary to avoid the possible destructive results of removing regulation from the certainty of the Arizona Constitution in the uncertainty of the political process. If Proposition 100 passes it would not be in the interests of the Arizona ratepayers.

**ARGUMENT "FOR" PROPOSITION 100**

Vote Yes on Proposition 100 to Assure Fair Competition.

Proposition 100 will solve a real problem in Arizona's communications industry— unfair competition.

Our state constitution totally regulates every aspect of some local communications companies. Nearly every product and service they provide is regulated, where it can be regulated.

Other communications companies, particularly foreign-owned companies, aren't regulated at all. They can offer any product, at any price, at any time.

And Arizona's consumers ultimately lose because real competition is stifled.

Our companies don't want, and deserve, unfair advantages to compete. They do need, and deserve, fair rules so they can have the same chance as foreign competitors.

Proposition 100 makes the rules fair. And when the competition's fair, everyone wins.

Dan Dauelsch P
President
Arizona World Trade Association

Reed Roberts
President
Communications Workers of America—AFL-CIO

Marshall Gore
Chairman
American Graduate School of International Management

Gene Pogrebi
Chairman
Arizona Council on Senior Citizens

Margaret Bais
Former Vice Chairperson
State Democratic Party

**ARGUMENT "FOR" PROPOSITION 100**

Proposition 100 offers protection for consumers and better products and services through increased competition.

Changes in the telephone industry are inevitable. The state started the breaking up of AT & T, and now affects our local service. As consumers, we have to make the changes work for us, not against us. Proposition 100 is a good step in the right direction. It assures, in the long run, that our telephone service will be available and affordable. The Corporation Commission will regulate basic service.

As important, Proposition 100 stimulates fair competition where it benefits us most—and a competitive marketplace has always been the consumer's best friend.

With the affordability of our basic service constitutionally assured, continued regulatory protection where appropriate, and increased competition, Proposition 100 makes sure that future changes in the communications industry benefit Arizona's consumers.
With this sensible road map, Arizona will share in the benefits of changing and improving technology. We cannot take the risk of being left behind. Vote Yes on Proposition 100.

Mildred Jones, President
Maricopa County Chapter
National Association for the Advancement of Colored People (NAACP)

Jaime Cil, Member, Residential Utilities
Consumer Office (RUCO)
Advisory Board

ARGUMENT "FOR" PROPOSITION 100

Telephone service is no longer a luxury and we must take steps to guarantee services to all Arizonans as a price we can afford to pay.

Proposition 100, made necessary by the many changes in telephone service at the Federal level, will provide for an update of the laws regulating communications carriers and, in part, will introduce fair competition to the industry. Proposition 100 will give the Arizona Corporation Commission authority to price in market regulation and to control the introduction of proven competitive products and services.

This approach of increasing competition, together with assurances for the availability and affordability of telephone service throughout Arizona, has my support and merits your favorable consideration.

Bruce Babbitt
Governor

ARGUMENT "AGAINST" PROPOSITION 100

Proposition 100 is on the ballot because Mountain Bell slipped it through the legislature with a slick, behind-the-scenes lobbying campaign. Few legislators had more than a fuzzy notion as to what they were voting on. Now Arizona's voters are being asked to buy the same pig in a poke.

If approved, Proposition 100 will amend the State Constitution so as to transfer much of the Corporation Commission's regulatory authority over telecommunications (including telephone service) to the state legislature. This is a bad idea for several reasons.

The authors of the Arizona Constitution could have given the legislature the power to regulate utilities. They didn't, but instead created a constitutionally independent Corporation Commission to regulate the public's welfare from political influence. Proposition 100 seeks to dismantle this constitutional arrangement without any compelling reason for doing so, other than the wishes of Mountain Bell.

The legislature is neither willing nor able to exercise effective oversight in this complex area. It doesn't have the expertise, the staff or (rarely) the time to do the job right. Mountain Bell lobbyists will be there to take up the slack and, in practice, Proposition 100 will mean deregulation on Mountain Bell's terms.

Proposition 100 will preserve Mountain Bell's monopoly over residential telephone service, while cutting most of its other operations free from Corporation Commission regulation and scrutiny. The only real danger is that revenues from "captive" residential customers will be used to subsidize Mountain Bell's unregulated business ventures.

Further deregulation of telecommunications may be desirable. But to be equitable, any such deregulation must take into consideration the consequences for all those who will be affected. Proposition 100, drafted by Mountain Bell lobbyists to serve Bell interests, isn't the way to go. It should be defeated.

John Anderson, Executive Director
Common Cause of Arizona
OFFICIAL TITLE
SENATE CONCURRENT RESOLUTION 1003
A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA RELATING TO PUBLIC DEBT, REVENUE, AND TAXATION PROVIDING FOR ANNUAL INCREASES IN THE AGGREGATE EXPENDITURE LIMITATION FOR SCHOOL DISTRICTS, AND AMENDING ARTICLE IV, SECTION 2, CONSTITUTION OF ARIZONA.

TEXT OF PROPOSED AMENDMENT
Be it resolved by the Senate of the State of Arizona, the House of Representatives concurring:

1. The following amendment of article IX, section 21, Constitution of Arizona, is proposed to become valid when approved by a majority of the qualified voters voting thereon and upon proclamation of the governor:

21. Expenditure limitation; school districts and community college districts; adjusting reporting

Section 21. (1) The economic estimates commission shall determine and publish prior to April 1 of each year the expenditure limitations for the following fiscal year for each community college district, each of which shall be determined by adjusting the amount of expenditures of current revenue for each fiscal year in which the district was first authorized to levy a local tax and the cost of living. The governing boards of any community college district shall not exceed the limits determined by the economic estimates commission.

(2) The economic estimates commission shall determine and publish prior to May 1 of each year, the aggregate expenditure limitations for all school districts for the following fiscal year. The aggregate expenditure limits shall be determined by adjusting the total amount of expenditures of all local revenues for all school districts in any fiscal year to the changes in the student population in the state and the cost of living and multiplying the result by 1.0. The aggregate expenditures of all districts for all school districts shall not exceed the limit prescribed in this section, except as provided in subsection (3) of this section.

(3) Any school district or school in excess of the limitation determined pursuant to subsection (2) of this section may be given an additional fiscal year upon affirmative vote of two-thirds of the membership of each house of the legislature.

(4) As used in this section:
(a) "Cost of living" means either:
(i) The rate of price change in the consumer price index for all urban consumers for the United States city of all items for which index numbers are available, or an equal rate of change as determined by the Federal government, or its successor agency.
(ii) A different measure or index of the cost of living adopted by the legislature by resolution, pursuant to affirmative vote of two-thirds of the membership of each house of the legislature. Such measure or index shall become effective for all school districts beginning with the fiscal year immediately following the transfer of the adoption of such measure or index if the measure or index is adopted after March 1 of the preceding fiscal year and if the adoption of such measure or index by the legislature is not less than 1.0. The legislation shall take effect upon the adoption of such measure or index by the legislature and for the subsequent fiscal year.

(b) "Expenditure" means any amounts budgeted to be paid from local revenues as prescribed by law.

(c) "Local revenues" includes all moneys, receipts, funds, property and receipts of any kind whatever received by or for any account of a school or community college district or any of its agencies, departments, offices, boards, commissions, authorities, councils and institutions, except any amounts or property received from the issuance or incurrence of bonds, or other lawful obligations issued to make payments or deposits required by any law providing for the repayment of such bonds or obligations.

(d) Any amounts or property received from the issuance or incurrence of any new debt for the purpose of maintaining, preserving, or improving a school or community college district.

(3) The legislature may establish by law expenditure limitations for each school district based on the fiscal year beginning July 1, 1990. Expenditures by a school district in excess of such an expenditure limitation must be approved by a majority of the electorate voting on the excess expenditures.

(4) The legislature shall establish by law uniform reporting systems for each school district based on the fiscal year beginning July 1, 1990.
ANALYSIS BY LEGISLATIVE COUNCIL

Proposition 101 would amend article IX, section 21 of the State Constitution to raise the limit on school district spending by 1%. In 1980 the voters approved Proposition 109 which established a limit on the amount school districts could spend. The spending limit for school districts restricts total spending by all districts in Arizona rather than being a restriction on individual school districts. Each year a new limit is calculated by starting with the base limit established for fiscal year 1976-1977 and adding 1% to the base limit for each year.

In fiscal year 1980-1981 the constitutional limit on total school district spending was $1.0 billion and school districts received $1.1 billion for spending. In fiscal year 1981-1982 the constitutional limit on total school district spending was $1.56 billion and school districts received $1.55 billion for spending.

If Proposition 101 passes the constitutional limit on total school district spending in fiscal year 1981-1982 is estimated to increase to $1.56 billion. If Proposition 101 does not pass the current constitutional limit on total school district spending in fiscal year 1981-1982 is estimated to increase to $1.73 billion.

Proposition 101 only changes the total spending limit. Authority for state law is necessary before individual school districts can budget any additional money based on the increase. The Legislature did pass legislation this year which only becomes effective on passage of this Proposition to provide for use of some of the increase for statewide participation by school districts in a career ladder program for teachers and additional money for teacher salaries.

LEGISLATIVE COUNCIL ARGUMENTS FAVORING PROPOSITION 101

In 1980 voters took the first step by placing a limit on spending by school districts. However, because of a number of economic, social and labor factors, the limit is now apparently too low. Expenditures by all school districts in this state for the first fiscal year were only 1% below the constitutional limit. Unless the limit is changed, school districts will find it difficult to establish needed educational programs and school districts may have to cut back on budgets and programs they have already adopted for the current fiscal year.

The spending limit approved by the voters in 1980 only took into account general increases in student population and the cost of living, therefore funding the schools in the 1980's to the old cost factors and programs of the 1970's. Since the limit was set, national and state reviews of educational programs have identified needs for new and better existing programs such as an emphasis on science, math and science and job training skills. Investments in better educational programs now save tax money in the future that would otherwise have to be spent for welfare and prisons as a result of a poorly educated population.

The Legislature has encouraged school districts to start some badly needed new programs, but can do so more because of the constitutional limit on school spending. We need to now expand these programs to attract and keep well qualified teachers who are now going into better paying professions. We must increase the constitutional limit so that we can better educate our children.

An investment in education is an investment in our future.

LEGISLATIVE COUNCIL ARGUMENTS OPPOSING PROPOSITION 101

In 1980 Arizona voters overwhelmingly approved controlling spending by school districts by placing a limit on the spending. School districts require more property taxes than any other level of government in this state. In addition to those property taxes, the state also spends over one billion dollars on education. Raising the limit may raise your taxes.
ARGUMENT "FOR" PROPOSITION 101

PROPOSITION 101 STATEMENT
Local school boards believe that Arizona deserves the best schools in the country. We can have them only if the current Aggregate Spending Limit, which sets school funding at 1979 levels, is adjusted upward. We can have the best education system in the country if Arizona voters make education their number one priority by voting yes on Proposition 101.

School boards want to maintain and expand programs that prepare students for their roles in Arizona tomorrow—programs like basic literacy, special help for primary-grade children, computer literacy, free textbooks, and substance abuse prevention. Intensive efforts are also required to reduce the drop-out rates in our schools. To ensure that Arizona students take their rightful places in our state as responsible and well-informed citizens and workers, school boards must address their needs now.

We can do that, in part, by hiring and keeping the best teachers available. However, we, like school districts across the country, face an impending shortage of qualified teachers. Arizona districts must compete for new teachers with states that are committing even greater amounts for beginning teacher salaries. In a very short time, our recruitment efforts simply won't be competitive, because the Aggregate Spending Limit keeps Arizona's Legislature from substantially improving salaries for both beginning teachers as well as for high-performing experienced teachers.

Voting yes on Proposition 101 will allow local school boards to do a better job of readying today's youth for the future. Make education our state's number one priority. Vote yes on Proposition 101:
Virginia Timby, President
Arizona School Boards Association

ARGUMENT "FOR" PROPOSITION 101

PROPOSITION 101 STATEMENT
Our public schools need room to grow. Voting "yes" on Proposition 101 gives Arizona's education system the breathing room it needs to meet our education requirements. A healthy economy depends on a healthy system of public education. In fact, Arizona can only be as good as its schools. Good schools must be able to focus on developing basic skills in its youngest students, to maintain safe and well-equipped learning environments for all children, to reward outstanding teachers, to prevent and reduce student drop-out rates, and to hire enthusiastic, dedicated new teachers. Our schools can be as good as they're meant to be if the current Aggregate Spending Limit is raised. That limit forces our schools to be funded at 1979 levels. Proposition 101 provides the opportunity for Arizona education to look forward, instead of backward, and to more adequately prepare today's young people for productive lives in the 21st century. That's what education is all about—preparing for the future. Vote yes for today's youth and their tomorrows. Vote yes on Proposition 101:
Mary Bell McCorkle, Ed. D. President
Tucson Administrators, Inc.

ARGUMENT "FOR" PROPOSITION 101

PROPOSITION 101 STATEMENT
If the State of Arizona is to provide educational improvements in the coming years, Proposition 101 must be approved. There currently is an Arizona law that limits spending for education to a certain percentage of Arizona's total expenditure formula. The only way now that the limit can be increased is through inflation or increased student enrollment. This means that schools can only remain at status quo. Arizona students deserve better for their education. Proposition 101 will increase by 10 percent the ability of the State to support education, but even this small upward adjustment can make a big difference for our children.

More and better teachers can be hired. We can pay more attractive salaries. Important programs for our children can be expanded, such as special attention to the early learning needs of young Kindergarten - third grade students, dropout prevention, and computer literacy. Such benefits as free textbooks, safe facilities, and adequate teaching supplies can be ensured. Without approval of Proposition 101, these same programs may be reduced or even eliminated.

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PROPOSITION 101

ARGUMENT "AGAINST" PROPOSITION 101

In 1980, the voters of Arizona approved a tax reform package. Primarily it dealt with the funding of education and the equalization of funding between rich and poor school districts. Also it set an aggregate spending limit on all schools which could only be increased by two factors, inflation and higher student enrollment. It has worked as planned.

Proposition 101 is not the first attempt to bypass the tax reform package, but it is certainly the largest. It would raise the aggregate limit by 1% or $374 million. The establishment of public schools that seek additional funding are to receive teachers’ salaries to the national average. According to the National Center for Education Information on its 1984 survey recently released, Arizona's teachers are right at the national average. Further, that survey found that teachers in public and private schools preferred their 9 or 10 month contracts to 12 month contracts offering more money.

Will higher salaries do a better job of educating our children? Two thirds of the state budget already goes for education. We taxpayers have been supporting more money every year for the past twenty years, yet the quality of education has gone down. Obviously more money is not the answer. Making better use of the money we have is the better approach.

The Citizens Tax Committee urges you to vote "NO" on Proposition 101. It is not the answer to the problems of education in Arizona. Proposition 101 can only raise your taxes.

Citizens Tax Committee, Inc.

ARGUMENT "AGAINST" PROPOSITION 101

In 1980, the voters of Arizona overwhelmingly approved placing a constitutional spending limit on schools. It was a very liberal limit and took into consideration both inflation and student growth. Now, barely six years later, the teachers union wants to substantially raise that limit and increase our taxes.

The citizens of Arizona have been more than generous in their support of public schools. From fiscal year 1979-80 through fiscal year 1984-5, student population increased by only 2.8% yet maintenance and operation expenditures increased by 53.1% according to financial figures from the Arizona Department of Education.

An increase in the aggregate spending limit is not necessary as patrons of a school district have the ability under present law to approve an override election when they wish to provide additional support for their school district. An increase will only increase the budget capacity of our school systems by more than $300 million dollars in the first two years alone.

Without the basic educational reforms, money alone will not improve our schools. If you wish to pay口

ARGUMENT "AGAINST" PROPOSITION 101

Programs of education will only result in higher taxes. There’s no assurance that it will improve the quality of education offered by our public schools.

In 1980, the voters of Arizona approved a tax reform package. Primarily it dealt with the funding of education and the equalization of funding between rich and poor school districts. Also it set an aggregate spending limit on all schools which could only be increased by two factors, inflation and higher student enrollment. It has worked as planned.

Proposition 101 is the first attempt to bypass the tax reform package, but it is certainly the largest. It would raise the aggregate limit by 1% or $374 million. The establishment of public schools that seek additional funding are to receive teachers’ salaries to the national average. According to the National Center for Education Information on its 1984 survey recently released, Arizona’s teachers are right at the national average. Further, that survey found that teachers in public and private schools preferred their 9 or 10 month contracts to 12 month contracts offering more money.

Will higher salaries do a better job of educating our children? Two thirds of the state budget already goes for education. We taxpayers have been supporting more money every year for the past twenty years, yet the quality of education has gone down. Obviously more money is not the answer. Making better use of the money we have is the better approach.

The Citizens Tax Committee urges you to vote "NO" on Proposition 101. It is not the answer to the problems of education in Arizona. Proposition 101 can only raise your taxes.

Citizens Tax Committee, Inc.

ARGUMENT "AGAINST" PROPOSITION 101

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Without the basic educational reforms, money alone will not improve our schools. If you wish to pay
PROPOSITION 102

OFFICIAL TITLE

SENATE CONCURRENT RESOLUTION 1017

A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA RELATING TO PUBLIC DEBT, REVENUE, AND TAXATION; PROVIDING FOR ELECTIONS TO PERMANENTLY ADJUST POLITICAL SUBDIVISION EXPENDITURE LIMITATION BASE LIMITS AT A REGULARLY SCHEDULED ELECTION FOR THE NOMINATION OR ELECTION OF THE MEMBERS OF THE GOVERNING BOARD OR AT A GENERAL ELECTION; REMOVING OBSOLETE TEXT, AND AMENDING ARTICLE IX, SECTION 20, CONSTITUTION OF ARIZONA.

TEXT OF PROPOSED AMENDMENT

It is resolved by the Senate of the State of Arizona, the House of Representatives concurring:

1. The following amendment of article IX, section 20, Constitution of Arizona, is proposed to be added and shall become effective when approved by a majority of the qualified electors voting thereon and upon proclamation of the governor:

20. Expenditure limitation; adjustments; reporting

Section 20. (1) The economic estimate commission shall determine and publish prior to April 1 of each year the expenditure limitation for the following fiscal year for each county, city and town. The expenditure limitation shall be determined by adjusting the amount of local revenues for each political subdivision for fiscal year 1976-1977 to reflect the changes in the population of such political subdivision and the cost of living. The governing board of any political subdivision shall not authorize expenditures of local revenues in excess of the limitation prescribed in this section, except as provided in subsection (2) of this section.

(2) Expenditures in excess of the limitations determined pursuant to subsection (1) of this section may be authorized as follows:

(a) Upon affirmative vote of two-thirds of the members of the governing board for expenditures directly necessitated by a natural or man-made disaster declared by the governor. Any expenditures in excess of the expenditure limitation, as authorized by this paragraph, shall not affect the determination of the expenditure limitation pursuant to subsection (1) of this section in any subsequent years. Any expenditures authorized pursuant to this paragraph shall be made either in the fiscal year in which the disaster occurs or in the succeeding fiscal year.

(b) Upon the affirmative vote of at least two-thirds of the members of the governing board for expenditures directly necessitated by a natural or man-made disaster not declared by the governor, subject to the following:

(i) The governing board reducing expenditures below the expenditure limitation determined pursuant to subsection (1) of this section by the amount of excess expenditures for the fiscal year following a fiscal year in which excess expenditures were made pursuant to this paragraph; or

(ii) Approval of the excess expenditure by a majority of the qualified electors voting either at a special election held by the governing board or at a regularly scheduled election for the nomination or election of the members of the governing board, in the manner provided by law. If the excess expenditure is not approved by a majority of the qualified electors voting, the governing board shall for the fiscal year in which the excess expenditure occurs, make an appropriation in the succeeding fiscal year in which the excess expenditure occurs.

(c) Expenditures below the expenditure limitation determined pursuant to subsection (1) of this section shall not affect the determination of the expenditure limitation pursuant to subsection (1) of this section in any subsequent years. Any expenditures pursuant to this paragraph shall be made either in the fiscal year in which the disaster occurs or in the succeeding fiscal year.

(d) Expenditures below the expenditure limitation determined pursuant to subsection (1) of this section shall not affect the determination of the expenditure limitation pursuant to subsection (1) of this section in any subsequent years. Any expenditures pursuant to this paragraph shall be made either in the fiscal year in which the disaster occurs or in the succeeding fiscal year.

(e) Upon affirmative vote of at least two-thirds of the members of the governing board and approval by a majority of the qualified electors voting either at a special election held by the governing board or in a manner provided by law, or at a regularly scheduled election for the nomination or election of the members of the governing board, such approval by a majority of the qualified electors voting shall be for a specific amount of excess expenditure, and such amount shall occur prior to the fiscal year in which the expenditure limitation is to be exceeded. Any expenditures in excess of the expenditure limitation, as authorized by this subsection, shall not affect the determination of the expenditure limitation pursuant to subsection (1) of this section in subsequent years.

(3) As used in this section:

(a) "Base limit" means the amount of actual payments of local revenues for fiscal year 1976-1977 as determined by the expenditure limitation pursuant to subsection (1) of this section.

(b) "Cost of living" means either:

(1) The price of goods and services as measured by the implicit price deflator for the gross national product or its successor as reported by the United States department of commerce or its successor agency.

(2) A different measure or index of the cost of living adopted at the discretion of the legislative council, by concurrent resolution, upon affirmative vote of not less than two-thirds of the membership of each house of the legislature. Such measure or index shall apply for subsequent fiscal years, except it shall not apply for the first fiscal year following the adoption of such measure or index if the measure or index is adopted after March 1 of the preceding fiscal year.

(c) "Expenditure" means any authorization for the payment of local revenues.

(d) "Local revenues" includes all monies, revenues, funds, fees, fines, penalties, forfeitures, property and rents of any kind whatsoever received by or for the account of a political subdivision or any of its agencies, departments, offices, boards, commissions, authorities, councils and institutions, except:

(1) Any amounts or property received from the issuance or incurrence of bonds or other lawful long-term obligations issued or incurred for a specific purpose, or collected or segregated to make payments on obligations required by a contract concerning such bonds or other obligations. For the purpose of this subsection long-term obligations shall not include warrants issued in the ordinary course of operation or registered for payment, or by a political subdivision.

(2) Any amounts or property received as payment of dividends or interest, or any gain on the sale or redemption of investment securities, the purchase of which is authorized by law.

(iii) Any amounts or property received by a political subdivision in the capacity of trustee, custodian or agent.

(iv) Any amounts received as grants and aid of any type received from the federal government or any of its agencies.

(v) Any amounts received as grants, aid, contributions or gifts of any type except amounts received directly or indirectly in lieu of taxes received directly or indirectly from any private agency or organization or any individual.

(2) Any amounts or property received pursuant to this paragraph shall be deducted from the base limit in the year in which the amount is received.

(vi) Any amounts received from the state which are included within the appropriation limitations prescribed in section 17 of this article.

(vii) Any amounts received pursuant to a transfer during a fiscal year from another agency, department, office, board, commission, authority, council or institution of the same political subdivision which were included as local revenues for such fiscal year or which are excluded from local revenue under other provisions of this section.

(viii) Any amounts or property accumulated for the purpose of purchasing land, buildings or improvements or constructing buildings or improvements, if such accumulation and purpose have been approved by the voters of the political subdivision.

(ix) Any amounts or property received pursuant to section 14 of this article which are greater than the amount received in fiscal year 1976-1977.

(x) Any amounts received in return for goods or services pursuant to a contract with another political subdivision, school district, community college district or the state, and expended by the other political subdivision, school district, community college district or the state and paid to the state or community college district or the state, or expended by the state or community college district or the state.

(xi) Any amounts expended for the construction, reconstruction, operation or maintenance of a hospital financed by a city or town prior to January 1, 1980.

(xii) Any amounts or property collected to pay the principal of and interest on any warrants issued by a political subdivision and outstanding as of July 1, 1979.

(xiii) Any amounts received during a fiscal year in refunds, reobtentions or other recoveries of amounts expended which were applied against the expenditure limitation for such fiscal year or which were excluded from local revenue under other provisions of this subsection.

(xiv) Any amounts received by the counties for distribution to school districts pursuant to state law.

(xv) "Political subdivision" means any county, city or town. This definition applies only to this section and does not otherwise modify the commonly accepted definition of political subdivision.

(2) "Population" means either:

(i) The periodic census conducted by the United States department of commerce or its successor agency, or the annual update of such census by the department of economic security or its successor agency.

(ii) A different measure or index of population adopted at the discretion of the legislative council, by concurrent resolution, upon affirmative vote of two-thirds of the membership of each house of the legislature. Such measure or index shall apply for subsequent fiscal years, except it shall not apply for
Proposition 102

the fiscal year following the adoption of such measure or index if the measure or index is adopted after March 1 of the preceding fiscal year.

(4) The economic estimates commission shall adjust the base limit to reflect subsequent transfers of all or any part of the cost of providing a governmental function, in a manner prescribed by law. The adjustment provided for in this subsection shall be determined by the expenditure limitation pursuant to subsection (1) of this section beginning with the fiscal year immediately following the transfer.

(5) The economic estimates commission shall adjust the base limit to reflect any subsequent annexation, creation of a new political subdivision, consolidation or change in the boundaries of a political subdivision, in a manner prescribed by law. The adjustment provided for in this subsection shall be used in determining the expenditure limitation pursuant to subsection (1) of this section beginning with the fiscal year immediately following the annexation, creation of a new political subdivision, consolidation or change in the boundaries of a political subdivision.

(6) Any political subdivision may adjust the base limit by the affirmative vote of two-thirds of the members of the governing board or by initiative, in the manner provided by law, and in either instance by approval of the proposed adjustment by a majority of the qualified electors voting at a regularly called election for the nomination or election of the members of the governing board OR AT A GENERAL ELECTION. The impact of the modification of the expenditure limitation shall appear on the ballot and in public announcement, as provided by law. Any adjustment pursuant to this subsection of the base limit shall be used in determining the expenditure limitation pursuant to subsection (1) of this section beginning with the fiscal year immediately following the approval, as provided by law.

(7) The legislature shall provide for expenditure limitations for such special districts as it deems necessary.

(8) The legislature shall establish by law a uniform reporting system for all political subdivisions or special districts subject to an expenditure limitation pursuant to this section so that the legislature may conduct an analysis of such limitations with this section. The legislature shall establish by law sanctions and penalties for failure to comply with this section.

(9) Subsection (1) of this section does not apply to a city or town which at a regularly scheduled election for the nomination or election of members of the governing board of the city or town adopts an expenditure limitation pursuant to this subsection different from the expenditure limitation prescribed by subsection (1) of this section. The governing board of a city or town may by a qualified electors voting in a regularly scheduled election for the nomination or election of the members of the governing board of the city or town.

(10) This section does not apply to any political subdivision until the fiscal year immediately following the first regularly scheduled election after July 1, 1980, for the nomination or election of the members of the governing board of such political subdivision, except that a political subdivision, prior to the fiscal year during which the adoption of the expenditure limitation prescribed pursuant to subsection (1) of this section, may adopt an expenditure limitation prescribed pursuant to subsection (3) of this section or may adopt an expenditure limitation pursuant to subsection (9) of this section.

ANALYSIS BY LEGISLATIVE COUNCIL

(In compliance with A.R.S. section 19-124)

The State Constitution places limits on the amount of "local revenues" a city, town or county may spend each year. The actual amount the city, town or county is allowed to spend is determined by making certain allowed adjustments, using a base spending limit as a starting point. If the city, town or county government finds that the expenditure limitation (spending limit) imposed by the State Constitution is too restrictive, it may ask the voters for more spending flexibility in one of two ways:

(1) A "permanent adjustment" (generally an increase) in the basic spending limit, or

(2) An "alternative expenditure limitation" for cities and towns.

Proposition 102 makes one change in the election process to approve a permanent adjustment to the base spending limit as described in (1) above. Proposition 102 makes no change in the "alternative expenditure limitation" process described in (2) above. Currently a permanent adjustment may be proposed only at elections for nominating or electing the city, town or county officers. These elections take place every four years for counties and same cycles and towns. Proposition 102 would allow permanent adjustments to the base spending limit to also be proposed at any statewide general election, which takes place every two years.

The effect of Proposition 102 is, therefore, to allow cities, towns and counties more opportunities to propose permanent adjustments to their base spending limits.

Proposition 102 makes a few other technical changes to article IX, section 20 of the State Constitution to correct grammatical mistakes and to remove old deadlins that no longer apply.

LEGISLATIVE COUNCIL ARGUMENTS FAVORING

PROPOSITION 102

Keeping local governments financially healthy is one of the most difficult tasks local officials face. No matter how carefully they attempt to control local spending, conserve revenues and balance their budgets, there is simply no way to guarantee that hard times or unforeseen emergencies will not occur. Indeed, the thing that is most unforeseeable is that unforeseen problems will arise.

In a time of restraint on expanding governments, the citizens of Arizona have wisely set limits on the power of government to spend public money. The limits, while beneficial, are at times, too strict and apply whether or not a local government is financially sound or faces an emergency situation. The past few years have seen a parade of local governments seek the State Legislature to bail them out of financial trouble. Responsible officials and citizens understand that local governments must have the ability to seek local solutions to local financial problems. That is why the Legislature overwhelmingly approved submitting Proposition 102 to the voters, with only one vote against it.

Proposition 102 will not allow local officials to change spending limits by themselves. It simply allows more frequent opportunities for local governments to adjust spending limits which must be approved by the voters before they go into effect. Any proposed change in the base spending limit would still be presented to the local voters with arguments and analyses to justify the change. If there is an unexpected financial problem which can be solved through an adjustment to the local base spending limit, Proposition 102 allows a more appropriate and earlier opportunity for local relief than is currently provided.

LEGISLATIVE COUNCIL ARGUMENTS OPPOSING

PROPOSITION 102

Proposition 102 is really a scheme for spending more tax money. As it now exists, the State Constitution requires local governments to ask the voters to approve increases in base spending limits. In the six...
years that local governments have had to ask for approval the voters have granted approval many more times than they have denied it. Now local government wants to go to the “public well” more often, based on past experience it will result in approval of more local spending authority.

In actual practice it is difficult for the average voter to analyze proposals for government spending increases. It is often hard to understand the complex numbers, tables, and charts produced by government accountants and financial experts to support the request for more spending. Proposition 102 makes an informed choice more reasonable and, therefore, makes the voters the ultimate decision maker. The initiative process is a democratic process which addresses the need for more money from the voters.

Local governments will continue to get into financial trouble until they accept the spending limits that the voters have imposed on public spending. There is tremendous pressure from unions, and special interest groups to increase government spending. Proposition 102 reflects the pressure to spend more and, if approved, will weaken the constitutional spending controls placed on local governments.

BALLOT FORMAT

PROPOSITION 102
PROPOSED AMENDMENT TO THE CONSTITUTION BY THE LEGISLATURE

OFFICIAL TITLE
SENATE CONCURRENT RESOLUTION 1017
A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA RELATING TO PUBLIC DEBT, REVENUE, AND TAXATION PROVIDING FOR ELECTIONS TO PERMANENTLY ADJUST POLITICAL SUBDIVISION EXPENDITURE LIMITATION BASE LIMITS AT A REGULARLY SCHEDULED ELECTION FOR THE NOMINATION OR ELECTION OF THE MEMBERS OF THE GOVERNING BOARD OR AT A GENERAL ELECTION; REMOVING OBSOLETE TEXT, AND AMENDING ARTICLE IX, SECTION 26, CONSTITUTION OF ARIZONA.

DESCRIPTIVE TITLE
AMENDING ARIZONA CONSTITUTION ALLOWING POLITICAL SUBDIVISIONS TO PERMANENTLY ADJUST EXPENDITURE LIMITATION BASE LIMITS AT ANY STATEWIDE GENERAL ELECTION.

PROPOSITION 103
OFFICIAL TITLE
AN INITIATIVE MEASURE
PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF ARIZONA RELATING TO REGULATION OF PUBLIC HEALTH, SAFETY AND WELFARE, DEFINING AND GUARANTEEING RIGHT TO SEEK MONETARY DAMAGES IN CASES OF INJURY OR DEATH; AUTHORIZING LEGISLATION WITH RESPECT TO AMOUNTS PAYABLE FOR DAMAGES OTHER THAN MONETARY DAMAGES; PAYMENT PLANS TO PROVIDE FOR ALL FUTURE DAMAGES AND CONTINUING CARE, LIMITS ON ATTORNEYS' FEES AND COSTS PAYABLE FROM DAMAGE AWARDS, PRESCRIBING APPLICATION OF AMENDMENT TO OTHER PROVISIONS OF THE CONSTITUTION, AND AMENDING ARTICLE XXVII, CONSTITUTION OF ARIZONA, BY ADDING SECTION 2.

TEXT OF PROPOSED AMENDMENT
Be it enacted by the People of the State of Arizona:

The following amendment to Article XXVII, Constitution of Arizona, by adding Section 2, is proposed to become valid when approved by a majority of the qualified electors voting thereon and upon proclamation of the Governor:

Section 1. Article XXVII, Constitution of Arizona, is amended by adding Section 2, to read:

§ 2. Damages
SECTION 2. THE CONSTITUTION GUARANTEES THE RIGHT TO SUE TO RECOVER PAST AND FUTURE MONETARY DAMAGES IN CASES OF INJURY OR DEATH. "MONETARY DAMAGES" MEANS REASONABLE EXPENSES OF NEEDED MEDICAL CARE AND RELATED SERVICES, LOST EARNINGS, AND A LOSS OR DECREASE IN FUTURE EARNINGS.

THE LEGISLATURE IS AUTHORIZED TO ESTABLISH THE FOLLOWING:
A. AMOUNTS TO BE PAID FOR ALL DAMAGES OTHER THAN MONETARY DAMAGES;
B. PAYMENT PLANS TO PROVIDE FOR ALL FUTURE AND OTHER DAMAGES AND FOR CONTINUING CARE OF THE INJURED;
C. LIMITS ON AMOUNTS OF ATTORNEYS' FEES AND COSTS WHICH MAY BE PAID OUT OF DAMAGE AWARDS;
D. IN CASES OF INJURY OR DEATH, THIS SECTION GOVERNS OVER ALL OTHER CONSTITUTIONAL SECTIONS AND STATUTES EXCEPT PROVISIONS WHICH DEAL WITH WORKMEN'S COMPENSATION LAW.

ANALYSIS BY LEGISLATIVE COUNCIL
(In compliance with A.R.S. section 19-154)

At the present time, the Arizona Constitution contains two sections which prohibit statutory limitations on damages awarded a person for injury or death. This Proposition guarantees the right of people to sue for full "monetary" damages but empowers the Legislature to do all of the following:

1. Limit the amount to be paid for all damages other than past and future monetary damages. Monetary damages are defined as the reasonable expenses of medical care and related services, lost earnings, and a decrease in the ability to earn. The Legislature could not limit these types of damage under this Proposition but could limit the noneconomic damages. The most common categories of noneconomic damages are damages awarded for pain and suffering and punitive damages, which are those damages awarded as punishment for grossly negligent or intentional conduct.
2. Arrange damages awards on a payment plan basis for future monetary and other damages and continuing care of an injured person.
3. Set limits on the amount of attorney fees and costs which may be paid out of damage awards.

Proposition 103 specifically excludes workers’ compensation cases only.
LEGISLATIVE COUNCIL ARGUMENTS FAVORING

PROPOSITION 103

There has been a growing trend in recent years of outrageously high monetary damage awards in personal injury cases. As a result many businesses which are considered "high-risk" by insurance companies cannot find liability insurance at affordable rates and some cannot obtain insurance at all. These include such businesses as restaurants, day care centers, sports facilities and stores of all types. Many businesses are being forced to close because they cannot obtain insurance coverage, while for others the coverage is so expensive that customers are paying much higher prices to cover the cost of insurance. School districts and local governments are also finding it difficult to obtain and pay for liability insurance.

This has created an insurance crisis in this state. Allowing the Legislature to limit damages awarded for "pain and suffering", to allow insurance companies to pay awards in installments and to limit attorney fees will help limit increasing insurance costs and raise and make insurance available to all.

Proposition 103 still guarantees the right to sue for monetary damages including necessary medical care and any lost earnings, past or future. Proposition 103 only authorizes the Legislature to limit amounts awarded that go beyond monetary damages. Usually these nonmonetary damages are awarded for "pain and suffering", a complex concept which cannot be easily measured. The Proposition does not do away with damages received for pain and suffering, it just authorizes a limit to be placed on them.

Limiting the amounts that lawyers receive for handling damage claims is long overdue. Limiting attorney fees will help discourage the filing of unwarranted damage claims, will encourage settlement of more damage claims and will still allow the injured person to be fairly compensated for damages without an unfairly large part of the award (often one third or more) going to a lawyer.

LEGISLATIVE COUNCIL ARGUMENTS OPPOSING

PROPOSITION 103

The so-called insurance crisis is a manufactured crisis by an insurance industry that wants higher profits. Any financial downturn they may be experiencing is a result of poor management and their own fault. Now these huge multi-million dollar corporations went to make innocent injured parties, who may be disabled for life or killed through someone else's negligence, and the injured party's family suffer even more by limiting what a jury would otherwise reasonably award them.

For more than half a century, the Constitution of Arizona has wisely protected the rights of the injured person to unlimited damages therefore guaranteeing that an injured person will get everything to which a jury of his peers finds that the person is reasonably entitled.

Many people may not want to accept a damage award in installments as proposed by this Proposition, but would prefer to receive a lump sum as soon as they wish. This is their money, and they should not be forced to receive it at a little at a time, while an insurance company makes money investing the remainder.

Allowing the Legislature to put a limit on how much attorneys may charge may cause attorneys to reject injury cases that are time consuming, difficult to prove or potentially low in the amount of money recoverable. This may leave many injured victims who have competent or smaller claims without an attorney and, as a result, without any hope of getting the compensation to which they are entitled.

The Arizona Constitution should remain as it is, there should be no artificial limits on a jury compensation for the "pain and suffering" a permanently disabled child must endure for the rest of his life or for a family's loss of a parent or child through wrongful death.

ARGUMENT "FOR" PROPOSITION 103

Vote YES on Proposition 103

The lawsuit liability crisis is out of control.

More and more lawyers are being hired. People are receiving windfall awards that bear little relationship to actual damages. And, people who truly need and deserve help have to give up much more of what they're entitled to just to get into court.

This runaway lawsuit liability system is a hardship for all of us. Every one of us pays for it. The result is higher prices for everything we buy and services we use.

President Reagan has recommended changes in the lawsuit liability system, and changes are being discussed in nearly every state in the Union.

But change here in Arizona is blocked by constitutional provisions adopted 75 years ago. Arizona is one of only four states that have such restrictions.

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ARGUMENT "FOR" PROPOSITION 103

Proposition 103 constitutionally guarantees that what is important for us to protect stays protected—the ability to sue to recover actual economic damages such as present and future medical expenses and lost wages or earning ability.

But Proposition 103 also allows action in three specific areas. It will permit:

• Guidelines or limitations on the amount an attorney can take away from an award intended for an injured victim.

• Guidelines or limitations on non-economic damages like punitive awards and pain and suffering.

• Damage awards to be paid out over time as losses actually occur, rather than in one huge lump sum.

Proposition 103 protects what is important to protect—the right to sue to recover actual economic damages. But it also allows the lawsuit system to be fixed where it is clearly broken.

Return sanity to our lawsuit system. Vote YES on Proposition 103.

Robert L. Burns, Acting President
Arizona Attorneys for Child Care Management

Andra Schreier
Chairman, Citizens for Fair and Sensible Liability Law
President, Arizona Certified Nurse Midwives

Don Chambers, Vice President
Arizona Chamber of Commerce

ARGUMENT "FOR" PROPOSITION 103

The lawsuit crisis in Arizona affects nearly every aspect of our lives; the prices we pay for consumer goods, the services we obtain, even the way we spend our leisure time. That's why we need Proposition 103.

• Thirty percent of Arizona's rural electricians have quit delivering linemen because of the lawsuit threat.

• Many luxury activities like horseback riding, Colorado River raft trips—even Little League baseball and public park activities—have been threatened or severely curtailed.

• Arizona day care centers, because of the threat of lawsuits, have been ordered to fill in and disable their swimming pools. It means water safety programs will be discontinued despite the fact that drowning is the leading cause of accidental death in Arizona children four and under.

• Even some of the most basic consumer goods have been affected. Thirty percent of the cost of a stethoscope, for example, is now attributed to coverage against lawsuits.

It's crazy. But Proposition 103 will restore some sanity to the system and help get us back on the right track.

Proposition 103 guarantees our right to collect any real monetary losses in the event of injury or death, but allows reasonable limits to be placed on non-monetary awards like punitive damages and pain and suffering.

It also allows caps to be placed on the amount of money a lawyer can take from an award intended for a victim and will allow for more sensible scheduled payments over time instead of huge lump-sum awards.

So a victim will have the money needed when it's really needed.

We are all the victims of an out of control lawsuit system and it's time we take the needed action to return justice and sanity. And preserve the choices we have as consumers, and as a result, without any hope of getting the compensation to which they are entitled.

Proposition 103 gives us back our lawsuit system. Vote YES on Proposition 103.

Nazi Q. Ward, MD
President
Arizona Medical Assoc.

Patrick Dielack
Executive Director
Hemophilia Assoc., Inc.

ARGUMENT "FOR" PROPOSITION 103

We need Proposition 103 because our lawsuit system is out of control.

• An Arizona motorcycle rider, who had been drinking, drives down the wrong side of the highway and collides head-on with a small pick-up truck. He sued the motorcycle manufacturer and collects $3.9 million.

• As Arizona man, driving a boat recklessly, falls out and is run over by his own boat. He sues and gets $2.4 million.

• A woman undergoes a CAT-scan, and sues the hospital for more than $1 million, claiming the CAT-scan has ruined her psychosomatic powers.

Clearly, the lawsuit system is dangerously out of control when people no longer have to take responsibility for their own actions and bizarre claims result in financial windfalls.
We know why the lawsuit lawyers oppose Proposition 103. Because it allows reasonable limits to be set on lawyer contingency fees so when we're injured, we can actually expect to receive most of the money a jury says we deserve. Proposition 103 guarantees our most important rights and will help keep the contingency fee lawyers away from the money we need and deserve.

Let's restore fairness to the lawsuit system by voting YES on Proposition 103.

Terry Smalley
Managing Director
Arizona Motor Transport Assn.
Marty Jacobs
Arizona Small Business Association

ARGUMENT “FOR” PROPOSITION 103

Proposition 103 offers a sensible solution to a runaway lawsuit liability crisis.

The lawsuit liability crisis is affecting the way we work, live, and play. Every day there is a new story about huge verdicts for people who are actually injured. Businesses, doctors and midwives, community organizations—every segment of our community has been hit.

But perhaps the biggest victim of all is the taxpayer. Because government is all of us, it has the deepest pocket of all—our pocket.

Proposition 103 limits lawyer contingency fees, which will substantially reduce the cost of doing business for consumers. If passed, the result will be lower premiums for everyone.

Everyday, Proposition 103 actors pay us all eventually, in the form of reduced services or increased taxes.

Proposition 103 offers taxpayers some protection while guaranteeing the rights of victims to sue for actual economic damages.

Proposition 103 allows all victims of all—our pocket.

Proposition 103 limits the amount of money the court can award for actual economic damages, allowing awards to be paid out over time so the money can be used for the victims' benefit.

Additionally, Proposition 103 limits the amount of money that can be recovered for actual economic damages, allowing awards to be paid out over time so the money can be used for the victims' benefit.

Proposition 103 limits the amount of money that can be recovered for actual economic damages, allowing awards to be paid out over time so the money can be used for the victims' benefit.

Representative James B. Padditch
Chairman, House Ways & Means Committee
Arizona House of Representatives
Mervin Morris
Executive Director
Arizona Tax Research Association
Finally, Proposition 103 allows a limit on attorney contingency fees, so injured victims don’t have to give away too much of their award just to get into the courtroom.

Proposition 103 is a reasonable, balanced, and fair solution to a growing problem.

Vote YES on Proposition 103.

Donald E. Umash, PhD Executive Director Jane Wayland Center Greg McPhetland Executive Director Arizona Dental Association

ARGUMENT “AGAINST” PROPOSITION 103

Proposition 103 is one of the worst proposals ever placed on the ballot in the entire history of the State of Arizona. Since pioneer days, our rights as citizens to collect fair and just damages when wrongfully injured or maintained are guaranteed by the Constitution and this ill-conceived measure—backed by injured or maintenance groups—will negate those fundamental rights which the framers of our Constitution held dear and which were overwhelmingly ratified by the early citizens of Arizona.

This Proposition will deny to all Arizonans their right to just redress and will substitute the political expediency of the Legislature for the traditional wisdom of the jury system where juries have access to specific facts.

As citizens, we’ve been hoodwinked with fallacious propaganda telling us that the insurance industry is facing a dire financial crisis and is literally on the brink of disaster. But an analysis of the facts conclusively proves otherwise.

In a report delivered to Congress on April 29, 1986, using figures supplied by the insurance industry itself, the United States General Accounting Office reported that the property/casualty industry “had a net gain of about $75 billion” from 1975 through 1985 and “our calculations, made from industry estimates, indicate an expected net gain before taxes of more than $90 billion over the years (1986-1990).” Yet we are asked to support a proposal which, if the proponents admitted during legislative committee hearings, would not reduce insurance premiums by even one penny!

As citizens of Arizona, we have a golden opportunity to cast a resounding NO vote against those who would tamper with our Constitutional rights. Proposition 103 is the epitome of special interest legislation.

Representative Jim Skelly, Chairman, House Judiciary Committee

ARGUMENT “AGAINST” PROPOSITION 103

FAIR BALLOT STATEMENT

This proposal takes away basic citizen rights in order to benefit private interests. It offers no benefit to the people of Arizona. It aids the already wealthy insurance industry.

Its sponsors have been misled by insurance companies into believing that it will make liability insurance less expensive and more available. It won’t.

The proposal will allow individuals and companies which injure someone to limit the amount they must pay. Drunk drivers, gross waste polluters, negligent manufacturers, all would gain added protection for their wrongdoing.

Worse, payment schedules could be set by the state legislature, subject to all the political and lobbying pressures which special interests can bring to bear.

Insurance companies mismanaged their businesses by setting high-risk policies at low-cost premiums. They did this in order to get more cash to place in high interest investments, when interest rates were high. Now that rates have dropped, they’re in a squeeze. But they want to make you and us pay for their poor planning.

Insurance companies should be subject to the same free market rules as everyone else. We shouldn’t have to give up important rights in order to have them. Vote “NO” on Proposition 103.

Phyllis Rowe, President Arizona Consumer Council Thomas Arizala, Jr. Former U.S. Ambassador Greg Linn State Senator, R-Tucson

Peter J. Feins Vincent J. Devl

ARGUMENT “AGAINST” PROPOSITION 103

ABC BALLOT STATEMENT

In the United States everyone has a right to a trial by jury. The authors of the Arizona Constitution included this right in a section called “Fundamental Rights.” Now some want to take it away.

Some people misled by the insurance industry went to severely limit jury powers and effectively eliminate a citizen’s right to have a jury decide what is just and fair compensation in a civil suit.

Juries base all the facts in a case. They see the people involved. They are instructed by the judge on what the law says and means and how to apply that law to a specific case. And then they weigh all that evidence and law and decide what is fair, what is just, what is right.

Juries have been doing that for hundreds of years — yet all that would change under the proposed constitutional amendment. Instead, state legislatures would be empowered to set hard and fast limits limiting a jury’s judgment.

This proposal presumes that legislatures, influenced by powerful special interest lobbies and political pressures, know more about how to decide a case than a jury of ordinary citizens. Would you want the state Legislature to hear your case?

This proposal to amend Arizona’s Constitution is dangerous. It will undermine the jury system in Arizona forever, with nothing to gain in return.

Protect a basic fundamental right now in our Constitution. Vote “NO” on Proposition 103.

Greg E. Sester
District 21 Chairman

Randall L. Gray, Executive Director
Private not-for-profit rehabilitation agency

Gret Weinstein
Accountant

ARGUMENT “AGAINST” PROPOSITION 103

In medieval times only the rich and powerful could afford lawyers. It was the peasants of the Middle Ages who protested tenement from the public, bankers from the depredations, landlords from the fees.

But the United States created a much different kind of legal system, built on the premise that no one should lose his or her rights for lack of an advocate. It also is based on the idea that individuals who had been wronged could take their case to an impartial jury of their neighbors, lay out the facts and let the issue be decided.

That system has worked well. It assures that the poorest person who has been injured will have a day in court, even if the person who committed that harm is the richest and most powerful in the country.

The system also is based on the idea that those who intentionally do wrong or act with gross negligence should be subject to a special penalty, designed to punish as well as deter others who would treat the public trust.

There are those who want to dismantle that system, setting arbitrary limits on what a guilty party would pay for the pain and suffering of another. They would curtail or eliminate punitive damages for outrageous acts.

They also would ensure that those not rich enough to afford their own attorneys are denied competent legal help by limiting the sums under which a lawyer could be hired. Yet they would impose no such restrictions for those who define big corporations, special interests and insurance companies.

Approval of Proposition 103 would be a step to return Arizona to medieval days when power and money determined an individual’s rights, where dollars meant influence and those too poor to have advocates were left to fend for themselves.

Barry Davis
President
Arizona Trial Lawyers Assn.

Anthony Palumbo
Secretary/Treasurer
Arizona Trial Lawyers Assn.
ARGUMENT "AGAINST" PROPOSITION 103

A beneficial of special interests, led by the insurance industry, are trying to alter the Arizona Constitution to further their financial self-interest. They want to turn two constitutional sections which protect the right of individuals who are injured, injured or sick or have died. They are not. The principle of personal responsibility is part of the American tradition and is enshrined in Arizona's Constitution. When people injure or kill others, they are held accountable. Proposition 103 would eliminate much of that accountability.

Proposition 103 also undermines the jury system. It would replace the judgment of juries with the judgment of the state legislature. This would be done by means of a general law which cannot possibly take into account the specific facts of a particular case.

The people of this State should be highly suspicious of any proposal to expand government power over our individual rights by tampering with the Constitution. Such changes should be accepted only if they have overwhelming justification. Proposition 103 just doesn't measure up.

The insurance companies themselves have admitted that the explosion in rates was "partially" caused by their own mismanagement. They have refused to guarantee rate reductions, or even stabilization, if the changes they demand are enacted.

In Washington State, although the insurance industry got what it wanted, rates have continued to rise faster than inflation. The industry's response to this situation is instructive—liability claims are a small percentage of most companies' pay-outs and so have little impact on rates. That isn't what they're saying in Arizona. Of course, it wasn't what they were saying in Seattle twelve months ago either.

Proposition 103 is an attack on the Arizona Constitution and on the rights of individual citizens. It deserves to be soundly defeated.

John Anderson, Executive Director
Common Cause of Arizona

ARGUMENT "AGAINST" PROPOSITION 103

CONSTITUTIONAL LIMITATION OF LIABILITY

When Arizona's Constitution was retained and debated in 1910, delegates to the convention agreed that employers should be guaranteed the right of legal recourse against the negligent employee in the event of injury or death. They further concluded that this right was fundamental to the protection of Arizona's citizens and should be extended to all. Thus, that deliberate guarantee appears both in the Arizona Constitution, and again in its Declaration of Rights.

Today, 76 years later, the drafting of another document, Proposition 103, would ask us to quietly repeal those constitutional protections and permit our government to severely restrict the right of the innocent vicin to recover full damages.

A jury could no longer decide on a case-by-case basis the appropriate remedy. Instead, they would be constrained by artificial limits imposed by the legislature—clearly not in the best interest of Arizona's citizens.

Our constitutional protections, so carefully crafted, should not be discarded lightly.

I urge all Arizonans, in whose hands alone the Constitution rests, to protect ourselves and our families by defeating this ill-conceived proposal.

Bruce Babbit, Governor

PROPOSITION 103

PROPOSED AMENDMENT TO THE CONSTITUTION

OFFICIAL TITLE

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF ARIZONA RELATING TO REGULATION OF PUBLIC HEALTH, SAFETY AND WELFARE; DEFINING AND GUARANTEEING RIGHT TO SEEK MONETARY DAMAGES IN CASES OF INJURY OR DEATH; AUTHORIZING LEGISLATION WITH RESPECT TO AMOUNTS PAYABLE FOR DAMAGES OTHER THAN MONETARY DAMAGES; PAYMENT PLANS TO PROVIDE FOR ALL FUTURE DAMAGES AND CONTINUING CARE; LIMITS ON ATTORNEYS' FEES AND COSTS PAYABLE FROM DAMAGE AWARD; PRESCRIBING APPLICATION OF AMENDMENT TO OTHER PROVISIONS OF THE CONSTITUTION, AND AMENDING ARTICLE XXVII, CONSTITUTION OF ARIZONA, BY ADDING SECTION 2.

DESCRIPTION TITLE

AMENDING ARIZONA CONSTITUTION GUARANTEING RIGHT TO SUE TO RECOVER PAST AND FUTURE MONETARY DAMAGES IN CASES OF INJURY OR DEATH; AUTHORIZING LEGISLATURE TO ESTABLISH AMOUNTS TO BE PAID FOR DAMAGES OTHER THAN MONETARY; TO SET PAYMENT PLAN FOR FUTURE DAMAGE AND CONTINUING CARE; AND TO LIMIT AMOUNTS OF ATTORNEYS' FEES AND COSTS, PAID OUT OF DAMAGE AWARDS.

A "yes" vote shall have the effect of allowing the legislature to limit the amount of some types of damages that may be recovered in cases for death or injury to a person; to limit the amount of a damage award an attorney may take for fees; and to allow awards to be paid off in installments rather than in lump sums.

A "no" vote shall have the effect of keeping the current constitutional provisions that prohibits any limits on damages recovered for causing death or injury to a person.
PROPOSITION 200

OFFICIAL TITLE

PROPOSED BY INITIATIVE PETITION
LIMITING CAMPAIGN CONTRIBUTIONS, PROVIDING FOR PENALTIES AND REMOVAL FROM OFFICE FOR VIOLATION OF CAMPAIGN CONTRIBUTION PROVISIONS, PRESCRIBING DEFINITIONS, AND AMENDING TITLE 16, CHAPTER 6, ARTICLE 1, ARIZONA REvised STA-TUTES, BY ADDING SECTION 16-905.

TEXT OF PROPOSED AMENDMENT

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

Section 1. Intent

It is hereby declared to be the intent of the people of Arizona to limit campaign contributions so as to prevent improper influence over state and local elected officials and to foster public confidence in the integrity of government.

Sec. 1, Title 16, chapter 6, article 1, Arizona Revised Statutes, is amended by adding section 16-905, to read:

Section 16-905. Contribution limitations; violations; classification; penalties; definitions

A. For an office other than a statewide office, a contributor shall not give and a candidate shall not accept contributions of more than:

1. Two hundred dollars from an individual.

2. One thousand dollars from a single campaign committee.

B. For a statewide office, a contributor shall not give and a candidate shall not accept contributions of more than:

1. Five hundred dollars from an individual.

2. Three thousand five hundred dollars from a single campaign committee.

C. A candidate shall not accept contributions from all campaign committees combined totaling more than five thousand dollars for an office other than a statewide office, or fifty thousand dollars for a statewide office.

D. An individual shall not make contributions totaling more than ten thousand dollars in a calendar year to state and local candidates, campaign committees, candidates, and campaign committees advocating the election or defeat of state or local candidates. Contributions to political parties are exempt from the limitations of this subsection.

E. If a candidate contributes or obligates more than ten thousand dollars of his or her own money to a campaign for an office other than a statewide office, or one hundred thousand dollars for a statewide office, the candidate shall, within twenty-four hours, give written notice of the fact to the secretary of state. If a candidate contributes or obligates more than ten thousand dollars for the same office, from that time until 16 excess these amounts other candidates for the same office are not subject to the limitations of subsections B and C.

F. A candidate or campaign committee under the control of a candidate shall not contribute, or accept contributions from, or authorize another candidate or another campaign committee under the control of a candidate.

G. Only campaign committees that received funds from five hundred or more individuals in amounts of ten dollars or more in the one year period preceding the last closing reporting date may make contributions to candidates under subsection A, paragraph 2 and subsection B, paragraph 2. The secretary of state shall obtain information necessary to make the determination that a committee meets the requirements of this paragraph.

H. A candidate shall not accept a contribution pursuant to this subsection unless accompanied by a copy of the certification of campaign committees that do not meet the requirements of this subsection.

I. The following specific limitations and procedures apply:

1. The limits of subsections A through E apply cumulatively to the entire primary and general election campaign for any office or offices which the candidate seeks, from the opening reporting date to the closing reporting date of the campaign, as defined in section 16-901, a can-
didate who has received prior contributions from an individual or a campaign committee during a campaign shall show in each report the cumulative total received from that source.

2. The limits of subsection A, paragraph 2, and subsection B, paragraph 1, apply to the total contributions from all separate segregated funds established, as provided in section 16-920, by a corporation, labor organi-
ization, trade association, cooperative or corporation without capital stock.

3. A contribution by a minor child shall be treated as a contribution by its parents for determining compliance with subsection A, paragraph 1, subsection B, paragraph 1, and subsection D.

4. A contribution to one or more candidates shall be apportioned equally between or among the candidates for determining compliance with subsections A, B and C.

5. A candidate shall sign and file with the nominating petition a state-
ment that he has read and understands all applicable laws relating to campaign financing and reporting.

6. An individual or campaign committee shall not make a contribution to a candidate through another individual or campaign committee, use economic influence to induce members of an organization to make contributions to a candidate, collect contributions from members of an organization for transmission to a candidate, make payments to candidates for public appearances or services which are ordinarily uncompensated or use any similar device to circumvent the intent of this section.

7. A knowing violation of any provision of this section is a class 3 mi-
demeanor; an unknowing violation carries a civil penalty of up to three times the amount of the illegal contributions.

8. On conviction of a knowing violation of any provision of this sec-
tion, the court shall pronounce sentence judgment that the candidate be immediately removed from office.

9. Any qualified elector may file a sworn complaint with the attor-
ney general or the county attorney of the county in which a violation of this section is believed to have occurred, and the attorney general or the county attorney shall investigate the complaint for possible criminal or civil action.

10. If the attorney general or county attorney fails to institute an action within forty-five working days after receiving the complaint the attorney general or the county attorney shall execute a bond payable to the defendant in the amount of the violation.
Proposition 208

2. "CONTRIBUTION" MEANS MONEY OR THE FAIR MARKET VALUE OF ANYTHING DIRECTLY OR INDIRECTLY GIVEN OR LOANED FOR THE PURPOSE OF INFLUENCING AN ELECTION OF A CANDIDATE IN THIS STATE EXCEPT:
(a) UNCOMPENSATED PERSONAL SERVICES PERFORMED BY VOLUNTEER CAMPAIGN WORKERS.
(b) PERSONAL TRAVEL EXPENSES INCURRED BY AN INDIVIDUAL WITHOUT DIRECT OR INDIRECT REIMBURSEMENT.
(c) FOOD AND BEVERAGES DONATED BY AN INDIVIDUAL AND NOT EXCEEDING ONE HUNDRED DOLLARS IN VALUE DURING A CALENDAR YEAR. CONTRIBUTION INCLUDES ANY EXPENDITURE MADE BY AN INDIVIDUAL OR CAMPAIGN COMMITTEE WITH THE COOPERATION OR CONSULTATION OF A CANDIDATE, OR IN CONCERT WITH OR AT THE REQUEST OR SUGGESTION OF A CANDIDATE.
3. "POLITICAL PARTY" MEANS A NATIONALLY RECOGNIZED ORGANIZATION WHICH NOMINATES A CANDIDATE WHOSE NAME APPEARS ON A BALLOT AS A CANDIDATE OF THE ORGANIZATION.
4. "STATEWIDE OFFICE" MEANS THE OFFICE OF GOVERNOR, SECRETARY OF STATE, STATE TREASURER, ATTORNEY GENERAL, SUPERINTENDENT OF PUBLIC INSTRUCTION, CORPORATION COMMISSIONER OR MINERAL INSPECTOR.
5. IF A PROVISION OF THIS SECTION OR ITS APPLICATION TO ANY PERSON OR CIRCUMSTANCE IS HELD INVALID, THE INVALIDITY DOES NOT AFFECT OTHER PROVISIONS OR APPLICATIONS OF THE SECTION WHICH CAN BE GIVEN EFFECT WITH- OUT THE INVALID PROVISION OR APPLICATION, AND TO THIS END THE PROVISIONS OF THIS SECTION ARE SEVERABLE.

ANALYSIS BY LEGISLATIVE COUNCIL

(proposed in compliance with A.R.S. section 19-124)

Proposition 208 establishes limitations on contributions to election campaigns for candidates, gives guidelines and procedures for contributions, provides for penalties and remedies for violating the contribution laws.

The campaign contribution limitations for any office other than a statewide office under this Proposition would be two hundred dollars from an individual and one thousand dollars from a single campaign committee. For a statewide office (Governor, Secretary of State, State Treasurer, Attorney General, Superintendent of Public Instruction, Corporation Commissioner, Mine Inspector), the limits are five hundred dollars from an individual and two thousand five hundred dollars from a single campaign committee. Other limitations in this Proposition are:

1. A candidate cannot accept a total of more than five thousand dollars from all campaign committees combined for other than a statewide office, or fifty thousand dollars for a statewide office.
2. Individuals would be limited to total contributions for state and local races of no more than two thousand dollars in a calendar year for all candidates and campaign committees combined. Contributions to political parties are exempt from the limits.
3. If a candidate contributes or owes ten thousand dollars of his own money, or one hundred thousand dollars for a statewide office, to his own campaign, he must give notice of this fact within twenty days thereafter and the other candidates for the office he is seeking in the case, the contribution limits in the Proposition do not apply to the other candidates for that office until they exceed the ten thousand or one hundred thousand dollar limits.

This Proposition also provides that a candidate or campaign committee shall not transfer funds to another candidate or campaign committee with the result of increasing campaign contributions.

The dollar limitations on contributions would be adjusted every two years for changes in the consumer price index.

Several other specific limitations and procedures in this Proposition regarding campaign contributions are:

1. The contribution limits apply to the entire campaign period for any office.
2. The limits apply to all campaign committees (primary and general) for campaigns estab- lished by any corporation or association.
3. A contribution by a minor child is treated as a contribution by the child's parents.
4. A contribution to two or more candidates without specifying the amount for each will be apportioned equally between or among them.

5. A candidate must sign and file a statement that he has read and understands the campaign contribution laws.

6. This law prohibits using any device such as contributing to a candidate through another or using economic influence to induce contributions to get around the intent of the Proposition.

There are two methods to enforce the campaign contribution limitations in this Proposition. The first is that a criminal penalty constituting a class 1 misdemeanor (up to six months in jail and up to a one thousand dollar fine) is provided for any knowing violation of this law or a civil penalty of up to three times the illegal contribution for a unknowing violation. The second is that any qualified voter can file a complaint with the Attorney General or a county attorney alleging a violation of the contribution limitations and they must investigate the allegation. If an action is not brought by the attorney within forty-five days, the person complaining may bring a civil action after executing a bond. The court shall award costs and attorney fees to the prevailing party.

This Proposition would allow counties, cities and towns to adopt contribution laws that are stricter than those in the Proposition.

LEGISLATIVE COUNCIL ARGUMENTS FAVORING

PROPOSITION 208

Politicians and elected officials in Arizona are paid and kept in office largely through the influence of big money contributed by special interests. Proposition 208 would limit campaign contributions to step up the elected representatives in all levels of government from being "bought" by special interests. The money from the big company and special interest groups is being used to buy advertising time and space which is directly related to votes.

Elected officials cannot help being influenced by their largest contributors to vote on issues according to what these big contributors expect. The best candidates for public office are those that equally and fairly represent the interests of all their constituents. This Proposition would provide a fair and balanced system of allowing limited election contributions without a few individuals or groups controlling the election for any particular office.

The current system allows large contributors and political action committees to collect huge amounts of money and show their support behind certain candidates who they know will vote in their interest. New candidates for office often cannot hope to compete for these funds. Elected representatives who don't run on issues, not dollars.

Some control over campaign contributions is necessary. We cannot expect our elected officials to run laws which would limit their own vital source for election expenses. It is not in their own interest. They must set these limitations themselves through enactment of this Proposition in order to guarantee that our elected representatives at all levels of government will act in the interests of all the people, not just in the interests of big campaign contributors.

LEGISLATIVE COUNCIL ARGUMENTS OPPOSING

PROPOSITION 208

Proposition 208 is another example of "big brother" imposing restrictions on the freedom of every citizen and group in this state to choose and support the candidate of their choice. This Proposition's new limits on campaign contributions will not only stifle the democratic process by imposing unnecessary government interference and bureaucracy being pushed on us.

A very important result of contributing to political campaigns and candidates is to provide free and open communication through the use of advertisements and public appearances so that we can be well informed about the candidates who are running for the office. A result of drastically limiting campaign contributions would be to keep us in the dark about who is running and what they stand for.

Proposition 208 proposes limits that are the same for all offices other than statewide offices. This means that a contribution to a candidate for State Senate from a large district in Phoenix would have the same dollar limitation as a school board candidate in the smallest community in the state. This shows a total lack of understanding of the necessary costs to run for very different offices.

Proposition 208 is overkill. It is a drastic attempt to deal with something that is not a serious problem in this state. In fact, Arizona candidates for public office spend a lot less to get elected than candidates in many other states.

We already have strict state laws controlling election campaign contributions including reporting con- tributions and criminal penalties for noncompliance. There is no reason to "fix" a system that is currently working effectively.
Proposition 200

Passing Proposition 200 will result in the rich "buying" public offices with big money at the last minute. With the strict contribution limits proposed no one else will be able to raise enough money fast enough to fairly compete.

ARGUMENT "FOR" PROPOSITION 200

Tired of annual tax increases in Arizona? Then vote for Proposition 200.

Taxpayers are numerous, but they are not well organized and do not contribute large sums to political campaigns. Special interests, by comparison, are few in number but well-organized and contribute heavily to campaigns. The access thereby gained is like money in pockets — and out of the taxpayers' pockets. Some examples of influence buying from the last session of the Arizona Legislature:

- The Rio Salado Project for Phoenix developers.
- A tax break for Motorola and other semi-conductor manufacturers.
- Additional subsidies for the horse and dog racing industries in Arizona.
- Continued subsidies for the livestock industry.

The Arizona Federation of Taxpayers Associations urges a YES vote on Proposition 200, our best chance ever to curtail the influence buying which pervades government.

Carl H. Dry
President
Arizona Federation of Taxpayers Association

ARGUMENT "FOR" PROPOSITION 200

The Arizona Ecumenical Council of Churches, an association of 100,000 Christians cooperating in mission in Arizona, supports Proposition 200 because of its implications for morality in government. Numerous state and local lawmakers should be confronted with obligations to special interests. They should be free to vote their conscience in the same way the voters can.

This complete and well-conceived proposition empowers citizens to elect government officials on the basis of their personal qualifications rather than the size of their campaign treasuries. Accordingly, we see our support of this proposition as an exercise in responsible citizenship.

Robert E. Seel
President
Arizona Ecumenical Council

ARGUMENT "FOR" PROPOSITION 200

The National Federation of Independent Business, representing 6,000 small businesses in Arizona, wholeheartedly backs Proposition 200. By limiting campaign contributions, Proposition 200 will limit the political influence of big business and big labor.

Small businesses create most of this country's jobs and products but have never been big contributors to campaigns and so have lost out politically. NFIB opposed deregulation of telephone services in the absence of competition. Mountain Bell and AT&T were able to ram a bill through the Arizona Legislature anyway.

NFIB favors limits on liability and attorney fees. The Arizona Trial Lawyers were able to kill nearly all of these bills by the Arizona Legislature.

NFIB pushed for the creation of a small business utility advocacy to represent us at utility rate hearings. Big Business groups scuttled the idea in the Arizona Legislature, fearing that they might end up paying their fair share of utility bills.

Money talks in Arizona politics, all too loudly. It is time that consumers, taxpayers, homeowners, and small businesses are heard too.

Kathy Garrett
State Director
National Federation of Independent Business

ARGUMENT "FOR" PROPOSITION 200

Campaign costs keep rising, and without limits on the amounts of money that Political Action Committees (PACs) and the wealthy can give to campaigns, most citizens cannot be sure their opinions will receive equal consideration in setting public policy.

PAC's groups of special and vested interests, seeking advantage only for themselves, now contribute more than half of the campaign funds of Arizona legislators. Why? Because they get results from making large donations to campaigns.

Julia Martinez
President
American Assoc. of University Women

ARGUMENT "FOR" PROPOSITION 200

A YES VOTE ON PROP 200 WILL HELP PROMOTE A RETURN TO GRAINS ROOTS DEMOCRACY. The last session of the Arizona Legislature was typical of recent sessions.... CONSIDER THE FOLLOWING LITTLE, SPECIAL INTERESTS GAVE A LOT! Consumers didn't get a cap on credit card interest rates, we didn't get hospital cost containment, we didn't get tax reform; we didn't get industrial air quality controls or consumer protections. All of these measures were considered. All were opposed by moneyed special interests. All were buried.

At the same time, banks, utility companies, teachers, realtors and other big contributors got nearly everything they wanted from the Arizona Legislature. Campaign contributions made the difference.

Senator Barry Goldwater and Congressman Morris Udall are working for campaign finance reform at the federal level. A YES vote on Proposition 200 will bring the same type of reform to Arizona.

Phyllis Rose, President
Arizona Consumers Council

ARGUMENT "FOR" PROPOSITION 200

The stream of special-interest campaign contributions to candidates for state and local office has become a flood. Altogether, two dozen special-interest political action committees gave far more than $50,000 to legislative candidates in 1974. In 1984, 245 PAC's pumped well over $1 million into legislative races, with much of that money going to candidates with no real opposition. The situation at the county and municipal levels is no better.

The availability of large amounts of special-interest money has caused campaign spending to skyrocket. Even worse, it is undermining public confidence in the integrity of elected officials, the foundation of our system of representative government. There is a widespread feeling that special-interests trade on their "grass-roots" to obtain favorable treatment from government at the expense of the general public.

What's at issue here isn't bribery. Campaign contributions useless "buy" votes in the legislature or a city council, but they do buy gratitude and influence, which can generally be translated into votes.

The special-interests know that campaign contributions payoff big in tax breaks, in dealing decisions, and in a thousand other ways. That's why they are so eager to build over-large chunks of money, personally to candidates who are sure to win.

And that's why Proposition 200 is important. By setting reasonable limits on the size of campaign contributions and by curtailing the overall flow of special-interest money into political campaigns, Proposition 200 will make candidates less indebted to special-interest contributors and help to restore both government integrity and public faith in that integrity.

Help keep Arizona government off the auction block.

VOTE YES ON PROPOSITION 200

Phyllis Rose, President
Arizona Consumers Council

ARGUMENT "AGAINST" PROPOSITION 200

STATEMENT IN OPPOSITION TO CAMPAIGN CONTRIBUTION LIMITATION INITIATIVE

This is in opposition to the Campaign Contribution Initiative appearing on the general election ballot in Arizona.

Voters receive little enough information about candidates. Political Action Committees, are one method of sharing information about the qualifications of Arizona candidates and contributing small
amounts of personal funds to competent candidates. To severely limit the activities and restrict the contributions of most of these committees to the same level allowed individuals is clearly unfair.

Candidates need campaign funds from as many different sources as possible. Broad support from a variety of Political Action Committees, individuals, and political party funds is a desirable situation. To limit the flow of these resources restricts the campaign activity which identifies and differentiates candidates for voters. In these times, many candidates must use radio and television time to gain the attention of voters. These media costs coupled with any type of mass mailings require adequate campaign funds to remain visible to the voters for the full election season.

The statewide limitation for total PAC contribution is $30,000, this could not even cover one statewide mailing. There are one million households in Arizona with registered voters. To mail out literature to each household at the bulk rate of 8.5 cents would cost $83,000, $35,000 over the limit.

Overall, any kind of limitation on campaign funds favors incumbent and wealthy candidates. Constituently, candidates cannot be restricted to the expenditure on their own campaign. In the case of incumbents, they receive all variety of media attention and other expense, newsletter circulation and other elections official advantages not available to challengers.

Again, more Arizonans need to help with the cost of electing good public officials—whether by individual contribution to candidates or through Political Action Committees and political parties. This initiative severely discourages those necessary contributions.

Margaret M. Walker
Executive Director
United For Arizona

ARGUMENT "AGAINST" PROPOSITION 200

Proposition 200 limiting campaign contributions, authored by State Representative Rida Ewing, not only does not protect the public against wealthy candidates "buying" the offices they seek, but actually encourages it.

For example, the proposition allows any candidate to spend their own money in the amounts of $10,000 for a local office and $10,000 for a statewide office, without any requirement to report that fact. If the candidate exceeds those amounts, only then must the report this to the Secretary of State and to his opponents, who are then relieved of their contribution limits, and may then try to catch up.

Thus, for a local race, a candidate may receive $5,000 in contributions from campaign committees, throw in $10,000 of his own money, and have $15,000 to spend, while his not-so-wealthy opponent is limited to his $5,000. Then in the last days of the election, the wealthy candidate may spend any additional amount of his own money without limit, report it in accordance with the law, freeing his opponent from the contribution limitations, but too late to even try to catch up.

Proposition 200 virtually guarantees that every elective office in the state can be bought by those with the money to do so.

It should also be noted that Proposition 200 would still allow large contributions from unions and powerful self interest associations, as they are the only types of campaign organizations qualifying under Subsection 3.

Arizona law now requires every candidate and campaign committee to report all contributions and to items any over $25. It is obvious that any disproportionately large contribution is readily apparent, and public scrutiny is the best way to ensure propriety.

We urge all Arizona voters to vote no on Proposition 200.

Burton H. Krulick
Chairman, Arizona Republican Party

BALLOT FORMAT

OFFICIAL TITLE
AN INITIATIVE MEASURE LIMITING CAMPAIGN CONTRIBUTIONS; PROVIDING FOR PENALTIES AND REMOVAL FROM OFFICE FOR VIOLATION OF CAMPAIGN CONTRIBUTION PROVISIONS; PRESCRIBING DEFINITIONS, AND AMENDING TITLE 16, CHAPTER 6, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 16-903.

DESCRIBITIVE TITLE
AN ACT PROPOSED BY INITIATIVE PETITION LIMITING THE AMOUNTS INDIVIDUALS AND CAMPAIGN COMMITTEES MAY CONTRIBUTE TO STATE AND LOCAL CANDIDATES, LIMITING THE AMOUNTS OF CONTRIBUTIONS THAT A CANDIDATE OR CAMPAIGN COMMITTEE MAY RECEIVE FROM INDIVIDUALS OR OTHER CAMPAIGN COMMITTEES, AND PRESCRIBING PENALTIES FOR VIOLATIONS.

PROPOSITION 200

A "yes" vote shall have the effect of limiting most amounts of political campaign contributions to state and local candidates from individuals and campaign committees but exempting all contributions to political parties.

A "no" vote shall have the effect of maintaining the existing law that does not impose limits on amounts of political campaign contributions to state and local candidates from individuals and campaign committees.

YES ➔

NO ➔
PROPOSITION 300

RECOMMENDATIONS OF THE COMMISSION ON SALARIES FOR ELECTED STATE OFFICERS AS TO LEGISLATIVE SALARIES HAVE BEEN CERTIFIED TO THE SECRETARY OF STATE AND ARE HEREBY SUBMITTED TO THE QUALIFIED ELECTORS FOR THEIR APPROVAL OR REJECTION.

IN COMPLIANCE WITH ARTS. CON-cluster. ART. § 313

"SHALL THE RECOMMENDATIONS OF THE COMMISSION ON SALARIES FOR ELECTED STATE OFFICERS CONCERNING LEGISLATIVE SALARIES BE ACCEPTED? □ YES □ NO." SUCH RECOMMENDATIONS IF APPROVED BY THE ELECTORS SHALL BECOME EFFECTIVE AT THE BEGINNING OF THE NEXT REGULAR LEGISLATIVE SESSION WITHOUT ANY OTHER AUTHORIZING LEGISLATION.

STATEMENT FROM THE COMMISSION ON SALARIES 
FOR ELECTIVE STATE OFFICERS

In accordance with the provisions of article V, section 13, Constitution of Arizona, and title 41, chapter 13, Arizona Revised Statutes, we hereby certify that the salary of $20,000 per annum for each member of the Legislature is recommended by this Commission for submission to the qualified electors of the State of Arizona at the next regular general election.

Chris Hamel, Chairman
Donald Strickland, Member
Gerald J. Strick, Member

*Note: Due to time constraints, I was unable to participate in reviewing the duties of the Commission due to illness.

BALLOT FORMAT

PROPOSITION 300
RECOMMENDATION OF THE COMMISSION ON SALARIES FOR ELECTED STATE OFFICERS AS TO LEGISLATIVE SALARIES HAVE BEEN CERTIFIED TO THE SECRETARY OF STATE AND ARE HEREBY SUBMITTED TO THE QUALIFIED ELECTORS FOR THEIR APPROVAL OR REJECTION.

AN INCREASE FROM THE PRESENT LEGISLATIVE SALARY OF $15,000 PER ANNUM TO $20,000 PER ANNUM AS RECOMMENDED BY THE COMMISSION ON SALARIES FOR ELECTED STATE OFFICERS.

"SHALL THE RECOMMENDATIONS OF THE COMMISSION ON SALARIES FOR ELECTED STATE OFFICERS CONCERNING LEGISLATIVE SALARIES BE ACCEPTED? □ YES □ NO." SUCH RECOMMENDATIONS IF APPROVED BY THE ELECTORS SHALL BECOME EFFECTIVE AT THE BEGINNING OF THE NEXT REGULAR LEGISLATIVE SESSION WITHOUT ANY OTHER AUTHORIZING LEGISLATION.

Current Legislative Salary: $15,000
Salary Proposed by Salary Commission: $20,000

PROPOSITION 300
A "yes" vote shall have the effect of raising legislators annual salaries to $20,000.
A "no" vote shall have the effect of maintaining legislators annual salaries at $15,000.

THE REFERENDUM NUMBERED PROPOSITION 300 IS NOT CERTIFIED BY THE SECRETARY OF STATE AT THE TIME OF PRINTING THIS PAMPHLET. THE REFERENDUM MAY OR MAY NOT QUALIFY TO APPEAR ON THE GENERAL ELECTION BALLOT. PLEASE REVIEW YOUR SAMPLE BALLOT PROVIDED BY THE COUNTY TO WHICH YOU ARE Mailed TO YOU APPROXIMATELY 10 DAYS PRIOR TO THE GENERAL ELECTION TO DETERMINE IF PROPOSITION 300 WILL BE ON THE BALLOT.

OFFICIAL TITLE
RESTATEMENT PETITION
A REFERENDUM ORDERED BY PETITION OF THE PEOPLE
ORDERING THE SUBMISSION TO THE PEOPLE OF AN ACT RELATING TO ALCOHOLIC BEVERAGES. PROHIBITING THE LIABILITY OF SPIRITUOUS LIQUOR LICENSORS IN THE SALE OF SPIRITUOUS LIQUOR, AND AMENDING TITLE 4, CHAPTER 3, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 2.

TEXT OF PROPOSED REFERENDUM
1. Under the power of the referendum, as vested in the qualified electors, the following act, enacted in the thirty-eighth Legislature, second regular session at H.B. 3176, relating to alcoholic beverages and presiding the liability of spirituous liquor licensees in the sale of spirituous liquor, is referred to a vote of the qualified electors to become valid as a law when approved by a majority of the qualified electors voting thereon and upon proclamation of the governor:

Section 1. Title 4, chapter 3, Arizona Revised Statutes, is amended by adding article 2, to read:
ARTICLE 2. ILLEGAL SALE OF SPIRITUOUS LIQUOR

4-311. Liability for serving intoxicated person or minor definition
A. A license is liable for property damage and personal injuries or is liable to a person who may bring an action for wrongful death pursuant to section 12-472 if a court or jury finds the following:
1. The license sold spirituous liquor either to a person who was obviously intoxicated or to a purchaser under the legal drinking age without requesting identification to ascertain proof of age or with knowledge that the person was under the legal drinking age, and
2. The purchaser consumed the spirituous liquor sold by the licensee.

B. The consummation of spirituous liquor was a proximate cause of the injury, death, or property damage.

4-313. Liability limitation
A. A person is not liable in damages to any consumer or purchaser of spirituous liquor for over the legal drinking age who is injured or whose property is damaged by the consumption of spirituous liquor by any other person to whom the spirituous liquor was sold.

4-312. Liability exclusion
A. A license is not liable in damages to any consumer or purchaser of spirituous liquor who is over the legal drinking age who is injured or whose property is damaged by the consumption of spirituous liquor by any other person to whom the spirituous liquor was sold.
TO HAVE BEEN CAUSED IN WHOLE OR IN PART BY REASON OF THE SALE, FURNISHING OR SERVING OF SPIRITUOUS LIQUOR.

B. SUBJECT TO THE PROVISIONS OF SUBSECTION A OF THIS SECTION AND EXCEPT AS PROVIDED IN SECTION 4-7-11, A PERSON, FIRM, CORPORATION OR LICENSOR IS NOT LIABLE IN DAMAGES TO ANY PERSON WHO IS INJURED, OR TO THE SURVIVORS OF ANY PERSON KILLED, OR FOR DAMAGE TO PROPERTY WHICH IS ALLEGED TO HAVE BEEN CAUSED IN WHOLE OR IN PART BY REASON OF THE SALE, FURNISHING OR SERVING OF SPIRITUOUS LIQUOR.

ANALYSIS BY LEGISLATIVE COUNCIL

(To comply with A.R.S. section 9-124)

Proposition 301 specifies the liability of liquor licensees (mostly bars and restaurants) in the sale of spirituous liquor. The Proposition states that a liquor licensee is liable for injury, death or property damage if all of the following are true:

1. The licensee sold liquor either to someone who was "obviously intoxicated" or to someone who was under the legal drinking age without requesting identification. "Obviously intoxicated" is defined in the Proposition as inebriated (drunk) to such an extent that a person's physical faculties (actions) are substantially impaired and the impairment is shown by uncoordinated physical action or significant inability to function physically that would have been obvious to a reasonable person.

2. The purchaser consumed (“drank”) the liquor. If an underage person who purchased liquor from a licensee causes injury or property damage because of the consumption of the liquor within a reasonable period of time after the purchase, it is presumed that the underage person consumed the liquor.

3. If the conditions listed in paragraphs 1 and 2 above do not exist, then the liquor licensee is not liable under Proposition 301 for damages to the intoxicated person because of the sale of spirituous liquor to that person. Additionally, the licensee is not liable to a person who was present with the intoxicated person and knew of the person's impaired condition.

LEGISLATIVE COUNCIL ARGUMENTS FAVORING

PROPOSITION 301

The liability of liquor licensees for the acts of their customers once they leave their business establishment should be limited. The licensee should not be held responsible for serving a drink to someone if he had no way of actually knowing whether or not the person was intoxicated.

Proposition 301 would give servers of liquor a fairer standard by which to decide whether or not to serve a drink to someone, namely, if the person appears by his physical actions to be obviously drunk. Currently, every time a server of liquor is asked if they are drunk, he is exonerating himself and the owner of the establishment to prove that he had no way of actually knowing whether or not the person was intoxicated.

Right now many liquor licensees are finding it difficult to obtain liability insurance because many insurance companies either refuse to cover them due to their unlimited liability exposure to lawsuits by people injured by drunk drivers. To close this loophole, Proposition 301 states that if the server of liquor does not have mandatory insurance coverage, the server would be responsible for any damages caused to the person who was served the drink.

ARGUMENT "AGAINST" PROPOSITION 301

MADD argues a "NO" vote on HRB170.

This bill would lessen the deterrent effect of the current liability of a bar owner when they (1) criminally overserve persons and (2) serve minors. The bill provides that a bar would have no civil liability if they merely "request" identification from minors. There is no provision that they have to see identification or that the identification even has to exist. Therefore, a bar owner could serve minors without risking liability and they would not be as careful in the serving of minors.

HRB170 would allow a bar owner to serve an alcoholic to the point of obvious intoxication and escape responsibility. The bill defines obvious intoxication in such a way that unless a person is falling down or is obviously drunk, the bar is immune. Therefore, a careless bar owner could serve a man who is drunk in a short period of time and still escape responsibility by claiming the person was not "drinking down" drunk or walking into walls. MADD feels this provision will also lead to less discretion on the part of bar owners.

The bill also provides that a person who is "present" with the intoxicated person and knows of his impaired condition has no claim against the bar. Therefore, if you are in a bar and you are assaulted by a drunk, you may not even know, the bar may be immune even if they had been criminally negligent in overserving the drunk.

A "NO" vote will keep the bar owner diligent in not putting drinks out on the road.

Donna R. Pickering, Legislative Chairperson
Maricopa County Chapter

ARGUMENT "AGAINST" PROPOSITION 301

ARGUMENT AGAINST DRUNK SHOP PROPOSITION

The Thirty-Seventh Legislature passed House Bill 2710 in response to an appeal from the liquor serving industry for relief from the insurance dilemma and failed to look at the public safety.

Arizona has made significant strides in recent years to protect citizens from drunk drivers. Today a jury may hold a server of liquor financially responsible if he negligently overserves liquor to a person to whom he knows is too drunk or causes someone. This has resulted in gradual pressure by bar owners to trim their personnel to provide alternate means of transportation and not simply escort drunk drivers to their cars.

I encourage a "NO" vote on proposition 301. Enough innocent people die today at the hands of drunk drivers. If this law changes we will certainly lose more.

Debbie McCune
State Representative
District 20
# Proposition 301

**Ballot Format**

<table>
<thead>
<tr>
<th>Proposition 301</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Official Title</strong></td>
</tr>
<tr>
<td>REFERENDUM ORDERED BY PETITION OF THE PEOPLE</td>
</tr>
<tr>
<td><strong>Descriptive Title</strong></td>
</tr>
<tr>
<td>AN ACT OF THE LEGISLATURE REFERRED TO THE PEOPLE BY PETITION LIMITING THE LIABILITY OF SPIRITUOUS LIQUOR LICENSEES WHO SELL ALCOHOLIC BEVERAGES TO OBVIOUSLY INTOXICATED PERSONS AND THOSE WHO ARE UNDER AGE.</td>
</tr>
</tbody>
</table>

A "yes" vote shall have the effect of limiting a liquor license holder's liability for property damage, injury or death caused by an obviously intoxicated or underage person to whom the license holder serves alcohol. A "no" vote shall have the effect of retaining current liability standards, which presently do not contain the proposed limitations.
NOTICE TO VOTERS

1. Anyone who is either physically or visually impaired or WHO IS UNABLE TO READ or understand the contents of the ballot may be accompanied into the voting booth by a person of his choice or a representative of each major political party for the purpose of assisting him in casting his ballot.

2. Sample ballots may be brought to the voting place and may be taken into the voting booth on the day of the Election.

3. Any qualified voter who at 7:00 P.M. is in the line of waiting voters shall be allowed to prepare and cast his ballot.

ABSENTEE VOTING INFORMATION

You may vote an Absentee Ballot for this Election if you qualify under any of the following conditions:

A. Physically Disabled.
B. 65 years of age or older.
C. Live more than 15 road miles from the Polling Place.
D. Absent from the precinct on Election Day.
E. The Tenets of my religion prevent my attending the polls on the day of the Election.
F. Because I am Legally Blind.

TO OBTAIN AN ABSENTEE BALLOT:

A. Appear in person at the office of the County Recorder

OR

B. Submit a written request to the County Recorder indicating one of the above conditions.

NOTE: If confined because of physical disability, indicate address of confinement. If you will be out of town indicate where to mail the ballot.