


APPLICATION FOR INITIATIVE OR REFERENDUM PETITION SERIAL NUMBER

TO: CITY/TOWN CLERK

The undersigned intends to circulate and file an INITIATIVE or a REFERENDUM (circle the appropriate word) petition and hereby makes application for the issuance of an official serial number to be printed in the lower right-hand corner of each side of each signature sheet of such petition. Pursuant to Arizona Revised Statutes § 19-111, attached hereto is the full text, in no less than eight point type, of the MEASURE or CONSTITUTIONAL AMENDMENT (circle appropriate word) intended to be INITIATED or REFERRED (circle appropriate word) at the next general election.

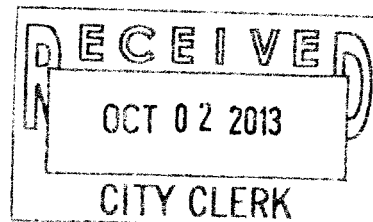
SUMMARY: A description of no more than one hundred words of the principal provisions of the proposed law, constitutional amendment or measure that will appear in no less than eight point type on the face of each petition signature sheet to be circulated

By an initiative measure, based on the legislative language of ARS 42-6010, be it enacted by the people of Lake Havasu City, Arizona: Lake Havasu City within its boundaries shall not offer or provide a municipal tax incentive to a business entity as an inducement or in exchange for locating or relocating a retail business facility in the city. This section shall cease to be effective upon the repayment of all sewer bonds heretofore issued by the city.

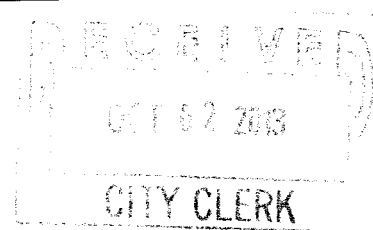

 Signature of Applicant
 Jesse W. (Dr Bill) Ullery
 Printed Name of Applicant
 735 Little Dr
 Address
 Lake Havasu City AZ 86406
 City State Zip
 928.453.2414
 Telephone Number

Name of Organization (if any)
 Address
 City State Zip
 Telephone Number
 Name of Officer and Title
 Address
 City State Zip
 Telephone Number
 Name of Officer and Title
 Address
 City State Zip
 Telephone Number

Date of Application 10/2/2013
 Signatures Required 3,376
 Deadline for Filing 7/7/2014
 Serial Number Issued LHC-13-119-INT
 FOR OFFICE USE ONLY



AN INITIATIVE MEASURE
Be it enacted by the people of Lake Havasu City, Arizona



**THE PROHIBITION OF BUSINESS LOCATION MUNICIPAL TAX INCENTIVES
IN LAKE HAVASU CITY, ARIZONA**

**BUSINESS LOCATION MUNICIPAL TAX INCENTIVES; PROHIBITION; PENALTY; EXCEPTIONS;
DEFINITIONS.**

- A. LAKE HAVASU CITY (HEREAFTER THE CITY) WITHIN ITS BOUNDARIES SHALL NOT OFFER OR PROVIDE A TAX INCENTIVE TO A BUSINESS ENTITY AS AN INDUCEMENT OR IN EXCHANGE FOR LOCATING OR RELOCATING A RETAIL BUSINESS FACILITY IN THE CITY.
- B. CITY OFFICIALS THAT VIOLATE THIS SECTION MAY BE SUBJECT TO A PENALTY OF REMOVAL FROM OFFICE UNDER APPLICABLE STATUTES.
- C. THE CITY SHALL REPORT BY PUBLIC HEARING THE VALUE OF ANY TAX INCENTIVE USED AS AN INDUCEMENT OR IN EXCHANGE FOR LOCATING OR RELOCATING A RETAIL BUSINESS FACILITY IN THE CITY FOR THE PURPOSES OF THIS SUBSECTION, THE VALUE INCLUDES ALL NEGOTIATED AMOUNTS, IN ANY FORM AND WHETHER ACTUAL, REALIZED OR CONTINGENT, OVER THE TERM OF THE INCENTIVE AGREEMENT.
- D. THIS SECTION DOES NOT APPLY WITH RESPECT TO:
1. MUNICIPAL SERVICES AND BENEFITS GENERALLY AFFORDED BY ORDINANCE TO ALL NEW BUSINESSES IN THE CITY, HAVING NO DIRECT AFFECT ON MUNICIPAL TAX LEVIES.
 2. TAX INCENTIVES THAT ARE AFFORDED TO ALL EXISTING RETAIL BUSINESS FACILITIES IN THE CITY.
 3. TAX INCENTIVES FOR LOCATING RETAIL BUSINESS FACILITIES IN AN AREA DESIGNATED AS A REDEVELOPMENT PROJECT PURSUANT TO ARIZONA STATUTES TITLE 36, CHAPTER 12, ARTICLE 3 WHERE THE AVERAGE HOUSEHOLD INCOME IS LESS THAN THE AVERAGE CITY HOUSEHOLD INCOME AS DETERMINED BY THE UNITED STATES CENSUS BUREAU.
 4. INCENTIVES CONSISTING OF REIMBURSEMENT FOR PUBLIC INFRASTRUCTURE DEDICATED TO AND ACCEPTED AND CONTROLLED UPON COMPLETION OF THE PROJECT BY THE CITY, COUNTY, STATE OR A PRIVATE UTILITY WHERE NO OTHER POLITICAL SUBDIVISION PROVIDES SUCH UTILITY FOR TRANSPORTATION, WATER, SEWER, ELECTRICAL, DRAINAGE, THE FAIR MARKET VALUE OF REAL PROPERTY NECESSARY FOR THE PUBLIC INFRASTRUCTURE AND OTHER NECESSARY PUBLIC INFRASTRUCTURE. THIS PARAGRAPH DOES NOT APPLY TO PARKING LOTS, PARKING STRUCTURES OR PARKING FACILITIES OR OTHER STRUCTURES OR AMENITIES OWNED OR CONTROLLED BY A PRIVATE ENTITY.
 5. INCENTIVES THAT ARE OFFERED FOR THE PURPOSE OF PRESERVING HISTORICAL BUILDINGS AND OTHER STRUCTURES.
 6. INCENTIVES THAT ARE OFFERED FOR CLEANUP OR OTHER REMEDIATION ACTIVITIES AT A BROWNFIELDS SITE UNDER TITLE 49, CHAPTER 2, ARTICLE 1.1 OR THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT OF 1980 (P.L. 96-510, 94 STAT. 2767; 42 UNITED STATES CODE SECTIONS 9601 THROUGH 9657), COMMONLY KNOWN AS "SUPERFUND".
- E. TO QUALIFY AS EXEMPT FROM THE PENALTY, AN INCENTIVE UNDER SUBSECTION D OF THIS SECTION THAT IS OFFERED IN EXCHANGE FOR EXPENSES INCURRED BY THE BUSINESS ENTITY MUST BE IN THE FORM OF A REIMBURSEMENT OF THE EXPENSES AND MAY NOT EXCEED OR OTHERWISE BE DISPROPORTIONAL TO THE ACTUAL COST INCURRED.
- F. THIS SECTION DOES NOT APPLY TO TAX INCENTIVES THAT WERE REFERRED TO A VOTE OF THE QUALIFIED ELECTORS OF THE CITY BEFORE JULY 1, 2014 AND APPROVED BY THE QUALIFIED ELECTORS OF THE CITY.
- G. FOR THE PURPOSES OF THIS SECTION:
1. "METROPOLITAN STATISTICAL AREA" MEANS A GEOGRAPHICAL AREA CONSISTING OF LAKE HAVASU CITY DEFINED FOR FEDERAL STATISTICAL AND CENSUS PURPOSES BY THE UNITED STATES OFFICE OF MANAGEMENT AND BUDGET WITH TECHNICAL ASSISTANCE FROM THE UNITED STATES BUREAU OF THE CENSUS.
 2. "RETAIL BUSINESS FACILITY" MEANS A STORE, WAREHOUSE OR OTHER IMPROVEMENT TO REAL ESTATE WHERE AT LEAST ONE-HALF OF THE BUSINESS CONDUCTED ON THE PREMISES CONSISTS OF RETAIL SALES OF TANGIBLE PERSONAL PROPERTY TO THE ULTIMATE CONSUMER, MEASURED BY EITHER THE NUMBER OF EMPLOYEES ASSIGNED TO RETAIL SALES OR THE SQUARE FOOTAGE OF THE FACILITY USED FOR RETAIL SALES. FOR THE PURPOSES OF THIS PARAGRAPH, "RETAIL SALES" DOES NOT INCLUDE:
 - (A) SALES OF FOOD AND BEVERAGE FOR CONSUMPTION ON THE PREMISES OF THE FACILITY.
 - (B) THE DISTRIBUTION WITHOUT CHARGE OF PROMOTIONAL PRODUCTS THAT DISPLAY THE COMPANY LOGO OR TRADEMARK.
 - (C) SALES SOLELY TO COMPANY EMPLOYEES.
 3. "TAX INCENTIVE" MEANS ANY WAIVER, EXEMPTION, DEDUCTION, CREDIT, REBATE, DISCOUNT, DEFERRAL OR OTHER ABATEMENT OR REDUCTION OF THE NORMAL MUNICIPAL TAX LIABILITY OF AN INDIVIDUAL TAXPAYER THAT OTHERWISE APPLIES TO SIMILAR EXISTING TAXPAYERS AND PROPERTIES IN THE CITY OR TOWN, HOWEVER DENOMINATED, COMPUTED OR APPLIED, AND GENERALLY UNDERSTOOD AS AN INDUCEMENT FOR THE TAXPAYER TO LOCATE A BUSINESS FACILITY OR OTHER OPERATION IN THE CITY.
- H. THIS SECTION SHALL CEASE TO BE EFFECTIVE UPON THE REPAYMENT OF ALL SEWER BONDS HERETOFORE ISSUED BY THE CITY.

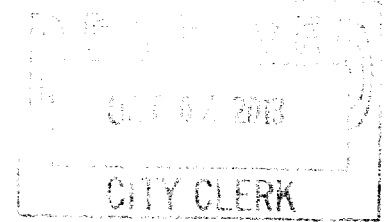
CITY/TOWN OF Lake Havasu City, Az

POLITICAL COMMITTEE

STATEMENT OF ORGANIZATION

Titles 16 & 19 Arizona Revised Statutes

Definitions, statutory references and important information on reverse.



- INITIAL REGISTRATION
 OUT OF STATE COMMITTEE
 AMENDED STATEMENT

ID# **LHC-13-119-VNT**

NAME OF POLITICAL COMMITTEE Help Dr Bill stop big-box tax incentives		DATE 10/02/13	
ADDRESS (NUMBER & STREET) 735 Little Dr.		CITY Lake Havasu City	STATE AZ
MAILING ADDRESS (If different from above)		CITY	STATE AZ
COMMITTEE TELEPHONE # 928.453.2414	COMMITTEE FAX # 928.453.1186	COMMITTEE E-MAIL ADDRESS dbu@dbuhomes.com	
DOES THE POLITICAL COMMITTEE HAVE A SPONSORING ORGANIZATION? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If yes, please provide the following information:			
NAME OF SPONSORING ORGANIZATION		TYPE OF ORGANIZATION	
ADDRESS OF SPONSORING ORGANIZATION		RELATIONSHIP TO POLITICAL COMMITTEE	
TYPE OF POLITICAL COMMITTEE - Please check only one box:			
<input type="checkbox"/> CANDIDATE'S CAMPAIGN COMMITTEE		<input type="checkbox"/> COMMITTEE ORGANIZED FOR THE PURPOSE OF MAKING INDEPENDENT EXPENDITURES	
<input type="checkbox"/> SEPARATE SEGREGATED FUND ESTABLISHED BY A CORPORATION OR LABOR ORGANIZATION		<input type="checkbox"/> COMMITTEE ORGANIZED IN SUPPORT OF OR OPPOSITION TO ONE OR MORE CANDIDATES	
<input type="checkbox"/> COMMITTEE IN SUPPORT OF OR OPPOSITION TO THE QUALIFICATION, PASSAGE OR DEFEAT OF A BALLOT MEASURE* <small>*Petition Serial Number _____ Support <input type="checkbox"/> Oppose <input type="checkbox"/></small>		<input type="checkbox"/> POLITICAL ORGANIZATION (see A.R.S. § 16-823)	
<input type="checkbox"/> COMMITTEE ORGANIZED TO CIRCULATE OR OPPOSE A RECALL PETITION OR TO INFLUENCE THE RESULT OF A RECALL ELECTION*		<input type="checkbox"/> EXPLORATORY COMMITTEE	
<input type="checkbox"/> POLITICAL PARTY (see A.R.S. §§ 16-801, 16-804, 16-821 and 16-825)		<input checked="" type="checkbox"/> OTHER TYPE OF COMMITTEE (please describe) <u>voter initiative</u>	
<input type="checkbox"/> CHECK HERE IF REGISTERED WITH THE SECRETARY OF STATE AS A STANDING POLITICAL COMMITTEE PURSUANT TO A.R.S. § 16-902.01. (You must provide a copy of the statement of organization filed with the Secretary of State designating standing committee status)			
EACH POLITICAL COMMITTEE SHALL HAVE A CHAIRMAN AND TREASURER. THE POSITION OF CHAIRMAN AND TREASURER OF A SINGLE POLITICAL COMMITTEE MAY NOT BE HELD BY THE SAME INDIVIDUAL, EXCEPT THAT A CANDIDATE MAY BE CHAIRMAN AND TREASURER OF HIS OR HER OWN CAMPAIGN COMMITTEE. A.R.S. §16-902(A).			
NAME OF COMMITTEE CHAIRMAN Jesse W. (Dr Bill) Ullery	CHAIRMAN'S TELEPHONE # 928.453.2414	CHAIRMAN'S FAX # 928.453.1186	
CHAIRMAN'S ADDRESS 735 Little Dr	CITY Lake Havasu City	STATE AZ	ZIP 86406
CHAIRMAN'S OCCUPATION small business owner	CHAIRMAN'S EMPLOYER DBU Construction, Inc		CHAIRMAN'S E-MAIL ADDRESS dbu@dbuhomes.com
NAME OF COMMITTEE TREASURER Margaret M. Palmer	TREASURER'S TELEPHONE # 928.855.4328	TREASURER'S FAX # 928.855.0128	
TREASURER'S ADDRESS 1905 S. Palo Verde Blvd	CITY Lake Havasu City	STATE AZ	ZIP 86403
TREASURER'S OCCUPATION Administrative Assistant	TREASURER'S EMPLOYER Clark & Associates	TREASURER'S E-MAIL ADDRESS jerry@clarkarchitectsinc.com	

BEFORE A POLITICAL COMMITTEE ACCEPTS A CONTRIBUTION OR MAKES AN EXPENDITURE IT SHALL DESIGNATE AT LEAST ONE ACCOUNT AT A QUALIFIED FINANCIAL INSTITUTION (A.R.S. § 16-902(C)). LIST THE NAMES OF ALL FINANCIAL INSTITUTIONS WITH WHICH THE COMMITTEE MAINTAINS ACCOUNTS OR SAFETY DEPOSIT BOXES. (Do not list account numbers.)

1. Mohave State Bank 2. _____ 3. _____

FOR AN EXPLORATORY COMMITTEE OR A CANDIDATE'S CAMPAIGN COMMITTEE, PROVIDE THE FOLLOWING INFORMATION:
(Office sought is optional for an Exploratory Committee.)

NAME OF CANDIDATE OR DESIGNATING INDIVIDUAL (DI)		E-MAIL ADDRESS OF CANDIDATE OR DESIGNATING INDIVIDUAL	
ADDRESS OF CANDIDATE OR DESIGNATING INDIVIDUAL		CITY	STATE ZIP
PHONE NUMBERS OF CANDIDATE OR DESIGNATING INDIVIDUAL		OFFICE SOUGHT	CITY DISTRICT OF RESIDENCE
HOME:	CELL:		

CANDIDATE'S (or DESIGNATING INDIVIDUAL'S) STATEMENT: I authorize the above-named political committee as my political committee to receive contributions and make expenditures on my behalf.

Date: _____ Signature of Candidate or Designating Individual: _____

CHAIRMAN'S AND TREASURER'S STATEMENT: We, the undersigned, have read all of the applicable laws relating to campaign finance and reporting pursuant to A.R.S. § 16-902-01(B6) and have examined the information contained in this statement of organization and, to the best of our knowledge and belief, it is true, correct and complete.

Date: 10/02/13 Chairman's signature: [Signature]
 Date: 10/02/13 Treasurer's signature: [Signature]

Fill out this box only if the committee has been in existence for more than one year and is filing for Standing Committee status.

STANDING POLITICAL COMMITTEE'S STATEMENT (if applicable) I/we hereby declare the status of this political committee as a standing political committee. (A.R.S. § 16-902.01)

Date: _____ Chairman's signature: _____
 Date: _____ Treasurer's signature: _____

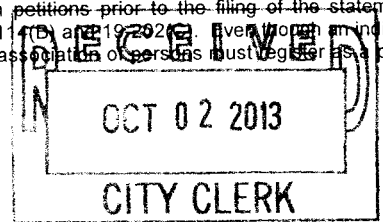
State of Arizona)
) ss.
 County of _____)

SUBSCRIBED AND SWORN TO before me this _____ day of _____
 My commission expires: _____

DEFINITION OF POLITICAL COMMITTEE: A.R.S. § 16-901(19) "Political committee" means a candidate or any association or combination of persons that is organized, conducted or combined for the purpose of influencing the result of any election or to determine whether an individual will become a candidate for election in this state or in any county, city, town, district or precinct in this state, that engages in political activity in behalf of or against a candidate for election or retention or in support of or opposition to an initiative, referendum or recall or any other measure or proposition and that applies for a serial number and circulates petitions and, in the case of a candidate for public office except those exempt pursuant to section 16-903, that receives contributions or makes expenditures of more than two hundred fifty dollars in connection therewith, notwithstanding that the association or combination of persons may be part of a larger association, combination of persons or sponsoring organization not primarily organized, conducted or combined for the purpose of influencing the result of any election in this state or in any county, city, town or precinct in this state. Examples of types of political committees are listed on the front of this form.

NOTE FOR INDIVIDUALS INVOLVED IN POLITICAL ACTIVITIES: An individual acting alone, unless that individual is a candidate, is not a political committee under Arizona law and need not file a statement of organization. If any additional person or persons join the effort (as defined above in A.R.S. § 16-901(19)) begun by an individual, the association of persons has become a "political committee" under Arizona law, and must register the committee pursuant to A.R.S. § 16-902.01(A).

NOTE FOR THOSE INVOLVED IN INITIATIVE, REFERENDUM AND RECALL EFFORTS: Before circulating initiative, referendum or recall petitions, a political committee must file its statement of organization with the appropriate filing office. Signatures obtained on petitions prior to the filing of the statement of organization are void and shall not be counted in determining the legal sufficiency of the petition. A.R.S. §§ 19-111(B) and 19-202(A) Every person or individual, acting alone, may begin the initiative, referendum or recall effort, as soon as other persons join the effort, the association of persons must register as a political committee.



REFERENCE:

<http://www.azleg.state.az.us/FormatDocument.asp?inDoc=/ars/42/06010.htm&Title=42&DocType=ARS>

42-6010. Retail business location municipal tax incentives; prohibition; penalty; exceptions; definitions

A. If at least sixty-five per cent of the land area within a city's or town's exterior boundaries is located within the exterior boundary of a metropolitan statistical area having a population of more than two million persons, the city or town shall not offer or provide a tax incentive to a business entity as an inducement or in exchange for locating or relocating a retail business facility in the city or town.

B. A city or town that violates this section is subject to a penalty equal to the amount of the incentive realized by the taxpayer, extended over a period of sixty months. The department of revenue shall notify the state treasurer to withhold the amount of the penalty from monies otherwise payable to the city or town as provided by section 42-5029, subsection J.

C. The city or town shall report to the department of revenue the value of any tax incentive used as an inducement or in exchange for locating or relocating a retail business facility in the city or town. For the purposes of this subsection, the value includes all negotiated amounts, in any form and whether actual, realized or contingent, over the term of the incentive agreement.

D. This section does not apply with respect to:

1. Municipal services and benefits generally afforded by ordinance to all new businesses in the city or town, having no direct affect on municipal tax levies.

2. Tax incentives that are afforded to all existing retail business facilities in the city or town.

3. Tax incentives for locating retail business facilities in an area designated as a redevelopment project pursuant to title 36, chapter 12, article 3 where the average household income is less than the average city household income as determined by the United States census bureau.

4. Incentives consisting of reimbursement for public infrastructure dedicated to and accepted and controlled upon completion of the project by the city or town, county, state or a private utility where no other political subdivision provides such utility for transportation, water, sewer, electrical, drainage, the fair market value of real property necessary for the public infrastructure and other necessary public infrastructure. This paragraph does not apply to parking lots, parking structures or parking facilities or other structures or amenities owned or controlled by a private entity.

5. Incentives that are offered for the purpose of preserving historical buildings and other structures.

6. Incentives that are offered for cleanup or other remediation activities at a brownfields site under title 49, chapter 2, article 1.1 or

the comprehensive environmental response, compensation, and liability act of 1980 (P.L. 96-510, 94 Stat. 2767; 42 United States Code sections 9601 through 9657), commonly known as "superfund".

E. To qualify as exempt from the penalty, an incentive under subsection D of this section that is offered in exchange for expenses incurred by the business entity must be in the form of a reimbursement of the expenses and may not exceed or otherwise be disproportional to the actual cost incurred.

F. This section does not apply to tax incentives that were referred to a vote of the qualified electors of the city or town before July 1, 2007 and approved by the qualified electors of the city or town.

G. For the purposes of this section:

1. "Metropolitan statistical area" means a geographical area consisting of cities, towns and other populated areas defined for federal statistical and census purposes by the United States office of management and budget with technical assistance from the United States bureau of the census.

2. "Retail business facility" means a store, warehouse or other improvement to real estate where at least one-half of the business conducted on the premises consists of retail sales of tangible personal property to the ultimate consumer, measured by either the number of employees assigned to retail sales or the square footage of the facility used for retail sales. For the purposes of this paragraph, retail sales do not include:

(a) Sales of food and beverage for consumption on the premises of the facility.

(b) The distribution without charge of promotional products that display the company logo or trademark.

(c) Sales solely to company employees.

3. "Tax incentive" means any waiver, exemption, deduction, credit, rebate, discount, deferral or other abatement or reduction of the normal municipal tax liability of an individual taxpayer that otherwise applies to similar existing taxpayers and properties in the city or town, however denominated, computed or applied, and generally understood as an inducement for the taxpayer to locate a business facility or other operation in the city or town.