

PRESCOTT RESOLUTION # 4

Amending Title 16, Chapter 3, Article 3, Signature Requirements, clarifying steps to be taken by the City Clerk's Office upon submission of nomination petitions by candidates.

Submitted by: Prescott

A. Purpose and Effect of Resolution

While the Arizona Revised Statutes provides specific steps to be taken by the secretary of state (city clerk) when initiative/referendum petitions are filed with their office, the Statutes are void of any such steps on the part of candidate nomination petitions, and the office(s) must rely on case law to determine what, if anything, is to be done when petitions have not be completed properly.

Understanding that the city clerk's office is to maintain neutrality in its duties, basic steps are included in this resolution to help alleviate many of the questions raised during the election process and eliminate the need for many of the challenges by electors, which can provide a personal hardship for them, while not impacting such neutrality.

The recommended steps would include the ability of the city clerk to (1) remove signatures that were obtained prior to the date the candidate filed their statement of organization or \$500 Threshold Exemption Statement; and (2) remove signatures that are from a location outside of the city/town.

While there are other discrepancies for which challenges may be filed by an elector and determined by the courts, these two steps could be taken without the neutrality of the office being impacted.

B. Relevance to Municipal Policy

The citizens of our municipalities expect basic steps to be taken on the part of the city clerk's office when candidates submit nomination petitions. Many citizens are under the impression that all signatures are verified on candidate petitions. While these proposed steps would not meet all of the expectations of the citizens with regard to petition verification, which would be cost prohibitive, they would provide an opportunity for obvious names to be stricken.

C. Fiscal Impact to Cities and Towns

While it does place an added burden on the Clerk's Office during the election process, it could also eliminate much of the need for challenges to be filed, and these challenges have a fiscal impact on cities/towns as well. The exact impact would be dependent upon the number of elections and candidates filing for those elections.

D. Fiscal Impact to the State

The secretary of state's office would also have the added burden during the election process, and the impact would again be dependent upon the number of elections and candidates filing for those elections.

E. Contact Information

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