

CITY COUNCIL REPORT

DATE: June 1, 2016

TO: Mayor, Vice-Mayor and City Council

FROM: Stephanie Smith, Assistant to the City Manager

CC: Josh Copley, Barbara Goodrich, Shane Dille and Leadership Team

SUBJECT: Proposed 2017 League Policy Resolutions

This City Council Report and attachments summarize the feedback received last month from Council regarding the proposed policy resolutions to the League of Arizona Cities and Towns. League committees will review all policy resolutions submitted by cities and towns over the next two months. Staff will seek direction from Council on the policy committees' recommendations at the August 16th Council meeting, in advance of the annual League conference.

BACKGROUND

League Resolution Process and Guidance

Each year, members of the League of Arizona Cities and Towns may recommend items for the League's legislative program by submitting policy issues/resolutions for consideration. The policy issues submitted by cities through this process are vetted by the relevant League Policy Committee and may become a formal League Resolution, or may go on for further discussion with a non-legislative solution.

Proposed resolutions are then advanced to the Resolutions Committee for a formal recommendation. If the Committee proposes resolutions, those resolutions will be provided to all cities and towns prior to the League Annual Conference in August. This is so that individual city and town councils may take positions on those resolutions prior to the Resolutions Committee Meeting. The resolutions that are passed by the committee are then formally adopted at the League's Annual Business Meeting, also held during the Annual Conference. The adopted resolutions then become that year's Municipal Policy Statement. There are two types of resolutions accepted for consideration by the League: 1) Statements requesting a specific action, such as requesting that the Legislature enact a statute relating to a zoning issue; and 2) Statements of general policy direction, such as supporting increases for transportation funding.

PROPOSED POLICY RESOLUTIONS

The following is a listing of the policy resolutions submitted on behalf of the Flagstaff City Council to the League of Arizona Cities and Towns. These resolutions will be considered by League policy committees for inclusion in the organization's annual municipal policy statement.

It should be noted that a Council majority was interested in addressing any restrictions that local governments may have to utilize digital means to collect candidate signatures. This recommendation included a proposal to explore opportunities for individual local governments, if desired, to allow candidates seeking elected office in cities and towns to collect a limited portion of necessary signatures through digital means. Upon further research, staff determined that HB 2049, signed by the Governor 3/30/2016, Requires the Secretary of State to provide a secure, online petition signature collection system for candidates running for city, town, county or precinct committee offices beginning January 1, 2017. Attached to this CCR is a fact sheet on this bill as well as the chaptered language as enacted.

Policy Issue/Problem	Proposed Solution	Type of Resolution
Protect local authority to bring revenue to cities and towns	Protect local authority to bring revenue to cities and towns, which support the quality of life for its residents. Areas may include the protection of cities and towns ability to authorize collection of local revenues such as pawn fees, sales taxes, property taxes, etc.	General Policy
Improve forest health	Advocate for investing in fuel treatments within state right of way and on state-owned land in and around cities and towns to prevent catastrophic wildfire and improve overall forest health in Arizona.	General Policy
Improve safety in public facilities	Advocate against firearm legislation that will allow guns in public facilities	Specific Action
Support State Housing Trust Fund	Advocate for removing the \$2.5 million cap that allows the State's Housing Trust Fund to be fully funded through unclaimed property proceeds received by the State annually	Specific Action
Uphold and restore the principle of local control	Enforce the authority of local governments to respect and protect the priorities of its citizenry and respond to local challenges and opportunities, by any legal means necessary.	General Policy
Protect existing funding to cities and towns which support the quality of life for its residents	Solutions may include the protection of state-shared revenues and opposition to the imposition of new fees and unfunded mandates by any level of government that would increase costs to cities and towns.	General Policy
Clarify state law regarding signs	Seek to clarify state sign laws in light of Reed case and existing statutes regarding signage. This clarity does not need to be achieved through legislative means and could include requesting clarification from the Attorney General.	Specific Action
Support Energy Districts	Develop a collation for the successful passage of legislation that will allow for the creation of renewable energy and conservation financing districts for commercial property on a voluntary basis.	Specific Action

RECOMMENDATION / CONCLUSION:

This report is for information only.

ATTACHMENTS:

- House Bill 2049 – Language as enacted
- Fact Sheet – House Bill 2049

State of Arizona
House of Representatives
Fifty-second Legislature
Second Regular Session
2016

CHAPTER 82
HOUSE BILL 2049

AN ACT

AMENDING TITLE 16, CHAPTER 3, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 16-317; RELATING TO NOMINATING PROCEDURES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 16, chapter 3, article 2, Arizona Revised Statutes,
3 is amended by adding section 16-317, to read:
4 16-317. Secure online signature collection; municipal, county
5 and precinct committeeman offices
6 A. NOTWITHSTANDING ANY OTHER STATUTE IN THIS TITLE, THE SECRETARY OF
7 STATE SHALL PROVIDE A SYSTEM FOR QUALIFIED ELECTORS TO SIGN A NOMINATION
8 PETITION FOR CANDIDATES FOR CITY OR TOWN OFFICE, COUNTY OFFICE AND THE OFFICE
9 OF PRECINCT COMMITTEEMAN BY WAY OF A SECURE INTERNET PORTAL. THE SYSTEM
10 SHALL ALLOW ONLY THOSE QUALIFIED ELECTORS WHO ARE ELIGIBLE TO SIGN A PETITION
11 FOR A PARTICULAR CANDIDATE TO SIGN THE PETITION, SHALL PROVIDE A METHOD FOR
12 THE QUALIFIED ELECTOR'S IDENTITY TO BE PROPERLY VERIFIED AND SHALL PROVIDE
13 FOR THE SECRETARY OF STATE TO TRANSMIT THOSE FILINGS OR A FACSIMILE OF THOSE
14 FILINGS TO THE OFFICER IN CHARGE OF ELECTIONS FOR THE APPROPRIATE OFFICE. A
15 CANDIDATE MAY CHOOSE TO COLLECT UP TO THE MINIMUM NUMBER OF REQUIRED
16 NOMINATION PETITION SIGNATURES BY USE OF THE ONLINE SIGNATURE COLLECTION
17 SYSTEM PRESCRIBED BY THIS SECTION.
18 B. THIS SECTION APPLIES ONLY TO CANDIDATES FOR CITY OR TOWN ELECTED
19 OFFICE, COUNTY OFFICE AND THE OFFICE OF PRECINCT COMMITTEEMAN.
20 Sec. 2. Effective date
21 This act is effective from and after December 31, 2016.

APPROVED BY THE GOVERNOR MARCH 30, 2016.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 31, 2016.



ARIZONA STATE SENATE
Fifty-Second Legislature, Second Regular Session

FINAL REVISED
FACT SHEET FOR H.B. 2049

municipal, precinct office; online signatures

Purpose

Requires the Secretary of State (SOS) to provide a secure, online petition signature collection system (System) for candidates running for city, town, county or precinct committeeman offices beginning January 1, 2017.

Background

The SOS authorized, under Session Laws 2011, Ch. 332, Sec. 32, a pilot System that permits qualified voters to sign a candidate's nomination petition and submit a five dollar contribution for Clean Elections Fund qualification. This only applies to candidates for statewide and legislative offices (A.R.S. § 16-316). According to the SOS website, the verification method requires a voter's driver license number/non-operating ID, first and last name and date of birth. This information is validated against the statewide voter registration database.

Signature totals are required from qualified electors for a candidate's petition. To run for county office, the candidate must receive at least 1 percent, but no more than 10 percent, of the party's total voter registration, in the county district. Counties with more than 200,000 people require signature totals equal to at least one-fourth of 1 percent, but no more than 10 percent of the party's total voter registration, in the county district. A county precinct committeeman candidate must obtain equal to at least two percent, but no more than ten percent, of the party's total voter registration in the precinct. Candidates for a town or city office must receive equal to at least 5 percent, but no more than 10 percent, of the town vote. Towns with nonpartisan elections require at least 1,000 signatures or 5 percent of the vote, whichever is less, but no more than 10 percent of the town or city vote (A.R.S. § 16-322).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Requires the SOS provide qualified electors an online System to sign a nomination petition for candidates who run for city, town or county office or precinct committeeman.

2. Requires the System verify and authorize the qualified elector's identity and eligibility to sign a particular candidate's petition.
3. Requires the SOS transmit these filings, or a facsimile of these filings, to the officer in charge of the election.
4. Permits a candidate's use of this online signature collection system to collect up to the minimum number of required nomination petition signatures.
5. Limits these provisions to candidates for:
 - a) city or town elected office;
 - b) county office; or
 - c) office of precinct committeeman.
6. Becomes effective on January 1, 2017.

House Action

ELECT 1/28/16 DP 6-0-0
3rd Read 2/8/16 56-0-4

Signed by the Governor 3/30/16
Chapter 82

Senate Action

GOV 2/24/16 DP 7-0-0
3rd Read 2/24/16 29-0-1

Prepared by Senate Research
April 5, 2016
RH/SH/rf