

CITY OF PRESCOTT

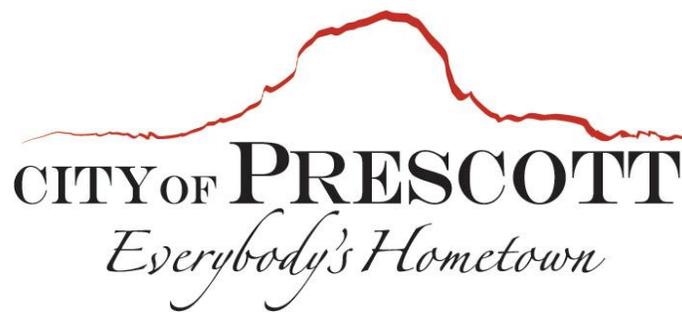
2017 ELECTIONS

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Primary Election  
August 29

General Election  
November 7

CANDIDATE  
INFORMATION  
PAMPHLET



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PREPARED BY THE OFFICE OF THE CITY CLERK  
City of Prescott  
201 South Cortez Street  
Prescott, Arizona 86303  
(928) 777-1272

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Common Municipal Election Terminology

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# *Introduction*

*Welcome to the 2017 City of Prescott Candidate Information Pamphlet.* This pamphlet is an important first step in the election process and was prepared by the City Clerk's Office to provide candidates and committees with information regarding state and city election laws.

While every effort was made to provide a comprehensive overview of the election process for the City of Prescott, this pamphlet is not intended to provide legal advice or to eliminate the need for private legal counsel in answering specific election-related questions. For example, in the event a petition is challenged, it will be the candidate, and not the city, that is required to defend the legal sufficiency of the petition.

The City of Prescott appreciates your interest in the election process. Candidates and political committees should contact the City Clerk's Office with any questions regarding the information contained in this pamphlet. All candidates and political committees are urged to stay in contact with the City Clerk's Office to ensure they are following the most up-to-date regulations.

**OFFICE OF THE CITY CLERK**  
**City of Prescott**  
**201 S. Cortez Street**  
**Prescott, Arizona 86303**

**Dana DeLong, City Clerk**  
**928.777.1272**

**Virginia Mefford, Deputy City Clerk**  
**928.777.1313**

*Email:* [dana.delong@prescott-az.gov](mailto:dana.delong@prescott-az.gov)

*Website:* <http://www.prescott-az.gov/>

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## *Overview*

In 2017, qualified electors (registered voters) of the City of Prescott will elect a Mayor and three Council Members. Those elected will take office on November 28, 2017.

The Mayor shall be elected for a term of two years. The Council Members shall be elected for a term of four years. There shall be no term limit. The Mayor receives a monthly salary of \$750.00, and each Council Member \$500.00 monthly (Prescott City Charter, Article II, Sections 3, 4, and 8).

The Council shall designate one of its members as mayor pro tempore, who shall serve in such capacity at the pleasure of the Council. The mayor pro tempore shall perform the duties of the Mayor during his absence or disability (Prescott City Charter, Article II, Section 7).

## *Primary Election – Tuesday, August 29, 2017*

The Mayor and Council Members are elected at-large, on a nonpartisan basis. At the primary election, any candidate who shall receive a majority of all the valid ballots cast at such election for that office shall be declared elected to the office for which he is a candidate, and no further election shall be held as to said candidate (Prescott City Charter, Article IX, Section 6).

## *General Election – Tuesday, November 7, 2017*

If at any primary election there be any office or offices to which no candidate therefore was elected, then, said election shall be considered to be a primary election for the nomination of candidates for such office or offices, and a second or general election shall be held to vote for candidates to fill such office or offices. The candidates, not elected to any given office, or less if so there be, and who received the highest number of votes for the respective offices at such first election, shall be the only candidates at such second election. Candidates who do not qualify in the primary election shall not be eligible to move up and become candidates in the general election in the event a qualifying candidate withdraws for any reason from the general election or is deceased; provided, that if there be any person who under the provisions of this section, would have been entitled to become a candidate for any office except for the fact that some other candidate received an equal number of votes therefore, then all such persons receiving said equal number of votes shall likewise become candidates for such office. A qualifying candidate who elects to withdraw or a representative of a deceased candidate may request to have the candidate's name removed from the ballot provided that the request is made prior to the time required for printing of the ballots. In the event that any withdrawal results in fewer candidates than the number of vacant offices, the council shall appoint the officer(s) to fill the vacant position subsequent to the general election and prior to installation of new council members. (Prescott City Charter, Article IX, Section 7)

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## *Candidate Qualifications*

The Mayor and Councilmen shall be qualified electors of the City one year prior to the primary election and shall hold no other public office for which they receive compensation except that of a notary public or a member of the National Guard, or naval or military reserve, and shall have resided in said city for one (1) year next preceding the date of such election or appointment. If the mayor or councilman shall cease to possess any of these qualifications or shall be convicted of a felony, his office shall immediately become vacant. (Prescott City Charter, Article II, Section 5)

Incumbents eligible to run for the August 2017 Primary:

Mayor

Harry Oberg

Council Members

Steve Blair

Gregg Lazzell

Jean Wilcox

A qualified elector must meet the requirements of the Constitution and laws of the State of Arizona for state and county electors. A qualified elector of the City is defined as a person whose name appears on the Yavapai County voter registration rolls in a precinct of the City of Prescott for the last preceding general election, or who has subsequently registered in a Prescott precinct, and is otherwise qualified.

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## ***“Before You Do Anything Else”***

***CONTACT THE CITY CLERK’S OFFICE FOR USEFUL INFORMATION***  
such as rules, forms, and deadlines.

### ***When to File a Statement of Organization with the City Clerk (A.R.S. §16-905)***

A Candidate shall file a Statement of Organization if the candidate receives contributions or makes expenditures in any combination of at least one thousand dollars (\$1,000.00) in connection with that candidacy. [A.R.S. §16-905] The Statement of Organization must be filed with the City Clerk within then (10) days after qualifying as a committee. [A.R.S. §16-906(A)]

The Statement of Organization shall include the following committee information:  
[A.R.S. §16-906]

- Ø The committee name, mailing address; e-mail address; website, if any; telephone number; type of committee
- Ø The name of a candidate’s committee must include the candidate’s first or last name and office sought
- Ø The names, physical location or street address, e-mail address, telephone number, occupation and employer of the committee’s chairperson and treasurer. The candidate may serve as both the chairperson and treasurer
- Ø The City of Prescott holds nonpartisan elections – the party affiliation is not required
- Ø The names of all banks or other financial institutions used by the committee. The committee does not have to provide account numbers
- Ø A statement that the Chairman and Treasurer have read the campaign finance and reporting guide, agree to comply with all the applicable campaign finance laws, and agree to accept all notifications and service of process via the e-mail address provided by the committee

**Review Arizona Revised Statutes, Title 16, Chapter 6** for further information regarding formation of political action committees and campaign financing.

### **AMENDMENTS TO STATEMENT OF ORGANIZATION**

Committees must file an amended Statement of Organization within ten (10) days after any change in the required information [16-906(C)]

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## *State Campaign Financing Laws*

All candidates must comply with state laws regarding campaign financing. State laws pertain to the organization of exploratory, candidate and other political committees, mandatory limits on campaign contributions, campaign finance reporting, identification of campaign literature and advertisements and other campaign related matters. Candidates, Treasurers and other interested individuals can review Arizona Revised Statutes, Title 16, Chapter 6, for further information regarding formation of political committees and campaign financing.

Neither the City Clerk nor the City Attorney is able to provide legal advice on election questions to individual candidates. Given the complexity of election laws, particularly campaign finance laws, and the importance of timely compliance, candidates are strongly encouraged to seek the assistance of an attorney or other professionals with knowledge of election laws.

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**CHAPTER ONE**

***NOMINATION  
PROCEDURES***

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## *Nomination Procedures*

In Arizona, persons are nominated to run for office in the primary election by a petition procedure for nomination. The petition process allows any qualified voter the opportunity of seeking public office. The nomination paper is a formal notification to the clerk that the individual intends to seek municipal office. A nomination paper includes a candidate declaration, a financial disclosure statement and a

A person desiring to run for municipal office must file the requisite document not less than 90 days nor more than 120 days before the primary election date. (ARS §16-311)

### *1. Nomination Petition - Name Printed on Primary Election Ballot*

#### **File: May 1 through 5:00 p.m. May 31, 2017**

File all of the following with the City Clerk:

- Nomination Paper and Declaration of Qualification and Eligibility [A.R.S. §16-311(A)]
  - Financial Disclosure Statement [A.R.S. §16-311(H)]
  - Nomination Petitions [A.R.S. §16-314(A)]
- NOTE: The City Clerk will not accept partial filings, late filings, or supplements to petitions already filed

### *Signature Requirements*

The percentage of valid signatures required for nomination petitions must be at least five percent (5%) and not more than ten percent (10%) of the total votes cast for Mayor in the last preceding election at which a Mayor was elected. The total votes cast for Mayor at the August 25, 2015 Primary Election was 14,3426. (ARS §16-322A.8, B)

The required number of valid signatures for nomination petitions for the 2015 Primary Election is at least **718** (5%) and not more than **1,435** (10%).

A qualified elector (registered Prescott voter) may sign one nomination petition for each seat or office to be filled. In 2017, three Council seats are to be filled; therefore, an elector may sign up to three nomination petitions for Council (ARS §16-321) and one petition for the office of Mayor.

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## 2. *Write-in Candidates for Primary Election*

A write-in candidate is not required to file nomination petitions; however, a write-in candidate is required to file all other candidate election forms. (A.R.S. §16-312)

### **Filing Deadline for Primary Election: 5:00 p.m. July 20, 2017 (Write-in Candidate)**

File all of the following with the City Clerk:

- Nomination Paper, signed by the candidate, giving the person's actual residence address or description of place of residence and post office address, age, length of residence in the state and date of birth [A.R.S. §16-312(A)]
- Declaration [A.R.S. §16-311(D)]
- Financial Disclosure Statement [A.R.S. §16-312(C)]

A person cannot be a write-in candidate at a primary election if the individual filed a nomination petition for the August 29, 2017, Primary Election and failed to provide a sufficient number of valid petition signatures. [(A.R.S. §16-312(F)(3)]

A write-in candidate in the Primary Election must get the number of votes equal to the minimum number of signatures required on nomination petitions for the same office in order to be placed on the General Election ballot.

## 3. *Write-in Candidates for General Election*

An individual may become a write-in candidate for the General Election unless:

- The individual was defeated in the Primary Election; or
- The individual filed nomination petitions for the Primary Election but did not collect a sufficient number of valid petition signatures.

### **Filing Deadline for General Election: 5:00 p.m. September 28, 2017 (Write-in Candidate)**

File all of the following with the City Clerk:

- Nomination Paper, signed by the candidate, giving the person's actual residence address or description of place of residence and post office address, age, length of residence in the state and date of birth [A.R.S. §16-312(A)]
- Declaration [A.R.S. §16-311(D)]
- Financial Disclosure Statement [A.R.S. §16-312(C)]

**WRITE-IN VOTES MAY ONLY BE COUNTED FOR THOSE PERSONS WHO HAVE FILED REQUIRED NOMINATION PAPERS.**

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## *Circulating Nomination Petitions*

Petition forms are available from the City Clerk, and the requirements that such petitions must meet are set forth in A.R.S. §§16-314, 16-315, and 16-321

### *Petition Circulators:* [A.R.S. §§16-315(B), 16-321(D), 16-341(G)]

- Ø Each circulator must complete and sign the back of each signature sheet.
- Ø A nomination petition for any candidate may be circulated by a person who is not a resident of this state, but who is otherwise eligible to register to vote in this state if that person registers as a circulator with the secretary of state before circulating petitions.
- Ø A candidate may circulate his or her own petition.
- Ø Only one person may circulate a petition sheet, and the same person who circulated the sheet must sign the certificate on the back of the petition.

## *Petition Signers*

A nomination petition is signed by qualified electors and supports the candidacy for nomination of the individual whose name appears at the top of the nomination petition in the certificate portion. Qualified electors entitled to sign nomination petitions are those who are qualified to vote for the candidate whose nomination petition they are signing and must reside in the electoral district in which the candidate is running.

- Ø A qualified elector shall be at least 18 years of age and properly registered to vote. [A.R.S. §16-121 and A.R.S. §16-101]
- Ø A qualified elector must reside within the corporate limits of the City of Prescott, and be registered to vote. [A.R.S. §9-822]
- Ø Each signer of a nomination petition shall sign only one petition for the same office unless more than one candidate is to be elected to such office, and in that case not more than the number of nomination petitions equal to the number of candidates to be elected to the office. [A.R.S. §16-321]

## *Signature Withdrawal*

A signature may be withdrawn by the person who signed a nomination petition not later than 5:00 p.m. on the date the petition is filed with the City Clerk. [A.R.S. §19-113]

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## *Penalty for Petition Forgery*

All petitions that have been submitted by a candidate who is found guilty of petition forgery shall be disqualified, and the candidate shall not be eligible to seek election to a public office for a period of not less than five (5) years. [A.R.S. §16-351(F)]

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## *PRACTICAL TIPS*

### *Nomination Petitions and Papers*

While every effort was made to provide a comprehensive overview of the nomination process for the City of Prescott, this pamphlet is NOT intended to provide legal advice or to eliminate the need for private legal counsel in answering specific election-related questions. For example, in the event a nomination petition is challenged, it will be the candidate, and not the city, that is required to defend the legal sufficiency of the nomination petitions and papers.

- Pay attention to the date column of the petition. Incomplete or incorrect dates may result in the disqualification of the signature. Watch for signers who accidentally put phone numbers, zip code, date of birth, etc., in the date column
- Remember that the City Clerk will accept ditto marks and other repeating marks in the address and date columns; just be sure the line being repeated is correct
- Keep in mind that the City Clerk will not accept signatures found in the margins.
- Ensure that each circulator has completed and signed the back of each signature sheet. Errors may result in an entire page of petition signature being disqualified.
- Be sure addresses are complete. Petition signers may use a P.O. Box if there is not actual residence address assigned provided they are still a resident and registered voter of the City.
- DO NOT make corrections to the heading AFTER the petition is circulated. Any discrepancies in this area could result in the candidate losing an entire page of petition signatures.
- PRIOR to filing, review EACH page of the petition as well as all other nomination papers for completeness.
- Be sure to bring the following papers to the City Clerk's office when filing. (The City Clerk will not accept partial filings of nomination petitions and nomination papers.)
  - Nomination Petitions [A.R.S. §16-311(A)]
  - Nomination Paper and Declaration of Qualifications and Eligibility [A.R.S. §16-311(A)]
  - Financial Disclosure Statement [A.R.S. 16-311(H)]

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## *What to expect when filing Nomination Petitions and Papers*

- Candidates should plan to spend 20 – 30 minutes in the City Clerk’s office. On the day of the filing deadline, there may be a longer wait, depending on the number of candidates filing at the same time. The City Clerk will process nomination petitions and papers in the order in which they received.
- The City Clerk cannot accept partial filings of nomination papers (i.e. nomination petitions will not be accepted without the Declaration and Financial Disclosure Statement). The City Clerk will not accept supplements to nomination petitions.
- After the City Clerk completes the review and determines the number of signature on the nomination petitions, the candidate will be given a receipt.
- All documents filed are Public Record. Copies are available for twenty-five cents per image.

## *Prescott City Charter Requirements Relating to Nomination Petitions*

Based on amendments to the Prescott City Charter in November 2010, the City Clerk shall perform the following ministerial duties when nomination papers and nominating petitions are filed. (Prescott City Charter, Article IX, Section 3)

1. Verify that official candidates are qualified electors of the city for one year prior to the primary election, as required in Article II Section 5 of the Prescott City Charter.
2. Remove signatures of those signers on petitions who list an address outside of the City of Prescott.
3. Remove signatures of those signers that signed before the Statement of Organization or \$500 Threshold Exemption was filed.

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## *Challenging Nomination Petitions*

In the event any challenge is filed, it will be the person who submitted the petition, and not the City, that will be required to defend the legal sufficiency of the petition. It is the duty of the courts and not the City Clerk to determine the legal sufficiency of nomination petitions. The City Clerk need only determine that the nomination petitions substantially comply with the required form and contain the requisite number of signatures. The City Clerk has neither the right nor the duty to determine whether signers of the nominating petitions are qualified electors.

A candidate may also be challenged on grounds relating to qualifications of office.

## *Appeals of Validity of Nomination Petitions*

Any elector filing any court action challenging the nomination of a candidate as provided for in this chapter shall do so no later than 5:00 p.m. of the tenth day, excluding Saturday, Sunday and other legal holidays, after the last day for filing nomination papers and petitions. Any such action must be heard and a decision rendered by the Superior Court within the (10) days after filing the challenge. The Superior Court decision shall be appealable only to the Arizona Supreme Court, and notice of appeal shall be filed within five days after the decision of the Superior Court in the action. All challengers are required to specify in the action the petition number, line number and basis for dispute for each signature in questions. [A.R.S. §16-351(A)]

The City Clerk is statutorily named as a party to the action and automatically receives “service of process” in any action challenging a nomination petition. The City Clerk is the designated agent for the person filing a nomination petition and, therefore, must immediately notify the person of the action.

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**CHAPTER TWO**

**CAMPAIGN FINANCING  
LAWS**

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## *Forming a Campaign Committee*

A Candidate shall file a Statement of Organization if the candidate receives contributions or makes expenditures in any combination of at least one thousand dollars (\$1,000.00) in connection with that candidacy. [A.R.S. §16-905] The Statement of Organization must be filed with the City Clerk within then (10) days after qualifying as a committee. [A.R.S. §16-906(A)]

## *Campaign Finance Laws, Forms, and Reports*

Candidates for City Council must comply with all State campaign finance laws (*ARS Title 16, Chapter 6*). Campaign finance laws are specific and detailed. They establish, among other things, when a candidate is required to form a political committee, how a candidate's committee must be constituted, contribution limits, when campaign finance reports are required and their content. The importance of strict compliance with campaign finance laws cannot be overstated. Timely, accurate compliance with campaign laws is essential to avoid monetary penalties, possible criminal violations and other negative consequences. Failure to comply with campaign finance laws may be the subject of enforcement actions, as well as civil and criminal penalties.

There are a number of campaign finance reports that must be filed with the City Clerk throughout the election period. It is the responsibility of the candidate and/or political committee to ensure all deadlines are met. [ARS § 16-913]

To ensure compliance with all State campaign finance laws, candidates are strongly encouraged to seek the assistance of their attorney and/or other professionals with knowledge of election laws from the beginning of their involvement in the campaign process. City staff will not interpret campaign finance law for candidates. Staff will provide candidates with information needed to complete the required forms.

## *Campaign Expenses*

State law requires candidates who receive or expend, *in any combination*, \$1000.00 or more to register as a candidate committee and account for all monies or things of value received and expended by them, their campaign committee or individuals on behalf of a person's candidacy for public office. For example, if a candidate receives \$600.00 and spends \$401.00, the total amount is over \$1,000.00 and the candidate is required to register as a committee. Any combination of contributions or expenditures that remain below \$1,000.00 does not trigger committee registration

There are no statutory limits on the dollar amount any candidate can spend during the campaign. Campaign contributions are however, limited pursuant to A.R.S. §§16-912 – 16-917 and those limits apply to each election cycle.

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## *Duties of the Treasurer*

The duties of the treasurer of a political committee are set forth in A.R.S §16-907. Some of the key duties include the following:

- Authorize (or have a designated agent authorize) any expenditure for or on behalf of the political committee, and any petty cash disbursement.
- Deposit all receipts received by the political committee in a designated bank account.
- Segregate all monies of the political committee from monies of any individual, and do not commingle them.
- Make (or have a designated agent make) “best efforts” to obtain any missing information for contributions received that are required to be itemized on a campaign finance report.
- Any information required for the identification of a contributor received by the political committee after the contribution has been disclosed on a campaign finance report shall be reported on an amended report.
- Be the custodian of the political committee’s books and accounts, keeping an account of all contributions or other monies received, identification of contributors, all expenditures, and all periodic or other statements for each designated account of the political committee.
- Preserve all records and copies of all finance reports required to be filed for three (2) years after the filing of the finance report covering the receipts and disbursements evidenced by the records.
- On request of the City Attorney, or the City Clerk, or an enforcement officer, provide any of the records the treasurer is required to keep. [A.R.S. §16-907]

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## *Campaign Contribution Limits*

The established limits for campaign contributions to candidates for state and local office are updated in January of every odd numbered year by the Secretary of State. The contribution limits which apply to local elections are different from those which apply to state elections. The use of a candidate's personal monies is not subject to the limitations. Under the provisions of the campaign contribution limitations, each candidate must sign and file with the clerk a statement to indicate that the candidate had read the Campaign Finance and Reporting Guide, prescribed by the Secretary of State, and agrees to comply with campaign finance laws and agrees to accept all notifications and service of process via the e-mail address provided by the committee. The statement is part of the Statement of Organization

An Attorney General's Opinion states that a candidate may not accept contributions that exceed the limitations in effect on the date that the contribution is made even if the election is more than two years away and the candidate assumes the limitations will be increased. The limitations set in state law are increased, decreased or kept the same in accordance with the consumer price index and it would be impossible to predict accurately. Therefore a candidate may only accept a contribution that is within the established limitation on the date the contribution is received.

In 2016, contribution limits did not increase and an individual, partnership or political action committee may continue to give \$6,250.00 to a local candidate, however the definition of "election cycle" was amended to mean two years between the scheduled date of the City's general election and the scheduled date of the immediately following general election. The cycle is no longer tied to the term of office. The practical effect of the new definition means that an elected official who has a four-year term may collect \$6,250.00 each cycle for a total of \$12,500.00 during a four-year period.

Campaign contribution limits will automatically increase on January 1 of each odd-numbered year. **As of January 1, 2017, the new contribution limit will be \$6,350.00 for local races.**

**CAMPAIGN CONTRIBUTION LIMITS  
2017 – 2018 ELECTION CYCLE**

	<b>Local candidate</b>
<b>Individual may give</b>	\$6,350
<b>Partnership may give</b>	\$6,350
<b>Candidate Committee</b>	Generally prohibited (except donations of surplus funds)
<b>Political Action Committee without Mega PAC status may give</b>	\$6,350
<b>Political Action Committee with Mega PAC status may give</b>	\$12,600
<b>Political Party</b>	\$10,100 (to a party nominee only)
<b>Corporation</b>	Prohibited
<b>Limited Liability Company</b>	Prohibited
<b>Trust, Joint Venture, Cooperative, or Other Unincorporated Organization or Association</b>	Prohibited
<b>Union</b>	Prohibited

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## *Prohibited Candidate Contribution*

Candidates and political action committees should be aware that state statutes regarding campaign finance changed significantly in 2016. All committee should refer to state and local provisions for complete statutory information regarding limitations

A candidate committee is prohibited from making contributions to a candidate committee for another candidate (unless terminating the committee). However, a candidate committee may transfer its debts or obligations to the same candidate's committee designated for a different office, with restrictions. A local candidate committee is prohibited from transferring any committee monies directly to a statewide or legislative committee. Transfer can be made from a local committee to a county candidate committee, but the monies cannot be transferred to a statewide or legislative candidate committee for 24 months immediately following the transfer of contributions if received from the city candidate committee. There is no restriction on the downward transfer of monies so a candidate in a state, legislative, or county committee can transfer monies to a local committee without penalty.

## *False Reports and Failure to File Statements*

A political action committee which fails to file any of the campaign finance reports is subject to civil penalties.

Failure to file occurs if a committee fails to timely file a complete report, which includes the following:

- Amended campaign finance report when incomplete contribution information is obtained;
- An independent expenditure report pursuant to A.R.S. §16-926(G);
- Campaign finance reports;
- A committee termination statement.

The city clerk must send a written notification by e-mail to the committee within five days after the filing deadline.

The committee is liable for a late penalty of ten dollars for each day the filing is late during the first 15 days after the deadline and \$25.00 for each subsequent day that the filing is late. Penalties accrue until the late report is filed. If a committee fails to file a complete report within 30 days after the filing deadline following the 5-day late notice form the clerk.

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## *Committee Termination Statement*

A political action committee may terminate after addressing any surplus or debts and obligations. Candidate campaign committees with debts and obligations may terminate if the debts are transferred to the candidate's subsequent campaign committee. Under any other conditions all committees may terminate only when the committee treasurer files a written statement with city clerk certifying that it will no longer receive any contributions or make any disbursements; that the committee has no outstanding debts or obligations and that any surplus monies were disbursed and the committee has no cash on hand.

After a Termination Statement is filed, a committee is not required to file any subsequent campaign finance reports and shall have no further receipts and disbursements without filing a new Statement of Organization.

## *Disposal of Surplus Funds*

A political committee must dispose of surplus monies as follows:

- Return surplus monies to the contributor to the extent records are available permitting such return.
- Contribute surplus monies pursuant to Article 1.2 of Title 16, which is any contribution that is not otherwise prohibited by law.
- Donate the surplus monies to a nonprofit organization that has tax exempt status under Section 501(c)(3) of the United States Internal Revenue Code.
- For a candidate committee, contribute surplus monies to a candidate committee for another candidate.
- The use of surplus monies shall not be used for or converted to personal use.

A candidate's campaign committee may choose to transfer its debts or obligations to that candidate's campaign committee designated for a subsequent election as long as the committee is not for the same office.

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## *Practical Tips*

### *Filing Campaign Finance Reports*

- Ø Contact the City Clerk before submitting a report to discuss any questions
- Ø Make sure that the signature of the treasurer of the political action committee is included.
- Ø Reports must be filed until a Termination Statement is filed with the City Clerk. [A.R.S. §§16-933 and 16-934]
- Ø Make sure reports are filed on time. There are no provisions for exceptions or time extensions and state law requires that penalties be assessed for late filings. This includes reports that are not properly signed. [A.R.S. §16-937]
- Ø Under state law, the committee treasurer must retain a copy of the reports for a period of two (2) years after the date of filing. [A.R.S. §16-907(G)]

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## *Campaign Finance Reporting*

**ALL** candidates and political committees must file Campaign Finance Reports with the City Clerk as required by state law. Reports must be filed pursuant to the schedule outlined below until the political action committee has filed a termination statement. Reports for candidate committees must be cumulative for the current election cycle. Reports for political action committees must be cumulative for a two year election cycle ending in the year of a statewide general election. [A.R.S. §16-926(E)] The committee treasurer must sign reports and provide certification of the signer under penalty of perjury that the report is true and complete. [A.R.S. §16-926(B)(5)] There are penalties for filing incomplete or late campaign finance reports.

Campaign finance reports must be received by the City Clerk by 5:00 p.m. on the following dates:

<b>REPORTING PERIOD</b>	<b>FILING DEADLINE</b>
<b>Quarterly Report</b>	
For Period of November 24, 2015 through December 31, 2016	*January 15, 2017
<b>1<sup>st</sup> Quarterly Report</b>	
For Period of January 1, 2017 through March 31, 2017	*April 15, 2017
<b>2<sup>nd</sup> Quarterly Report</b>	
For Period of April 1, 2017 through June 30, 2017	*July 15, 2017
<b>Pre-Primary Election Report</b>	
For Period of July 1, 2017 through August 12, 2017	*August 19, 2017
<b>3<sup>rd</sup> Quarterly Report (Post-Primary Election)</b>	
For Period of August 13, 2017 through September 30, 2017	*October 15, 2017
<b>Pre-General Election Report</b>	
For Period of October 1, 2017 through October 21, 2017	*October 28, 2017
<b>4<sup>th</sup> Quarterly Report (Post-General Election)</b>	
For Period of October 22, 2015 through December 31, 2017	January 15, 2018

\*If the date for filing a Campaign Finance Report is a Saturday, Sunday, or legal holiday, the filing deadline is NOT extended.

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## *Failure to File*

- A.R.S. §16-937 specifies significant penalties for failure to file the State Campaign Finance Reports and/or false reporting.
- If a committee fails to timely file a complete report as required by A.R.S. Title 16, Chapter 6, Articles 1 through 1.6, the City Clerk shall send a written notice by e-mail to the committee within five (5) days after the filing deadline that identifies the late report, describes how fines accrue and identifies methods of payment. [A.R.S. §16-937(A)]
- There is a late penalty of ten dollars (\$10) for each day the report is late during the first fifteen (15) days after the filing deadline and twenty-five dollars (\$25) for each subsequent day the report is late. Penalties accrue until the late report is filed. [A.R.S. §16-937(B)]
- If a committee fails to file a complete report within thirty (30) days after the filing deadline and after providing the five-day notice the City Clerk may contact the City Attorney for enforcement. [A.R.S. §16-937(C)]
- If a political committee fails to file three consecutive Campaign Finance Reports, the City Clerk shall e-mail the committee a Notice of Temporary Suspension and the following will apply:
  - On receipt, the committee's authority to operate in the City of Prescott is temporarily suspended
  - The notice shall state that failure to comply with all filing and payment requirements within thirty (30) days after the date of the notice shall result in permanent suspension of the committee's authority to operate in the City of Prescott [A.R.S. §16-937(D)]
- After notifying the committee of the intent to suspend, the City Clerk may permanently suspend the committee and shall notify the committee by e-mail and is not required to provide any further notice. Permanent or temporary suspension does not eliminate a committee's continuing obligation to file reports and pay any outstanding and accruing penalties provide by law.

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**CHAPTER THREE**

**CAMPAIGNING**

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# *Identification of Campaign Literature and Advertisements*

## *GENERAL DISCLOSURE REQUIREMENTS*

“Advertisement” means information or materials, other than social media messages, that are mailed, e-mailed, posted, distributed, published, displayed, delivered, broadcasted or placed in a communication medium and that are for the purpose of influencing an election.

The following reporting and disclosure requirements are found in A.R.S. Title 16, Chapter 6, Article 1.4 “Reporting Requirements and Disclosure Statement”.

- A. A person that makes an expenditure for an advertisement of fund-raising solicitation, other than an individual, shall include the following disclosures in the advertisement or solicitation:
  - 1. The words “paid for by”, followed by the name of the person making the expenditure for the advertisement or fund-raising solicitation.
  - 2. Whether the expenditure was authorized by any candidate; followed by the identity of the authorizing candidate, if any.
- B. In addition to the disclosure required above, a political action committee that makes an expenditure for an advertisement shall include a disclosure stating the names of the three political action committees making the largest aggregate contributions to the political action committee making the expenditure and that exceed twenty thousand dollars during the election cycle, as calculated at the time the advertisement was distributed for publication, display, delivery, or broadcast.
- C. If a disclosure contains any acronym or nickname that is not commonly known, the disclosure shall also spell out the acronym or provide the full name.
- D. If the advertisement is:
  - 1. Broadcast on radio, the disclosure shall be clearly spoken at the beginning or end of the advertisement.
  - 2. Delivered by hand or mail or electronically, the disclosure shall be clearly readable.
  - 3. Displayed on a sign or billboard, the disclosure shall be displayed in a height that is at least four percent of the vertical height of the sign or billboard.
  - 4. Broadcast on television or in a video or film, both of the following requirements apply:
    - a. The disclosure shall be both written and spoken at the beginning or end of the advertisement, except that if the written disclosure statement is

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displayed for the greater of at least one-sixth of the broadcast duration or four seconds, a spoken disclosure statement is not required.

- b. The written disclosure statement shall be printed in letters that are displayed in a height that is at least four percent of the vertical picture height.

This section (items A through D) does not apply to:

1. Social media messages, text messages or messages sent by a short message service.
2. Advertisements that are placed as a paid link on a website, if the message is not more than two hundred characters in length and the link directs the user to another website that complies with this section.
3. Advertisements that are placed as a graphic or picture link, if the statements required in this section cannot be conveniently printed due to the size of the graphic or picture and the link directs the user to another website that complies with this section.
4. Bumper stickers, pins, buttons, pens, and similar small items on which the statements required in this section cannot be conveniently printed.
5. A solicitation of contributions by a separate segregated fund.
6. A communication by a tax-exempt organization solely to its members/
7. A published book or a documentary film or video.

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## *Political Signs*

In accordance with A.R.S. §16-1019, the Prescott Land Development Code, and the Prescott City Code guidelines for campaign signage is as follows:

Political signs are Temporary signs.

A business owner may place a political sign in place of any permitted Temporary Sign as described below. For commercial properties the permit and time limits apply. The content (message) of the sign need not be indicated on the permit application. The permit is for the physical sign, not the message.

1. Commercial Properties:
  - a. One temporary sign, of up to 24 square feet, may be permitted per business.
  - b. A permit shall be required for all temporary signs.
  - c. Temporary sign permits shall be good for 180 days. A copy of the permit must be maintained on the premises and be readily available upon demand for verification by City inspectors.
  - d. A temporary sign may be attached to a building wall or may be freestanding. The proposed location, materials and means of attachment or support shall be specified in the permit application.
  - e. A temporary sign shall be subject to City inspection to assure that the installation is accomplished in a safe manner and location.
  - f. Damaged or dangerous conditions caused by a temporary sign must be immediately remedied or may result in the revocation of the permit.
  - g. Failure to obtain a permit for a temporary sign or failure to remove a temporary sign upon expiration of a permit shall constitute a blighting condition upon the property and shall be subject to enforcement and penalties as provided in City Code Chapter 1-3 and/or City Code Chapter 7-5-20.

On private residential properties the owner is limited to the following, and again, the message is not regulated:

2. Temporary signs on private property for residential uses are exempt from permitting, but subject to the following:
  - a. Each temporary sign shall be limited to not more than 6 square feet.
  - b. Each temporary sign must be freestanding and installed in a safe and secure manner.
  - c. Each temporary sign shall be limited to a maximum height of 5 feet.
  - d. Damaged or dangerous conditions caused by a temporary sign must be immediately remedied or may result in enforcement action by the City.

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- e. Failure to maintain a temporary sign shall constitute a blighting condition upon the property and shall be subject to enforcement and penalties as provided in City Code Chapter 1-3 and/or City Code Chapter 7-5.

City Code Chapter 8-6 effectively bans all signs in the public rights of ways under the control of the City unless a variance is granted by the City Council for extreme hardship.

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***ADDITIONAL  
INFORMATION***

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## DATES TO REMEMBER

### 2017 Primary and General Elections

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First Day to Distribute Council Candidate Packets	02/01/2017
Last Day to File 4 <sup>th</sup> Quarterly Campaign Finance Report	01/15/2017
Last Day to File 1 <sup>st</sup> Quarterly Campaign Finance Report	04/15/2017
First Day to File Nomination Petitions	05/01/2017
Last Day to File Nomination Petitions	05/31/2017
Last Day to File 2 <sup>nd</sup> Quarterly Campaign Finance Report	07/15/2017
Last Day to File as a Write-in Candidate for Primary Election	07/20/2017
Last Day to Register to Vote in Primary Election	07/31/2017
Blanket Mailing of Mail Ballots for Primary Election (Approx.)	08/07/2017
Last Day to File Pre-Primary Campaign Finance Report	08/19/2017
<b>PRIMARY ELECTION DAY</b> – Ballots Must be Received by 7:00 pm	08/29/2017
Canvass Returns of Primary Election	09/12/2017
Last Day to File as a Write-In Candidate for General Election	09/28/2017
Last Day to Register to Vote in the General Election	10/09/2017
Last Day to File 3 <sup>rd</sup> Quarterly Campaign Finance Report (Post-Primary)	10/15/2017
Blanket Mailing of Mail Ballots for General Election (Approx.)	10/16/2017
Last Day to File Pre-General Campaign Finance Report	10/28/2017
<b>GENERAL ELECTION DAY</b> – Ballots Must be Received by 7:00 pm	11/07/2017
Canvass Returns of General Election	11/14/2017
Last Day to File 4 <sup>th</sup> Quarterly Campaign Finance Report (Post-General)	01/15/2018

**PRESCOTT CITY CHARTER**  
**ARTICLE II – THE COUNCIL**

## **ARTICLE II**

### **THE COUNCIL**

#### **Section 1 - Powers of the Council**

All powers of the city, not in conflict with the constitution and subject to the limitations of this charter, shall be vested in the council, who shall enact appropriate legislation and do and perform any and all acts and things which may be necessary and proper to carry out these powers or any of the provisions of this charter.

The city shall not bargain collectively with any employee, group of employees, employee organizations, or any representative of any employee organization with respect to wages, hours, or working conditions, and the council shall be the final determinant of all wages, hours, and working conditions of all employees of the city. (Amended December 11, 1979)

#### **Section 2 - Number; selection**

The council shall consist of a mayor and six (6) councilmen elected from the city at large.

#### **Section 3 - Term of Mayor**

The term of office of the mayor shall commence at the conclusion of the second regularly scheduled voting session of the council in November following a primary or general election, and shall be for two (2) years or until his or her successor is elected and qualified. (Amended January 14, 1969; September 21, 1993)

#### **Section 4 - Terms of Councilmen**

The terms of council members shall commence at the conclusion of the second regularly scheduled voting session of the council in November following a primary or general election, and shall be for four (4) years or until their successors are elected and qualified. However, the terms of the present elected council shall not be shortened, and the present incumbents or their duly appointed successors shall serve their elected terms. (Amended January 14, 1969; September 21, 1993)

## **ARTICLE II (Continued):**

### **Section 5 - Qualifications**

The mayor and councilmen shall be qualified electors of the city one year prior to the primary election and shall hold no other public office for which they receive compensation except that of a notary public or a member of the National Guard, or naval or military reserve, and shall have resided in said city for one (1) year next preceding the date of such election or appointment. If the mayor or a councilman shall cease to possess any of these qualifications or shall be convicted of a felony, his office shall immediately become vacant. (Amended January 9, 1979; Amended November 2, 2010)

### **Section 6 - Duties of Mayor**

The mayor shall be the chairman of the council and preside over its deliberations. He may make and second motions and shall have a voice and vote in all its proceedings. He shall be a chief executive of the city government for all purposes and recognized by the governor for purposes of military law and civil defense and shall have executive but no regular administrative duties. (Amended January 14, 1969)

### **Section 7 - Mayor pro tempore**

The council shall designate one of its members as mayor pro tempore, who shall serve in such capacity at the pleasure of the council. The mayor pro tempore shall perform the duties of the mayor during his absence or disability.

### **Section 8 - Stipend of Mayor and Councilmen**

The stipend of the mayor shall be \$750.00 per month, not to exceed \$9,000.00 per year; and the stipend of the council members shall be \$500.00 per month, not to exceed \$6,000.00 per year. These stipends shall take effect on December 1, 1999. (Amended September 20, 1983; September 7, 1999)

### **Section 9 - Council to be judge of qualifications of its members**

The council shall be the judge of the election and qualifications of its members and for such purpose shall have power to subpoena witnesses and require the production of records, but the decision of the council in any case shall be subject to review by the courts.

## **ARTICLE II (Continued):**

### **Section 10 - Induction of Mayor and Council into office**

At the conclusion of the second regularly scheduled voting session of the council in November following a primary or general election, the council shall induct the newly elected mayor and council members, and designate a mayor pro tempore. (Amended December 11, 1979; September 21, 1993)

### **Section 11 - Absence to terminate membership**

If the mayor or any councilman shall be absent from more than two (2) consecutive called meetings without the consent of the council, he shall thereupon cease to hold office. (Amended January 9, 1979)

### **Section 12 - Vacancies in Council and Office of Mayor**

The council, by a majority vote of its remaining members, shall fill the vacancies in its own membership, and in the office of mayor, by either of the following:

- A. Appointment for the unexpired term.
- B. Appointment until the next November when Council members are seated if the vacancy occurs more than thirty days before the nomination petition deadline for the primary election. The nomination process provided by state election law shall be followed by candidates for such vacancy and shall be designated on the primary, and general if necessary, ballot as running for the "short term."

(Amended January 14, 1969; December 11, 1979; September 20, 1983; September 21, 1993; June 7, 2012)

### **Section 13 - Council meetings; open to public**

The council shall meet regularly at such times and at such places as may be prescribed by the rules, but not less frequently than two times each month. All meetings of the council shall be open to the public, except as noticed and held in compliance with State law. (Amended January 9, 1979)

## **ARTICLE II (Continued):**

### **Section 14 - Special meetings**

The mayor may, or at the request of three (3) members of the council shall, by giving notice thereof to all members of the council then in the city, call a special meeting of the council in accordance with State Statutes. Special meetings of the council may also be held at any time by the common consent of all the members of the council. (Amended November 2, 2010)

### **Section 15 - Rules of procedure; journal**

The council shall determine its own rules and order of business subject to the provisions of this charter. It shall keep a journal of its proceedings and the journal shall be open to public inspection during regular office hours.

### **Section 16 - Quorum; ayes and nays**

A majority of the members of the council shall constitute a quorum, but a smaller number may adjourn from day to day or from time to time. The vote on any question shall be by ayes and nays and shall be taken simultaneously at the request of any council member and shall be entered in the journal. (Amended December 11, 1979)

### **Section 17 - Failure to vote**

No member of the council present shall be excused from voting except upon matters involving the consideration of his own official conduct or involving a conflict of interest. In all other cases a failure to vote by a present council member shall be entered on the minutes as an affirmative vote. (Amended January 9, 1979; December 11, 1979)

### **Section 18 - Consideration of petitions**

Any citizen of the city may appear before the council at any regular meeting and present a written petition; such petition shall be acted upon by the council, in the regular course of business, within thirty (30) days.

## ARTICLE II (Continued):

### **Section 19 - Interference in administrative service**

Except as otherwise provided in this charter, neither the council nor any of its members shall interfere with the execution by the city manager of his powers and duties, or order, directly or indirectly, the appointment by the city manager of any person to an office or employment or his removal therefrom. Except for purposes of inquiry, the council and its members shall deal with the administrative service under the city manager solely through the city manager, and neither the council nor any member thereof shall give orders to any subordinate of the city manager, either publicly or privately.

### **Section 20 - Conduct of Council as to powers authorized by charter when no procedure established by state law**

Whenever, by any provisions of this charter, it is prescribed that any power, duty or procedure shall or may be exercised, performed or adopted in the manner established by any law of this state, and there be no procedure established by law therefor, then the council shall by either ordinance or resolution prescribe the procedure. (Amended September 21, 1993)

**PRESCOTT CITY CHARTER**  
**ARTICLE IX – ELECTIONS**

## **ARTICLE IX**

### **ELECTIONS**

#### **Section 1 - Permitted types of elections**

Elections to be held in the city shall be either primary, general or special.

- (a) Primary elections shall be held for the purposes of making nominations for the general election and electing officers as hereinafter provided, and for such other purposes as the council may prescribe.
- (b) General elections shall be held for the purposes of electing officers of the city and such other purposes as the council may prescribe.
- (c) All other municipal elections that may be held by authority of this charter, or of any law, shall be known as special elections.

#### **Section 2 - Application of state law**

The provisions of the laws of this state relating to and governing the nomination of elective officers and the conduct of elections, and each and every provision of said law, with all amendments thereto shall apply and shall govern the nomination of elective officers and the conduct of elections, except as otherwise provided in this charter. The council shall have the power to make any further and additional provisions relating to the nomination of officers and to the conduct of elections not repugnant nor contrary to the provisions of the laws of this state or the provisions of this charter.

#### **Section 3 - Qualifications of electors; registration; Candidates**

- A. The qualification of electors shall be as required by the constitution and laws of this state for state and county elections. Registration of voters shall be as required by the laws of this state and the register of qualified electors may be compiled from the general county register. (Amended May 18, 1976)
- B. The City Clerk shall perform the following ministerial duties with respect to nomination papers and nominating petitions:

## **ARTICLE IX – Section 3 (Continued):**

1. Verify that official candidates are qualified electors of the city for one year prior to the primary election, as required in Article II Section 5 of the Prescott City Charter.
2. Remove signatures of those signers on petitions who list an address outside of the City of Prescott.
3. Remove signatures of those signers that signed before the Statement of Organization or \$500 Threshold Exemption was filed.

(Amended November 2, 2010)

### **Section 4 - Arrangement of names not to reveal source of candidacy or support of candidates**

The names of the candidates for each office shall be arranged as provided by law and nothing on the ballot shall be indicative of the source of the candidacy or of the support of the candidate.

### **Section 5 - Time of holding primary election**

The primary election shall be held in the fall of every odd-numbered year on dates consistent with those permitted by State law. (Amended May 18, 1976; September 7, 1999; November 2, 2010)

### **Section 6 - Majority to elect in primary**

At the primary election any candidate who shall receive a majority of all the valid ballots cast at such election for that office shall be declared elected to the office for which he is a candidate, and no further election shall be held as to said candidate. (Amended September 20, 1983; November 2, 2010)

### **Section 7 - Nomination for general election**

If at any primary election there be any office or offices to which no candidate therefore was elected, then, said election shall be considered a primary election for the nomination of candidates for such office or offices, and a second or general election shall be held to vote for candidates to fill such office or offices. The candidates, not elected at such first election, equal in number to twice the number to be elected to any given office, or less if so

## **ARTICLE IX – Section 7 (Continued):**

there be, and who received the highest number of votes for the respective offices at such first election, shall be the only candidates at such second election. Candidates who do not qualify in the primary election shall not be eligible to move up and become candidates in the general election in the event a qualifying candidate withdraws for any reason from the general election or is deceased; provided, that if there be any person who under the provisions of this section, would have been entitled to become a candidate for any office except for the fact that some other candidate received an equal number of votes therefor, then all such persons receiving said equal number of votes shall likewise become candidates for such office. A qualifying candidate who elects to withdraw or a representative of a deceased candidate may request to have the candidate's name removed from the ballot provided that the request is made prior to the time required for printing of the ballots. In the event that any withdrawal results in fewer candidates than the number of vacant offices, the council shall appoint the officer(s) to fill the vacant position subsequent to the general election and prior to installation of new council members. (Amended November 2, 2010)

### **Section 8 - Time of holding general election**

The general election, if necessary, shall be held in November of every odd-numbered year. (Amended December 11, 1979; September 7, 1999)

### **Section 9 - Candidates receiving most votes to be elected**

The candidates equal in number to the persons to be elected who shall receive the highest number of votes at said general election shall be declared elected to such office.

### **Section 10 - Special elections**

The council shall provide the time, manner and means of holding any special election. All special elections shall be conducted in the same manner and under the same provisions as are provided for the holding of general elections.

**ARIZONA REVISED STATUTES**  
**TITLE 16 – ELECTIONS AND ELECTORS**

## **Title 16 - Elections and Electors**

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16-103	Qualified person temporarily absent from state; persons in the service of the United States
16-104	Registration in incorporated cities and towns
16-105	Registration required by city ordinance or charter
<b>Article 1.1</b>	<b>Driver's License Voter Registration</b>
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**COMMON MUNICIPAL**  
**ELECTION TERMINOLOGY**

# Common Municipal Election Terminology

**Note: This Glossary is intended for general reference only, it is not intended to be a final or legal document. Always check with your attorney and the statutes before making a final decision.**

**\$500 threshold exemption statement** – A statement required to be filed by a candidate and political committees that affirms that the committee intends to receive and/or expend less than \$500.

**All-mail ballot election** - Any election held only by mail.

**Alternative expenditure limit (same as Home Rule Option)** - By voter approval every four years, allows a community to determine locally what its spending limits will be rather than the formula-based limit imposed by the State of Arizona.

**ARS** – Arizona Revised Statutes.

**At-large** – An elected official that is elected by and represents the electors of an entire municipality, rather than a specific district or ward.

**Ballot** - Any material on which votes may be cast for candidates or measures.

**Ballot language** – The written measure, issue or question or names of candidates that appear on the ballot.

**Ballot to be verified** – A ballot that has been completed by a voter that is not listed on the precinct register. A county recorder must verify that the voter is a qualified elector within the precinct before being counted. No longer a term used by the state; ballots to be verified will now be referred to as “provisional ballots”.

**Board worker** – A member of an election board that has received instruction in and has passed a written examination on election law and procedures.

**Bond election** – An election that is required prior to the issue of any municipal bonds. Allows qualified electors of a municipality to authorize issuance of municipal bonds.

**Call of election** - Usually the first formal action taken by Council setting forth the date and reason for an election; and giving the dates for action by the public, for example the dates for filing of specified paperwork and registering to vote.

**Campaign contribution** – Any gift, subscription, loan, advance or deposit of money or anything of value made for the purpose of influencing an election.

**Campaign finance report** - A report required to be filed by candidates running for office listing expenditures and revenues.

**Campaign signs** – Printed material displayed publicly with the purpose of influencing an election.

**Candidate** - A person who is qualified and has filed to run for elected office.

**Candidate committee** – A political committee designated and authorized by a candidate.

**Candidate packet** - All materials required by law that a candidate must file to run for office including:

- Nomination paper
- Nomination petition
- Financial Disclosure Statement
- Statement of Organization as a Political Committee or a
- \$500 Threshold Exemption Statement

**Canvass** – The official results of the election that are maintained as public record of the election. The official canvass must contain specified information under ARS § 16-646.

**Certificate of election** – An official document signed by the city or town clerk that declares that the person receiving the highest number of votes cast is the person chosen to fill that office.

**Certificate of nomination** – A document that is given after the canvass of primary election results to the candidate, or candidates if more than one candidate is necessary, that has received the most votes. The document entitles the candidate to have his or her name placed upon the official ballot at the ensuing election as a nominee for the office.

**Challenge** – The act of questioning whether or not an elector is qualified to vote or sign a petition, or whether a candidate meets the qualifications set forth for office.

**Charter** - A written instrument that creates and defines powers, rights and privileges for a specific jurisdiction.

**Charter city** – A municipality with a population over 3,500 that has adopted a document known as a charter, which is similar to a constitution for a city, that outlines the basic governing procedures for the city. A charter city has more flexibility to delineate governing procedures for the city, rather than relying on the procedures outlined in Arizona law.

**Conflict of interest** – When an issue relating to a person’s or a person’s relatives’ private interests interferes in the course of the person’s professional duty. Arizona requires public officers and employees to declare when a conflict of interest exists. Arizona’s conflict of interest law is located in ARS § 38-501 through 38-511.

**Consolidated election dates** – Dates established by state law on which all elections are required to be held. Elections must occur on one of four dates: the second Tuesday in March; the third Tuesday in May; the eighth Tuesday before the first Tuesday after the first Monday in November; or the first Tuesday after the first Monday in November.

**Constituent** - A person served by an elected official, normally a voter or resident.

**Councilmember-at-large** - A councilmember that is elected by and represents the electors of an entire municipality, rather than a specific district or ward.

**Deadline** – A set time by which something must be done.

**Debt limit** - The maximum amount of debt that a governmental unit may incur under constitutional requirements.

**Disclosure** – The act of making something known to the public. Financial disclosure for elected officials is governed by ARS § 38-541 through 38-545.

**Early ballot** – The ballot used in early voting; required to be identical to the regular official ballot, except that it must be printed or stamped with the word “early.”

**Early voting** - A method by which a voter may cast a ballot other than at the polls on election day, either by mail or dropping off their ballot to a designated location prior to or on election day.

**Election board** – Officials appointed to ensure that all who are entitled to vote are permitted to do so and to prevent those who are not qualified to vote from voting. For municipal elections, election board membership is specified in ARS § 9-825.

**Election district** –The state, any county, city, town, precinct or other political subdivision or a special district which is not a political subdivision, which is authorized by statute to conduct an election and which is authorized or required to conduct its election in accordance with this Title 16.

**Election fraud** – The act of deliberate deception to unlawfully influence the results of an election.

**Election petition** - The documents required by law containing the necessary signatures to place a candidate's name or a measure on the ballot.

**Electioneering** - Any literature or action attempting to win votes in an election.

**Elector** – An individual qualified to vote. Also referred to as a voter.

**Expenditure limitation election** – An election that is required prior to adopting a permanent base adjustment or alternative to the state-imposed expenditure limit also known as the “Home Rule Option”. The alternative expenditure limit, or “Home Rule Option,” must be approved by a majority of qualified electors in a regular election and must be reauthorized every four years. The permanent base adjustment does not need to be reauthorized.

**Exploratory committee** – A political committee formed for the purpose of determining whether an individual will become a candidate or not.

**Form of government** – The way in which a municipality’s governing structure is established. Different forms of government include the mayor-council, weak mayor, strong mayor, commission or council-manager form of government.

**Franchise election** – An election that is required prior to a municipal corporation granting a franchise for a public utility. The franchise must be approved by a majority of the qualified electors voting at the election.

**General election** – An election held on the third Tuesday in May or the first Tuesday after the first Monday in November.

**General law city** – A municipality that has not adopted a city charter and must comply with the general provisions of Arizona law on city and town government and structure.

**Home Rule Option (Same as alternative expenditure limit)** - Allows a community to determine locally (by voter approval every four years) what its spending limit will be rather than using the formula-based limit imposed by the State of Arizona.

**Incumbent** - A person currently holding office.

**Initiative** - The people's right to initiate a measure, issue or question to be voted on by the people. To place an initiative on the ballot, petitions must be filed with a specified number of signatures. Petition signature requirements vary depending on the level of government.

**Initiative election** – The election at which a measure, issue or question placed on the ballot by the electors is decided.

**Majority** - A number greater than one half.

**Nomination paper** – The form filed with the appropriate office (ie. city or town clerk) by a person wishing to declare his or her intent to become a candidate for a particular political office.

**Nomination petition** – The form or forms used for obtaining the required number of signatures of qualified electors which is circulated by or on behalf of the person wishing to become a candidate for a political office.

**Non-partisan** - Representing no political party.

**Notice of election** - A published notice to the voters on date, time, location and purpose of an upcoming election.

**Oath of office** - A sworn declaration to uphold the law. (ARS 38-231).

**Ordinance** - An enforceable municipal law, statute or regulation that applies to all citizens within that municipality; penalty provisions may apply.

**Overlapping term** – A situation when the term of one elected office runs at the same time for part or all of the term of another elected office.

**Partisan** - Supporter of a particular political party.

**Penal provision** – Punishment for breaking a law or ordinance.

**Petition** – A form used to place a candidate, measure, issue or question on a ballot. Must receive the required number of signatures to qualify for the ballot.

**Political committee** – A committee formed to support or oppose any candidate, measure, issue or question.

**Poll** – Where an elector goes to vote.

**Poll list** - A list of persons, numbered in the order they vote. This list indicates the number of persons voting at each precinct

**Polling place** - The designated location within a precinct electors go to vote.

**Post-election** – Period after an election takes place. Provisions of Arizona law govern post-election procedures and requirements.

**Precinct** – A geographically defined voting district established by a county.

**Precinct register** - A list prepared by the County Recorder, of all qualified electors in each precinct for a specific election. Names are in alphabetical order, and information includes party preference, registration date and residential address. Electronic Precinct Registers also include mailing addresses, telephone numbers, birth date, occupation and 4-year voting history. The original copy is signed by the voter when they obtain a ballot and this becomes the signature roster.

**Pre-election** - Period before an election takes place. Provisions of Arizona law govern pre-election procedures and requirements.

**Presidential election** – Election that occurs every four years on the first Tuesday after the first Monday in November to select the President.

**Primary election** – Election held prior to a general election to nominate candidates for office.

**Proposition** - A proposed law, revision or amendment submitted to the voters at an election for approval or rejection.

**Public Officers Financial Disclosure Statement** – A form that all public officers are required to submit annually relating to the employment, business, property and investment interests, debt, gifts and finances of that officer and the officer's household.

**Publicity pamphlet** – Document that is required to be mailed to each household with a registered voter that contains information on each proposed measure or question on the ballot, including financial impacts and arguments for and against.

**Qualified elector** - A person that is properly registered to vote and who is a resident of the designated area (i.e. county, city, town, district, ward or precinct) at a specific time.

**Recall** - Procedure to remove an elected official from office by a vote of the people through an election process before the end of the official's term.

**Recall petition** - The documents required by law containing the necessary signatures to place a recall measure on the ballot.

**Recall election** – The election at which voters decide whether or not to retain an elected official in office before the end of the official’s term.

**Recount** - A superior court ordered action upon governing board certification of facts; usually because of a close election outcome to open the official returns and recount the ballots for a particular contest.

**Referendum** - The right of the people to refer legislation or ordinances passed by an elected body to a vote of the people through an election process for approval or denial. To place a referendum on the ballot, petitions must be filed with a specified number of signatures. Petition signature requirements vary depending on the level of government.

**Referendum election** – The election at which voters are asked to approve or deny legislation or an ordinance that has been passed by an elected body and has been ordered to the ballot by a petition of electors.

**Runoff election** – Another name for a general election.

**Sample ballot** – A ballot that is mailed to each household with a registered voter prior to an election which contains the candidates’ names, measures, questions and propositions as they would appear on the actual ballot. May contain information regarding the voter’s polling place.

**Signature roster** - The original precinct register, signed by the elector.

**Special election** – Election held to fill a vacancy in office or to decide a certain issue and held for only those specific purposes. (Must conform to consolidated elections dates)

**Standing political committee** – A political committee that is active in more than one reporting jurisdiction in the state for more than one year, files a statement of organization, and is any of the following: a separate fund, a political party, a committee organized for the purpose of making independent expenditures or a political organization.

**Statement of organization** – Statement that is required to be filed for each political committee that intends to accept contributions or make expenditures of more than \$500. Must contain information as specified in ARS § 16-902.01.

**Tally** – Any of the following: a total count of the votes for each candidate and for each question, a reckoning of the number of ballots issued to the number of ballots voted and counted, or the method used when counting paper ballots; the mark representing each vote, by a set of four short vertical lines crossed by a diagonal fifth line commonly used for numbering things in fives.

**Tally board** – A board appointed by a county board of supervisors that takes custody of the ballots from the closing of the polls until the tally of the ballots is completed. Membership and duties of the board are described in ARS § 16-531.

**Term** – The amount of time for which a person was elected or appointed to hold office.

**Term limit** – The maximum amount of time for which an officer may serve. Term limits may be imposed by charter or state law. Not available to general law cities or towns.

**Vote by mail** – The process of receiving a ballot in the mail, voting and returning the completed ballot in the mail or returning the completed ballot on election day at a polling place. Can be done by either requesting an early ballot or in an all-mail election.

**Voter** – An individual meeting the qualification to vote. Also referred to as an elector.

**Voter list** – A list prepared by each county recorder using county voter registration rolls for an election conducted under state law by a political subdivision. (ARS 16-172).

**Voter registration form** – A form provided by the Secretary of State used in the registration of electors.

**Write-in candidate** – A candidate whose name does not appear on the ballot but is qualified to have their name written on the ballot by the elector when they vote. Write-in candidates are required to file a nomination paper within fourteen days prior to the election.