



# Consolidated Elections

Presented by:

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# Why “Consolidated” ?

- ▶ In **2012** the Legislature amended A.R.S. § 16-204
  - ▶ City/Town candidate elections must be held on the same day as the Primary or General election in even-numbered years.
    - ▶ effectively banning all cities/towns from holding candidate elections on any other statutory election date
- ▶ City of Tucson and City of Phoenix filed a lawsuit seeking declaratory and injunctive relief against the State
  - ▶ arguing that the Arizona Constitution did not grant the legislature authority to preempt their charters, which mandated candidate election dates
    - ▶ conflicted with the new law
    - ▶ Trial Court granted judgment to the cities
    - ▶ The State appealed

# Why “Consolidated” ? *(continued)*

- ▶ Court of Appeals affirmed the Trial Court’s grant of a permanent injunction enjoining the State from requiring the City of Tucson and City of Phoenix to comply with the candidate election scheduling requirements in A.R.S. § 16-204, as amended.
  - ▶ The Court found that the legislation affected the method and manner of selecting the cities’ governing officers, which is a matter of local concern and the State did not provide evidence to demonstrate that the statute implicated a statewide interest. Therefore the law was preempted by the charters.
    - ▶ The State appealed.
- ▶ On April 7, 2015, the Arizona Supreme Court denied the State’s petition for review.
- ▶ **Therefore the permanent injunction remains in effect.**

**What does that mean for Cities & Towns?**

# What the final decision means:

- ▶ It means **Charter** Cities can choose to hold their candidate elections in March/May or Aug/Nov of the “off cycle” or any cycle date they want.
  - ▶ **Example:** City of Tempe & City of Goodyear hold their candidate elections in March. City of Phoenix holds their candidate elections in August & November of ODD numbered years.
- ▶ It means **Non-Charter** Cities/Towns must still hold their candidate elections during EVEN numbered years in August & November.
  - ▶ Non-Charter Cities/Towns can CONSOLIDATE onto County ballot **or** hold their own separate election – *Polling Place or All Mail*.
  - ▶ Maricopa County will NOT assist or conduct a separate election held in EVEN years during a countywide August Primary or November General
    - ▶ *the city/town would have to conduct this separate election themselves.*

# Non Partisan - “Independent” Voters

- ▶ A.R.S. § 16-467
- ▶ A. At primary elections there shall be provided a separate ballot for each party entitled to participate in the primary.
- ▶ B. For a voter who is registered as **independent, or no party preference or as a member of a political party that is not entitled to continued representation on the ballot** pursuant to section 16-804, **the voter shall designate the ballot of only one of the political parties that is entitled to continued representation on the ballot** and the judge of election shall give the elector only that political party's ballot.

# Notification to “Independent” Voters

➔ **90 Day Notice**  
(**REQUIRED** by statute)

➔ Mailed to ALL “IND” voters on the Permanent Early Voting List

<b>YOUR UPCOMING ELECTIONS</b> You can vote in the following elections:	
<b>SUS PRÓXIMAS ELECCIONES</b> Usted puede votar en las siguientes elecciones:	
ELECTION(S)/ELECCIÓN(ES):	PRIMARY & GENERAL ELECTION/ELECCIÓN
ELECTION DATE(S)/FECHA(S) DE ELECCIÓN:	08/26/2014 AND 11/04/2014
MAIL BALLOTS ON/ENVIAR LA BOLETA(S) AL:	07/31/2014 AND 10/09/2014
BALLOT LANGUAGE/IDIOMA DE LA BOLETA:	ENGLISH / INGLES

<b>PERMANENT EARLY VOTING LIST NOTICE</b> <b>AVISO PERMANENTE DE VOTACIÓN TEMPRANA</b>	
<b>ABOUT THIS NOTICE</b>	
<p>You are <b>NOT</b> registered with a political party. With this card you can:</p> <ul style="list-style-type: none"><li>• Select a party or city/town-only ballot for the PRIMARY. (NOTE: A ballot will <b>not</b> be sent for the <b>PRIMARY</b> if you do not respond.)</li></ul>	
<ul style="list-style-type: none"><li>• Request that no ballots for YOUR UPCOMING ELECTIONS be sent to you.</li><li>• Change your mailing or residence address.</li><li>• Request removal from the Permanent Early Voting List.</li></ul>	
<b>SOBRE ESTE AVISO</b>	
<p>Usted <b>NO</b> está inscrito con un partido político. Con esta tarjeta, usted puede:</p> <ul style="list-style-type: none"><li>• Seleccionar una boleta de partido o sólo de ciudad/pueblo para la elección PRIMARIA. (NOTA: <b>No</b> se le enviará una boleta para elección <b>PRIMARIA</b> si usted no responde.)</li><li>• Solicitar que no le envíen boletas para SUS PRÓXIMAS ELECCIONES.</li><li>• Cambiar su dirección postal o de domicilio.</li><li>• Solicitar que lo remuevan de la Lista Permanente de Votación Temprana.</li></ul>	

# 90 Day Notice – Ballot Choice

**1**  **Please send me a ballot for the PRIMARY election.** To participate in the PRIMARY, you **MUST** choose which party ballot you want to receive **OR** select the "city/town-only" ballot option. (A party ballot selection will NOT change your party affiliation.) You do not need to return this card to receive a ballot for the GENERAL election listed above.

**Por favor envíeme una boleta para la elección PRIMARIA.** Para participar en la elección PRIMARIA, usted **DEBE** escoger la boleta del partido que usted desea recibir **O** seleccionar la opción de boleta "sólo de ciudad/pueblo". (La selección de una boleta de partido **NO** cambiará su afiliación de partido). Usted no necesita devolver esta tarjeta para recibir una boleta para la elección GENERAL en la lista de arriba.

**Select which ballot you want to receive:**

City/Town-Only\* (if applicable)  
 Ciudad/Pueblo Solamente\* (Si se aplica)

Republican  
 Republicano

Democrat  
 Democrático

Libertarian  
 Libertario

Americans Elect  
 Americanos Eligen

\* Select this option if you want to vote in your city/town election but **do not** want to vote a political party ballot for the PRIMARY election. **HOWEVER, if you choose a political party ballot, note that it will also include the city/town candidate(s) or measure(s)**

\* Seleccione esta opción si desea votar en las elecciones de su ciudad/pueblo pero **no desea** recibir un boleta de partido político para la elección PRIMARIA. **SIN EMBARGO**, si usted escoge una boleta de partido político, ésta también incluirá el candidato(s) de ciudad/pueblo o medida(s).

**2**  **Please DO NOT send me a ballot for the elections listed above in YOUR UPCOMING ELECTIONS.** You will continue to receive notices for future elections unless you request removal from the Permanent Early Voting List. To remove your name, complete Box 4.

**Por favor NO me envíe una boleta para las elecciones enumeradas arriba en SUS PRÓXIMAS ELECCIONES.** Usted continuará recibiendo avisos para futuras elecciones a menos que usted solicite que lo remuevan de la Lista Permanente de Votación Temprana. Para remover su nombre, complete el Cuadrito 4.

**3**  **Please update my mailing address and/or residence address.** Please provide your name, address information, and date of birth in the spaces below.

**Por favor actualice mi dirección postal y/o de domicilio.** Por favor proporcione su nombre, información de dirección de domicilio y fecha de nacimiento en los espacios a continuación.

**4**  **Please remove my name from the Permanent Early Voting List.** To complete this request, you must write your name, residence address, and date of birth in the spaces provided below.

**Por favor remueva mi nombre de la Lista Permanente de Votación Temprana.** Para completar esta solicitud, usted debe escribir su nombre, dirección de domicilio y fecha de nacimiento en los espacios provistos a continuación.

**For Boxes 3 & 4**

Name / Nombre: JOHN ANTHONY SMITH JR Date of Birth / Fecha de Nacimiento: \_\_\_\_\_ - Required / Requerido -

Residence Address / Domicilio: \_\_\_\_\_ - Within the county / Dentro del condado -

**Por Cuadritos 3 y 4**

Mailing Address / Dirección Postal: \_\_\_\_\_ - \* For a PERMANENT update, mailing address must be within Arizona / \* Para una actualización PERMANENTE, la dirección de correo debe estar dentro de Arizona -

**Mailing Address above is: (Check boxes below that apply) / Dirección Postal arriba es: (Marque los cuadritos a continuación que se apliquen)**

For PRIMARY election / Para elección PRIMARIA

For GENERAL election / Para elección GENERAL

a PERMANENT update\* / una actualización PERMANENTE\*

If you checked **any** of the above boxes, please **sign and return** this card. Si usted marcó **alguno** de los cuadritos de arriba, por favor **firme y envíe** la tarjeta.



**X** \_\_\_\_\_

**Sign Legal Name / Firme con el Nombre Legal**

# Additional Notification by MCED

## ➔ **33 Day Notice**

- ➔ In 2014, MCED mailed to ALL “IND” voters on the Permanent Early Voting List that had not responded to the statutory 90 day notice.
- ➔ This secondary notice is NOT REQUIRED by statute.
- ➔ This secondary notice is being considered again for the 2016 cycle.

# Mail Ballot Request Information

## Early Ballot Requests

- ➔ **FIRST** day to request is **93 days prior** to each election
  - ➔ **May 29, 2016** – for the August 30, 2016 Primary Election
    - ➔ Voters can request for **BOTH** Primary & General elections on this date
  - ➔ **August 7, 2016** – for the November 8, 2016 General Election
    - ➔ This is the earliest date a **GENERAL ELECTION ONLY** request can be made
- ➔ **LAST** day to request a ballot to be mailed is **11 days prior** to each election
  - ➔ **August 19, 2016** – for the August 30, 2016 Primary Election
  - ➔ **October 28, 2016** – for the November 8, 2016 General Election

# Mail Ballot Request Information

## How to request an early ballot

**\*\*Independent Voters can make their Primary Ballot choice via any of the below methods\*\***

- Online at: [www.recorder.maricopa.gov/EVRequest](http://www.recorder.maricopa.gov/EVRequest)
- By Phone - **(602) 506-1511** or for TDD at (602) 506-2348
- In Writing – must include the following information: **Name, Residence Address, Mailing Address (for “**forwarding**” of a ballot to a temporary address), Date of Birth, Which Election (Voters who request an early ballot for the Primary Election will automatically be sent an early ballot for the General Election if not otherwise indicated), for **Primary ONLY: Ballot choice** (Party or City only) for INDEPENDENT Voters, and **Signature****

➤ Written requests for early ballots should be mailed to:

**Maricopa County Elections, Attn: Early Voting, 510 S. 3rd Ave, Phoenix AZ, 85003**

# Why not “All Mail” Ballot ?

MCED **cannot** conduct an ALL Mail election for a City or Town

- **if** the election is held on the same day as the Primary and General State/County Elections.
- Is this “new” ?
  - 2014 was the first time this was attempted
  - the consolidated election law did not prohibit as it had in years past
- MCED received numerous complaints
  - Voters & Elected Officials
  - Confusion
  - Frustration
- Why?.....

## 0508 - Queen Creek Precinct

Polling Location: Newell Barney Middle School

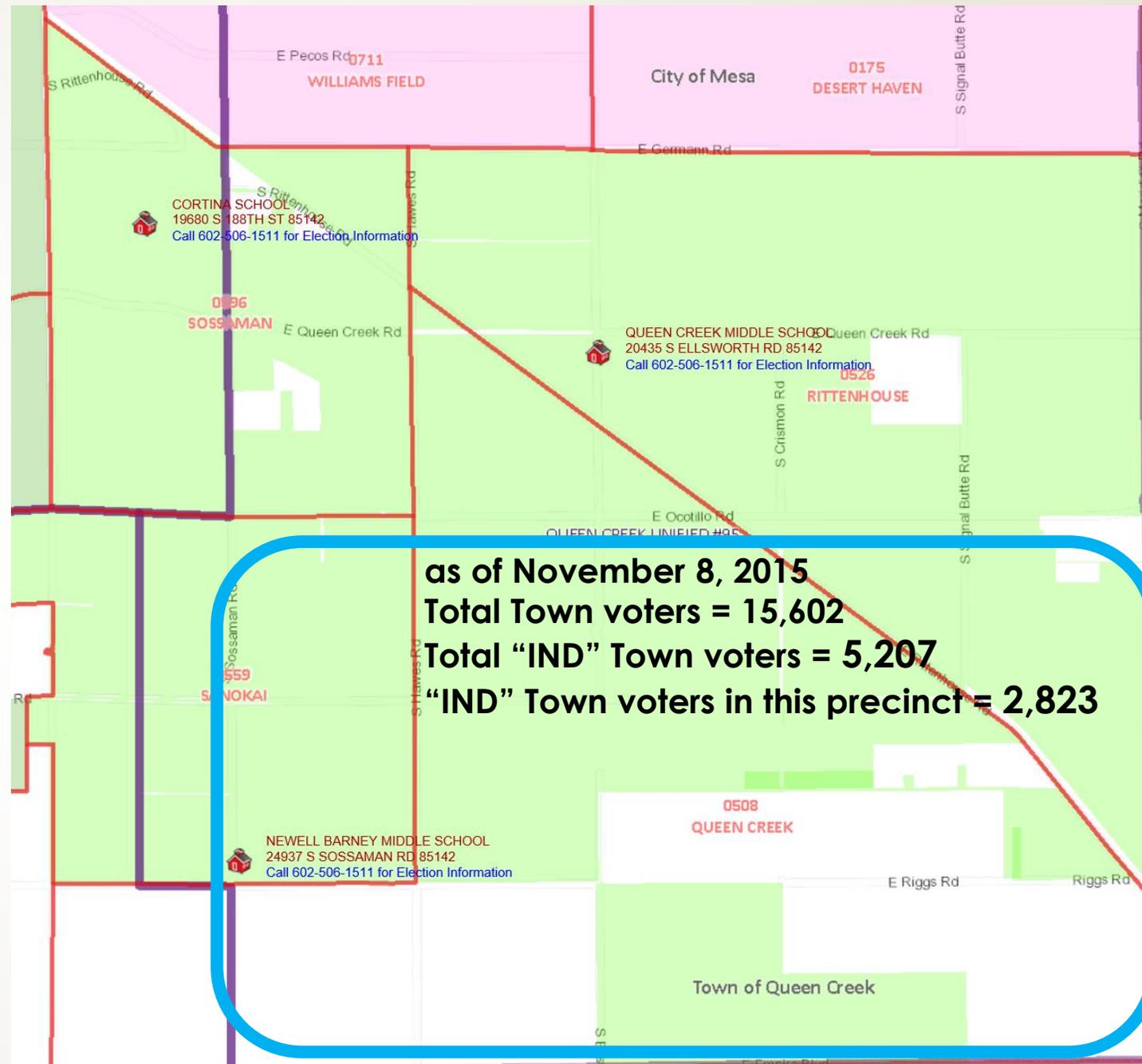
ALL **non town** voters - shown in white areas knowns as “county islands” were assigned to this polling location as required by law.

ALL **town** voters - shown in the shaded area were automatically mailed a ballot (including IND voters that responded to the notice(s) with their ballot choice – either Partisan or City Only)

**Town** voters that either a.) didn't receive their mail ballot, b.) received their mail ballot but chose not to vote it, c.) were “IND” and did not respond to the notices, on election day were required to vote at City Hall. They could not be assigned to the polling place.

For any election held by ALL Mail Ballot, polling locations are not assigned because every qualified elector is mailed a ballot or can vote at the designated replacement ballot offices (City/Town Clerk or MCED locations)

Confusing? Yes.....





# What is the cost for holding an election?

- ▶ County ballot
  - ▶ \$0.50 per registered voter
  - ▶ No Additional Charge for mail ballots
- ▶ Non-county ballot – Mail Ballot Only
  - ▶ \$2.12 per registered voter
- ▶ Non-county ballot – Polling Locations
  - ▶ \$1.37 per registered voter
  - ▶ **PLUS** \$2.12 per mail ballot



**Questions**

