

REFERENCE TITLE: Charter Counties

State of Arizona
Senate
Thirtieth Legislature
Second Regular Session

S. C. R. 1015

Introduced by

Sandra Clamor
Steve Anderson

A CONCURRENT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA RELATING TO COUNTIES;
PROVIDING FOR COUNTY CHARTERS, AND AMENDING ARTICLE 12, CONSTITUTION
OF ARIZONA, BY ADDING SECTIONS 5 THROUGH 8.

1 Be it resolved by the Senate of the State of Arizona, the House of
2 Representatives concurring:

3 1. The following amendment of article 12, Constitution of
4 Arizona, by adding sections 5 through 8, is proposed, to become
5 valid when approved by a majority of the qualified electors voting
6 thereon and upon proclamation of the governor:

7 5. Charter committee

8 SECTION 5. THE BOARD OF SUPERVISORS OF ANY COUNTY
9 HAVING A POPULATION OF MORE THAN THREE HUNDRED THOUSAND
10 PERSONS MAY CALL AN ELECTION OF A CHARTER COMMITTEE AT
11 ANY TIME. SUCH ELECTION SHALL BE CALLED BY THE BOARD OF
12 SUPERVISORS OF ANY SUCH COUNTY WITHIN TEN DAYS AFTER RE-
13 CEIPT OF A PETITION DEMANDING SUCH ELECTION, SIGNED BY
14 A NUMBER OF QUALIFIED ELECTORS RESIDING WITHIN SUCH COUNTY
15 EQUAL TO TEN PER CENT OF THE TOTAL NUMBER OF REGISTERED
16 VOTERS OF SUCH COUNTY AT THE LAST PRECEDING GENERAL ELEC-
17 TION. SUCH ELECTION SHALL BE HELD NO LATER THAN SIXTY
18 DAYS AFTER THE CALL THEREFORE. THE CHARTER COMMITTEE

1 SHALL BE COMPOSED OF FIFTEEN QUALIFIED ELECTORS OF SUCH
2 COUNTY WHO SHALL BE ELECTED AT LARGE BY THE QUALIFIED
3 ELECTORS THEREOF. THE CHARTER COMMITTEE SHALL, WITHIN
4 ONE HUNDRED TWENTY DAYS AFTER SUCH ELECTION, PREPARE A
5 PROPOSED CHARTER FOR SUCH COUNTY. SUCH PROPOSED CHARTER
6 SHALL BE SIGNED BY A MAJORITY OF THE MEMBERS OF SUCH
7 COMMITTEE AND FILED WITH THE CLERK OF THE BOARD OF SU-
8 PERVISORS. SUCH PROPOSED CHARTER SHALL THEN BE PUBLISHED
9 IN THE OFFICIAL NEWSPAPER OF THE COUNTY FOR AT LEAST
10 TWENTY-ONE DAYS, IF PUBLISHED IN A DAILY PAPER, OR IN
11 THREE CONSECUTIVE ISSUES, IF PUBLISHED IN A WEEKLY PAPER.
12 THE FIRST SUCH PUBLICATION SHALL BE MADE WITHIN SIXTY
13 DAYS AFTER THE COMPLETION OF THE PROPOSED CHARTER. WITH-
14 IN THIRTY DAYS, AND NOT EARLIER THAN TWENTY DAYS, AFTER
15 SUCH PUBLICATION, SUCH PROPOSED CHARTER SHALL BE SUBMITTED
16 TO THE VOTE OF THE QUALIFIED ELECTORS OF SUCH COUNTY AT
17 A GENERAL OR SPECIAL ELECTION. IF A MAJORITY OF SUCH
18 QUALIFIED ELECTORS VOTING THEREON RATIFY SUCH PROPOSED
19 CHARTER, IT SHALL BE SUBMITTED TO THE GOVERNOR FOR HIS
20 APPROVAL. THE GOVERNOR SHALL APPROVE SUCH CHARTER IF
21 IT IS NOT IN CONFLICT WITH THIS CONSTITUTION OR WITH THE
22 LAWS OF THE STATE. UPON SUCH APPROVAL, SUCH CHARTER
23 SHALL BECOME THE ORGANIC LAW OF SUCH COUNTY. A COPY
24 OF SUCH CHARTER, CERTIFIED BY THE CLERK OF THE BOARD
25 OF SUPERVISORS, AND AUTHENTICATED BY THE SEAL OF SUCH
26 COUNTY, TOGETHER WITH A STATEMENT SIMILARLY CERTIFIED
27 AND AUTHENTICATED SETTING FORTH THE SUBMISSION OF SUCH
28 CHARTER TO THE ELECTORS AND ITS RATIFICATION BY THEM,
29 SHALL, AFTER THE APPROVAL OF SUCH CHARTER BY THE GOVERNOR,
30 BE MADE IN DUPLICATE AND FILED, ONE COPY IN THE OFFICE OF
31 THE SECRETARY OF STATE AND THE OTHER COPY WITH THE CLERK
32 OF THE BOARD OF SUPERVISORS AFTER BEING RECORDED IN THE
33 OFFICE OF SUCH COUNTY RECORDER. THEREAFTER ALL COURTS

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SHALL TAKE JUDICIAL NOTICE OF SUCH CHARTER.

6. Amendment of charter

SECTION 6. A CHARTER MAY BE AMENDED BY AMENDMENTS PROPOSED AND SUBMITTED BY THE BOARD OF SUPERVISORS OF THE COUNTY, OR BY PETITION OF A NUMBER OF QUALIFIED ELECTORS EQUAL TO TEN PER CENT OF THE TOTAL NUMBER OF REGISTERED VOTERS OF SUCH COUNTY AT THE LAST PRECEDING GENERAL ELECTION, TO THE QUALIFIED ELECTORS THEREOF AT A GENERAL OR SPECIAL ELECTION, AND RATIFIED BY A MAJORITY OF THE QUALIFIED ELECTORS VOTING THEREON AND APPROVED BY THE GOVERNOR AS PROVIDED IN SECTION 5 OF THIS ARTICLE FOR THE APPROVAL OF THE CHARTER.

7. Surrender of charter

SECTION 7. THE CHARTER OF ANY COUNTY, ADOPTED UNDER THE AUTHORITY OF THIS ARTICLE, MAY BE SURRENDERED AND ANNULLED WITH THE ASSENT OF THE MAJORITY OF THE QUALIFIED ELECTORS OF SUCH COUNTY, VOTING AT A GENERAL OR SPECIAL ELECTION HELD FOR THAT PURPOSE. SUCH MEASURE SHALL BE PLACED ON THE BALLOT BY THE BOARD OF SUPERVISORS OF THE COUNTY UPON RECEIVING A WRITTEN PETITION, SIGNED AND CERTIFIED AS PROVIDED FOR THE PURPOSE OF THE ADOPTION OF CHARTERS, REQUESTING SUCH BOARD OF SUPERVISORS TO SUBMIT THE QUESTION OF THE SURRENDER AND ANNULMENT OF SUCH CHARTER TO THE QUALIFIED ELECTORS OF SUCH COUNTY. IF SUCH CHARTER IS SURRENDERED OR ANNULLED, SUCH COUNTY SHALL THEREAFTER BE GOVERNED UNDER GENERAL LAWS IN FORCE FOR THE GOVERNMENT OF COUNTIES.

8. County charter provisions

SECTION 8. ANY SUCH COUNTY MAY FRAME A CHARTER FOR ITS OWN GOVERNMENT CONSISTENT WITH AND SUBJECT TO THE CONSTITUTION AND LAWS OF THE STATE. WHENEVER ANY COUNTY HAS FRAMED AND ADOPTED A CHARTER AND SUCH CHARTER HAS BEEN APPROVED BY THE GOVERNOR AS PROVIDED IN THIS ARTICLE,

1 THEN SECTIONS 3 AND 4 OF THIS ARTICLE AND THE GENERAL
2 LAWS ADOPTED BY THE LEGISLATURE SHALL, AS TO SUCH
3 COUNTY, BE SUPERSEDED BY SUCH CHARTER AS TO MATTERS
4 FOR WHICH PROVISION IS MADE THEREIN, EXCEPT AS OTHER-
5 WISE EXPRESSLY PROVIDED IN THIS SECTION. THE COUNTY
6 CHARTER SHALL PROVIDE FOR:

7 1. A BOARD OF SUPERVISORS OF FIVE OR MORE
8 MEMBERS, THEIR COMPENSATION, TERMS AND REMOVAL.

9 2. OTHER OFFICERS, THEIR ELECTION OR APPOINT-
10 MENT, COMPENSATION, TERMS AND REMOVAL.

11 3. THE PERFORMANCE OF FUNCTIONS REQUIRED BY
12 STATUTE.

13 4. THE POWERS AND DUTIES OF THE BOARD OF SUPER-
14 VISORS AND ALL OTHER COUNTY OFFICERS, FOR CONSOLIDATION
15 AND SEGREGATION OF COUNTY OFFICERS, AND FOR THE MANNER
16 OF FILLING ALL VACANCIES OCCURRING THEREIN. ANY COUNTY
17 OFFICE MAY BE ABOLISHED WHEN ALL THE DUTIES OF THE OFFICE
18 PRESCRIBED BY LAW ARE TRANSFERRED TO ANOTHER OFFICE.

19 5. THE FIXING AND REGULATION BY THE BOARD OF
20 SUPERVISORS, BY ORDINANCE, OF THE APPOINTMENT AND NUM-
21 BER OF ASSISTANTS, DEPUTIES, CLERKS, ATTACHES, AND OTHER
22 PERSONS TO BE EMPLOYED, THE POWERS, DUTIES, QUALIFICATIONS,
23 AND COMPENSATION OF SUCH PERSONS, THE TIMES AT WHICH, THE
24 TERMS FOR WHICH THEY SHALL BE APPOINTED, AND THE MANNER OF
25 THEIR APPOINTMENT AND REMOVAL.

26 6. CHARTER COUNTIES SHALL HAVE ALL THE POWERS THAT
27 ARE PROVIDED BY THIS CONSTITUTION OR BY STATUTE FOR COUNTIES.

28 2. The proposed amendment (approved by a majority of the members
29 elected to each house of the legislature, and entered upon the respective
30 journals thereof, together with the ayes and nays thereon) shall be by the
31 secretary of state submitted to the qualified electors at the next regular
32 general election (or at a special election called for that purpose), as
33 provided by article 21, Constitution of Arizona.