

REFERENCE TITLE: **community college boards; membership**

State of Arizona
Senate
Forty-ninth Legislature
Second Regular Session
2010

SB 1175

Introduced by
Senator Gray L

AN ACT

**AMENDING SECTIONS 15-1441 AND 16-322, ARIZONA REVISED STATUTES; RELATING TO
COMMUNITY COLLEGES.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 15-1441, Arizona Revised Statutes, is amended to
3 read:

4 15-1441. Selection of precincts; district board members; terms;
5 qualifications; vacancies

6 A. The board of supervisors shall establish in the same manner as
7 provided in section 16-411 five precincts in a community college district for
8 the election of a district board member from each precinct. A precinct in a
9 community college district shall be composed of the number of election
10 precincts as determined by the board of supervisors and shall have the same
11 boundaries as are defined for the election precincts under section 16-411. If
12 the board of supervisors redefines the boundaries of election precincts under
13 section 16-411 ~~which~~ THAT are included within a precinct in a community
14 college district, the board of supervisors shall redefine the boundaries of
15 the precinct in the community college district to conform with the election
16 precinct changes. The precincts shall be established in a newly organized
17 district subsequent to the organizational vote, and the county school
18 superintendent shall appoint five members, one from each precinct, who are
19 qualified electors.

20 B. Where two or more counties constitute a district, as many precincts
21 shall be set up by the board of supervisors in each county as the county is
22 entitled to membership. In no case shall a county ~~which~~ THAT is part of a
23 district have more than four precincts, and where a district consists of two
24 or more counties at least one member shall reside in each county.

25 C. At the first general election held for a district, the candidate
26 having the most votes in each precinct shall be declared elected, provided
27 the candidate meets the requirements provided in subsection A of this
28 section. The two elected members having the highest number of votes receive
29 six year terms, the two elected members receiving the next highest number of
30 votes receive four year terms and the one elected member receiving the lowest
31 number of votes receives a two year term. Thereafter each member's term is
32 six years.

33 D. The next general election of district board members following the
34 first general election shall be for the precinct where the elected candidate
35 received the lowest number of votes and the second general election for the
36 two precincts where the elected candidates received the next highest number
37 of votes and the third general election for the two precincts where the
38 elected candidates received the highest number of votes. The order of
39 elections as established through this procedure shall thereafter be the order
40 of precinct elections.

41 E. Vacancies shall be filled by appointment by the county school
42 superintendent for the unexpired term for the precinct where the vacancy
43 occurs, except that if the unexpired term is two years or longer, the county
44 school superintendent may do one of the following:

1 1. Make an appointment for a term, which shall be until the next
2 regular election for district board members, at which time a successor shall
3 be elected to serve the unexpired portion of the term.

4 2. With the approval of the district board, leave the vacancy until
5 the next regular election for governing board members, at which time a
6 successor shall be elected to serve the unexpired portion of the term.

7 F. When a vacancy occurs in a district with more than one county, the
8 county school superintendent of the county where the previous incumbent
9 resided shall fill the appointment for the unexpired term.

10 G. A county officer as provided in section 11-401 is not eligible to
11 serve as a member of a community college district governing board during his
12 term of office.

13 H. Employees of a community college district or their spouses are not
14 eligible to hold membership on the community college district governing board
15 in the district in which the employee is employed.

16 I. IN ADDITION TO THE GOVERNING BOARD MEMBERS WHO ARE ELECTED FROM
17 EACH OF THE FIVE PRECINCTS IN A COMMUNITY COLLEGE DISTRICT, THE BOARD OF
18 SUPERVISORS OF A COUNTY WITH A POPULATION OF AT LEAST THREE MILLION PERSONS
19 SHALL SELECT TWO ADDITIONAL GOVERNING BOARD MEMBERS FROM THE DISTRICT AT
20 LARGE. THE COMMUNITY COLLEGE DISTRICT SHALL PUBLISH A NOTICE ON THE
21 DISTRICT'S WEBSITE FOR AT LEAST THIRTY CONSECUTIVE DAYS THAT INVITES COUNTY
22 RESIDENTS TO APPLY FOR THE AT-LARGE APPOINTMENTS. THE COUNTY SCHOOL
23 SUPERINTENDENT SHALL SELECT AND FORWARD TO THE BOARD OF SUPERVISORS THE NAMES
24 OF AT LEAST THREE PERSONS WHO APPLIED FOR EACH AT-LARGE POSITION. THE BOARD
25 OF SUPERVISORS SHALL SELECT ONE MEMBER FROM THE LIST OF NAMES TO FILL EACH
26 AT-LARGE POSITION ON THE DISTRICT GOVERNING BOARD. AT THE INITIAL
27 APPOINTMENT OF THE TWO AT-LARGE MEMBERS, THE BOARD OF SUPERVISORS SHALL
28 DESIGNATE ONE AT-LARGE MEMBER TO SERVE A FOUR YEAR TERM, AND THE OTHER
29 AT-LARGE MEMBER SHALL SERVE A TWO YEAR TERM. THEREAFTER EACH AT-LARGE
30 MEMBER'S TERM IS SIX YEARS.

31 Sec. 2. Section 16-322, Arizona Revised Statutes, is amended to read:
32 16-322. Number of signatures required on nomination petitions

33 A. Nomination petitions shall be signed:

34 1. If for a candidate for the office of United States senator or for a
35 state office, excepting members of the legislature and superior court judges,
36 by a number of qualified electors who are qualified to vote for the candidate
37 whose nomination petition they are signing equal to at least one-half of one
38 per cent of the voter registration of the party of the candidate in at least
39 three counties in the state, but not less than one-half of one per cent nor
40 more than ten per cent of the total voter registration of the candidate's
41 party in the state.

42 2. If for a candidate for the office of representative in Congress, by
43 a number of qualified electors who are qualified to vote for the candidate
44 whose nomination petition they are signing equal to at least one-half of one
45 per cent but not more than ten per cent of the total voter registration of

1 the party designated in the district from which such representative shall be
2 elected.

3 3. If for a candidate for the office of member of the legislature, by
4 a number of qualified electors who are qualified to vote for the candidate
5 whose nomination petition they are signing equal to at least one per cent but
6 not more than three per cent of the total voter registration of the party
7 designated in the district from which the member of the legislature may be
8 elected.

9 4. If for a candidate for a county office or superior court judge, by
10 a number of qualified electors who are qualified to vote for the candidate
11 whose nomination petition they are signing equal to at least two per cent but
12 not more than ten per cent of the total voter registration of the party
13 designated in the county or district, provided that in counties with a
14 population of two hundred thousand persons or more, a candidate for a county
15 office shall have nomination petitions signed by a number of qualified
16 electors who are qualified to vote for the candidate whose nomination
17 petition they are signing equal to at least one-half of one per cent but not
18 more than ten per cent of the total voter registration of the party
19 designated in the county or district.

20 5. If for a candidate for a community college district, by a number of
21 qualified electors who are qualified to vote for the candidate whose
22 nomination petition they are signing equal to at least ~~one-half~~ ONE-QUARTER
23 of one per cent but not more than ten per cent of the total voter
24 registration in the precinct as established pursuant to section 15-1441.
25 NOTWITHSTANDING THE TOTAL VOTER REGISTRATION IN THE COMMUNITY COLLEGE
26 DISTRICT, THE MAXIMUM NUMBER OF SIGNATURES REQUIRED BY THIS PARAGRAPH IS FOUR
27 HUNDRED.

28 6. If for a candidate for county precinct committeeman, by a number of
29 qualified electors who are qualified to vote for the candidate whose
30 nomination petition they are signing equal to at least two per cent but not
31 more than ten per cent of the party voter registration in the precinct or ten
32 signatures, whichever is less.

33 7. If for a candidate for justice of the peace or constable, by a
34 number of qualified electors who are qualified to vote for the candidate
35 whose nomination petition they are signing equal to at least two per cent but
36 not more than ten per cent of the party voter registration in the precinct.

37 8. If for a candidate for mayor or other office nominated by a city at
38 large, by a number of qualified electors who are qualified to vote for the
39 candidate whose nomination petition they are signing equal to at least five
40 per cent and not more than ten per cent of the designated party vote in the
41 city, except that a city that chooses to hold nonpartisan elections may by
42 ordinance provide that the minimum number of signatures required for the
43 candidate be one thousand signatures or five per cent of the vote in the
44 city, whichever is less, but not more than ten per cent of the vote in the
45 city.

1 9. If for an office nominated by ward, precinct or other district of a
2 city, by a number of qualified electors who are qualified to vote for the
3 candidate whose nomination petition they are signing equal to at least five
4 per cent and not more than ten per cent of the designated party vote in the
5 ward, precinct or other district.

6 10. If for a candidate for an office nominated by a town at large, by a
7 number of qualified electors who are qualified to vote for the candidate
8 whose nomination petition they are signing equal to at least five per cent
9 and not more than ten per cent of the vote in the town.

10 11. If for a candidate for a governing board of a school district, by a
11 number of qualified electors who are qualified to vote for the candidate
12 whose nomination petition they are signing equal to at least one-half of one
13 per cent of the total voter registration in the school district if the
14 governing board members are elected at large or one per cent of the total
15 voter registration in the single member district if governing board members
16 or joint technological education district board members are elected from
17 single member districts. Notwithstanding the total voter registration in the
18 school district or single member district, the maximum number of signatures
19 required by this paragraph is four hundred.

20 12. If for a candidate for a governing body of a special district as
21 described in title 48, by a number of qualified electors who are qualified to
22 vote for the candidate whose nomination petition they are signing equal to at
23 least one-half of one per cent of the vote in the special district but not
24 more than two hundred fifty and not fewer than five signatures.

25 B. The basis of percentage in each instance referred to in subsection
26 A of this section, except in cities, towns and school districts, shall be the
27 number of voters registered in the designated party of the candidate as
28 reported pursuant to section 16-168, subsection G on March 1 of the year in
29 which the general election is held. In cities, the basis of percentage shall
30 be the vote of the party for mayor at the last preceding election at which a
31 mayor was elected. In towns, the basis of percentage shall be the highest
32 vote cast for an elected official of the town at the last preceding election
33 at which an official of the town was elected. In school districts, the basis
34 of percentage shall be the total number of voters registered in the school
35 district or single member district, whichever applies. The total number of
36 voters registered for school districts shall be calculated using the periodic
37 reports prepared by the county recorder pursuant to section 16-168,
38 subsection G. The count that is reported on March 1 of the year in which the
39 general election is held shall be the basis for the calculation of total
40 voter registration for school districts.

41 C. In primary elections the signature requirement for party nominees,
42 other than nominees of the parties entitled to continued representation
43 pursuant to section 16-804, is at least one-tenth of one per cent of the
44 total vote for the winning candidate or candidates for governor or
45 presidential electors at the last general election within the district.

1 Signatures must be obtained from qualified electors who are qualified to vote
2 for the candidate whose nomination petition they are signing.

3 D. If new boundaries for congressional districts, legislative
4 districts, supervisorial districts, justice precincts or election precincts
5 are established and effective subsequent to March 1 of the year of a general
6 election and prior to the date for filing of nomination petitions, the basis
7 for determining the required number of nomination petition signatures is the
8 number of registered voters in the designated party of the candidate in the
9 elective office, district or precinct on the day the new districts or
10 precincts are effective.