

To: Senate Elections, Ethics, and Local Government

From: Trey Cocking, Deputy Director

Date: February 8, 2018

RE: Testimony in support of SB 325

Madam Chairwoman and Committee, thank you for the opportunity to testify in support of SB 325. The legislative change from spring elections to fall elections, which occurred for the first time in 2017, created several issues for cities. One of the challenges is a longer election period and transition period.

Prior to the change in law, candidates filed for election in late January, the primary was in late February, the general election was in early April, and then the new governing body members were seated at the next regular meeting following the canvass typically in late April. However, under the new law, June 1 is the filing deadline, the primary election is the first Tuesday in August, the general election is the first Tuesday in November following the first Monday, and elected officials take office on second Monday of January. The new process has essentially doubled the length of time between candidates filing for office and taking office. This change also presented a problem with the swearing-in of new officials. Typically this happens at governing body meetings; cities have had to make significant changes to their traditional meeting schedules to accommodate the changes.

We have had numerous conversations with cities across the state regarding this issue; consensus on the topic is difficult to find. A few cities want to eliminate lame-duck periods and have the swearing in as soon as possible. Others would like a couple of weeks to get name plaques and cards ordered and have the new office holders sworn-in in early December. Additionally, others would like to finish the fiscal year, which allows time to train new elected officials, and have the new elected officials take office in January. The one common theme is that not one city likes the existing law requiring swearing in on the second Monday in January. In order to meet the needs of our members, the League is proposing the following language at the end of the sentences on lines 17 and 35 of page 3:

provided, any municipality may adopt an ordinance establishing that terms of office commence after such date, as long as the terms of office commence no later than the second Friday in January following certification of the election. No such ordinance shall be adopted

between the first Tuesday in August immediately preceding a city election and the second Friday in January following certification of a city election, and may not be amended or repealed until four years after adoption. All existing ordinances and charter ordinances relating to the terms of the city governing body shall remain in effect until amended or repealed by such city.

Thank you for the opportunity to testify in support of SB 325. We respectfully request the bill be amended and favorably passed out of committee for the entire Senate to debate this important issue.