

## MARICOPA COUNTY ELECTION DEPARTMENT CHARTER

(An Agreement among the BOARD OF SUPERVISORS, CLERK OF THE BOARD OF SUPERVISORS and COUNTY RECORDER outlining their intentions for the management of election-related activities in Maricopa County)

The Maricopa County Recorder, the Board of Supervisors and the Clerk of the Board of Supervisors are charged by Arizona Statutes with the responsibility of accomplishing certain election-related activities. The Board, the Clerk, and the Recorder agree in concept that all election-related activities should, for sound economic reasons, efficiency, and public convenience, be handled by a single department. The Board, Clerk, and Recorder further recognize that each is responsible, under Arizona Statutes for specific election activities, and the responsibility for those activities may not be abdicated.

### I. Current Status

A. In May 1977, the Board and the Clerk, recognizing their right to delegate their operational and administrative authority, further recognizing the efficiencies and public good to be derived, and reposing special trust and confidence in the fidelity and abilities of the County Recorder, did verbally appoint him to act operationally and administratively on their behalf on all management matters concerning the Department of Elections.

B. The Board directed the County Manager to make appropriate changes in the Maricopa County Functional Chart to reflect the new reporting relationship between the Director of Election and the County Recorder. The Director of Elections, a county officer outside the merit system, retained his appointments as Deputy Recorder, Deputy Recorder, and Deputy Clerk of the Board of Supervisors in order to insure the lawful performance, by his department, of all the duties and activities required by Arizona Statutes in the election process.



## II. Statement of Intent

A. It is the intent of the current Board of Supervisors, Clerk of the Board of Supervisors, and County Recorder to continue the above functional management relationship, and by this agreement document the understanding, by all parties that:

1. The responsibilities required individually by Arizona Statutes, with regards to elections, are individually retained.

2. The operational and administrative authority to carry out these activities is delegated to the County Recorder.

3. The Director of Elections, a county officer outside the merit system, is charged with the management responsibility of the Elections Department; reporting on all matters of administration and operations, including personnel, budget, and expenditures, to the County Recorder.

4. The Director of Elections will continue to advise the Board of Supervisors and Clerk of the Board of Supervisors on elections matters relating to their individual responsibilities under the Arizona Statutes. When doing so, he will keep the County Recorder informed of such advice and/or recommendations given in his capacity as their deputy.

5. Nothing in the above or following paragraphs is intended to grant policy making authority to the County Recorder for any election matter which is the retained responsibility of the Board of Supervisors or Clerk of the Board of Supervisors under the Arizona Statutes.

6. Nothing in the above or following paragraphs is intended to grant persons, other than the County Recorder, the authority to issue operational or administrative instructions to the Director of Elections or members of his department when such instructions do not relate directly to responsibilities under Arizona Statutes.

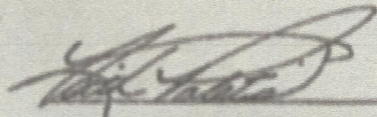
7. Instructions or policy decisions given to the Director of Elections which do pertain or relate directly to the responsibilities, under Arizona Statutes, of officials, other than the County Recorder, will normally be communicated to him via the County Recorder, in order to keep the Recorder informed for appropriate administrative efficiency.




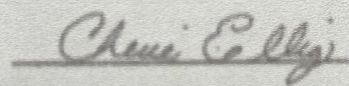
B. The Director of Elections, an officer outside the merit system, serves as manager of the Elections Department at the pleasure of the County Recorder.

B. The County Manager is further charged by this document with responsibility for rendering the technical assistance and advisory relationships required by the County Recorder in carrying out the administrative and operational matters delegated and authorized by this agreement.

Dated this 19<sup>th</sup> day of February, 1985.

  
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County Recorder

  
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Chairman of the Board

  
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Clerk of the Board