

ARIZONA COUNTY
RECORDERS ASSOCIATION

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PATTY HANSEN, COCONINO COUNTY RECORDER, PRESIDENT
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WENDY JOHN, GRAHAM COUNTY RECORDER, SECRETARY/TREASURER

March 29, 2017

Apache County
Edison Wauneka

Cochise County
David Stevens

Coconino County
Patty Hansen

Gila County
Sadie Bingham

Graham County
Wendy John

Greenlee County
Berta Manuz

La Paz County
Shelly Baker

Maricopa County
Adrian Fontes

Mohave County
Kristi Blair

Navajo County
Doris Clark

Pima County
F. Ann Rodriguez

Pinal County
Virginia Ross

Santa Cruz County
Suzie Sainz

Yavapai County
Leslie Hoffman

Yuma County
Robyn Pouquette

The Honorable Doug Ducey
Arizona Governor
1700 W. Washington Street
Phoenix, AZ 85007

Re: Veto Request HB2412 Voter Registration Records; Petition Submittals

Dear Governor Ducey:

As the duly elected County Recorders from all of the counties in Arizona, we write to you today to request that you veto HB2412 Voter Registration Records; Petition Submittals. We recognize the importance of the introduced version of the bill which modifies the fee structure to acquire the voter list, a necessary component for the state to be successful with the Project Vote lawsuit. However, a late addition floor amendment was added in the Senate and it is this amendment that is problematic. Unfortunately, as is common with floor amendments, no advance notice was given and County Recorders were not consulted prior to the adoption of the amendment. This amendment extends the County Recorders statutory responsibility to prepare and distribute copies of the official precinct registers and other lists when requested, to include the Secretary of State and other officers in charge of elections.

Our objections to the Senate floor amendment are as follows:

1. County Recorders are statutorily tasked with being the custodians of this information and broadening that authority beyond the entity that collects, inputs, and maintains the data is inappropriate. The creation and maintenance of the voter registration rolls lies squarely with the elected County Recorder as outlined in Title 16, Article 5 and that system has worked well for Arizona. The Project Vote lawsuit deals specifically with the financial burden placed on those who want the full voter list in Maricopa and Pima counties. The cost of the list is fixed by the introduced version of HB2412. The Senate floor amendment does not address cost at all, it only adds a new "list creator" to the mix. Advocacy groups or political parties are accustomed to going to counties for this information, because counties are the keepers of these records. There is nothing in the Project Vote lawsuit that indicates the record keepers need to be expanded to include the Secretary of State.
2. The term "other officers in charge of elections" is also significantly overbroad. That term includes Elections Directors and city and town clerks. The floor amendment will allow those individuals to have not only direct access to voter registration records, but also to issue reports to outside entities that includes voter registration information. The Recorders have spent significant time and effort in safeguarding voter registration information, including those who are address protected. Greatly expanding who may release data from the voter registration files serves no legitimate election need, does not address the complaints in the Project Vote lawsuit and places the safety and security of the confidential information in the voter registration database at risk.
3. The "other officers in charge of elections" language also raises significant concerns about training. While that phrase is used throughout Title 16, it was noticeably missing from 16-168(E) until this floor amendment because there is a significant training component associated with being

granted access to the software that manages the voter registration rolls. Are counties now required to provide training to city and town clerks if they request access?

4. It has been suggested that the reason for the amendment was to ensure that *if* the Secretary of State generates a list they are bound by the new fee structure. The new fee structure would be the only fee structure in statute so of course it would govern costs. However, the Secretary of State cannot generate lists without the language in the amendment so there was no need to specify cost consistency for an entity that could not generate lists in the first place.

As the Recorders Association we supported HB2412 as it moved through the process. We even added an amendment to the bill when it was in the House to address an issue related to transmittal of the "date of death". However, there was no opportunity to publicly weigh in on the Senate floor amendment. We believe there is enough time left in the session to incorporate the House Engrossed version of HB2412 into another bill or perhaps one of the budget bills. This would allow the solution for the Project Vote lawsuit to still pass this session, just not in HB2412.

We respectfully ask that you veto HB2412 Voter Registration Records; Petition Submittals and encourage the Legislature to incorporate the House Engrossed version into another bill.

Respectfully,



Patty Hansen – Coconino
President, Recorders Association



Leslie Hoffman – Yavapai
Vice-President, Recorders Association



Edison Wauneka – Apache



David Stevens – Cochise



Sadie Bingham – Gila



Wendy John – Graham



Berta Manuz – Greenlee



Shelly Baker – La Paz



Adrian Fontes – Maricopa



Kristi Blair – Mohave



Doris Clark – Navajo



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Suzie Sainz – Santa Cruz



Robyn Pouquette – Yuma