



Media Contact:
Ken Strobeck, Executive Director
League of Arizona Cities and Towns
602-258-5786
kstrobeck@azleague.org

FOR IMMEDIATE RELEASE

LEAGUE CALLS ON GOVERNOR DUCEY TO VETO “CITY PUNISHMENT” BILL

PHOENIX (March 17, 2016) – The League of Arizona Cities and Towns is calling on Governor Doug Ducey to veto SB1487: state law; local violations; penalties (Biggs). The following is the text of a veto request letter sent to the Governor today:

*The Honorable Doug Ducey
Governor of Arizona
1700 West Washington Street
Phoenix, AZ 85007*

Dear Governor Ducey:

The League of Arizona Cities and Towns representing all 91 municipalities in the state, requests your veto of SB1487: state law; local violations; penalties.

This bill is heavy-handed, intrusive and minimizes the important role of local elected officials.

In Arizona, cities and towns are governed by local mayors and council members, each of whom takes an oath to uphold the Constitution of the state and the laws of the state. Yet, this bill second-guesses their deliberations and decisions, prosecutes them in a likely unconstitutional manner, and punishes them without the benefit of due process. The elimination of shared revenue from cities and towns is a crippling and unjust penalty since it represents an average of 40% of a city’s general fund.

What possible hubris could drive one single legislator to think he or she has more wisdom than the local elected officials who have been chosen by the voters to govern their communities? What happened to the principle of “presumption of innocence” in our legal system?

People at all levels of government can have honest disagreements about the constitutionality of any particular statute or ordinance, or the limits of a local city charter. These questions have been raised throughout the 104-year existence of the State of Arizona, and they have been resolved in the appropriate forum—a court of law that provides due process, deliberation on the facts and creates established case law that provides guidance to all people in the future. This bill makes a mockery of that process.

Perhaps its worst feature is that it sets up a statutory animosity between the state government and municipal government. Rather than providing ways we can work together to benefit all the citizens of our state—with nearly 80 per cent of them

living in a city or town—it creates an atmosphere of hostility and mistrust. State leaders should be concerned about the success of cities and towns and their ability to effectively and efficiently serve their constituents, rather than seeking new ways to punish them for real or imagined transgressions.

With all of the important issues facing the state, it seems unfathomable that this legislation was inspired by the City of Bisbee—population 5,500, incorporated in 1902 (ten years before Arizona became a state), local charter adopted in 1988—which decided to ban plastic shopping bags in their city and, after state legislation was passed last year prohibiting such bans, concluded that this issue was a matter of strictly local concern under their charter.

Whether this is a purely local issue that should be governed by city charter or by state statute, is a matter for the courts to decide. It certainly should not be resolved in the draconian manner provided for in SB1487.

The League of Arizona Cities and Towns respectfully asks that you veto this bill.

Sincerely,

Mark Mitchell, Mayor of Tempe, League President

Jay Tibshraeny, Mayor of Chandler, League Vice President

Mark Nexsen, Mayor of Lake Havasu City, League Treasurer

###

About the League:

The League of Arizona Cities and Towns is a voluntary association of all the 91 incorporated cities and towns in the state of Arizona. It provides policy and legislative advocacy, information and inquiry services, along with publications and educational programs to strengthen the quality and efficiency of municipal government. It was founded in 1937 to serve the interests of cities and towns and to preserve the principles of home rule and local determination. For more information, visit www.azleague.org