



Request for City Council Committee Action from the City Attorney's Office

Date: July 16, 2014

To: Intergovernmental Relations Committee of the City Council

Referral to:

Subject: Recommended language and title for ballot question pertaining to election filing fee and signature petition provisions in the City Charter.

Recommendation: That the City Council adopt by resolution the ballot language and title as prepared by the City Attorney's Office for the Charter Commission's proposed filing fee amendment to the City Charter for placement on the November 2014 general election ballot.

Previous Directives:

Department Information

Prepared by: Burt T. Osborne, Assistant City Attorney
Approved by: Susan Segal, City Attorney
Presenters in Committee: Susan Segal, City Attorney

Reviews

n/a

Financial Impact

- No financial impact

Supporting Information

On July 2, 2014, the Charter Commission considered an amendment to the City Charter concerning the filing fees for the offices of Mayor, City Council Member, Board of Estimate and Taxation Member, and Park & Recreation Commissioner. The fees for those offices are currently \$20 pursuant to state law. The Charter Commission also considered adding a provision embodying state election law regarding a potential candidate's right to present a signature petition in place of any filing fee in order to be placed on the ballot. The Commission voted to recommend the City Charter be amended adding the following text to the Charter as set forth below:

§3.4 Candidacy

- (a) **Affidavit of candidacy. A candidate's name appears on the ballot if the candidate files an affidavit of candidacy with the city clerk and either –**
- (1) **Pays to the clerk the filing fee for which section 3.4(b) provides, or**
 - (2) **Presents to the clerk a petition in place of the filing fee with the number of signatures for which the Minnesota election law provides.**
- (b) **Filing fee. The filing fee is –**
- (1) **for Mayor, \$500;**
 - (2) **for Council member, \$250;**
 - (3) **for Board of Estimate & Taxation member, \$100; and**
 - (4) **for Park & Recreation commissioner, \$100.**

The Charter Commission's recommended amendment must now be submitted to the electorate in the form of a ballot question as part of the November 4, 2014 general election pursuant to Minn. Stat. § 410.12, subd. 1. The proposal was transmitted by the Charter Commission by a letter dated July 3, 2014.

The City Attorney's Office has drafted proposed language and a title for this ballot question as follows:

Filing Fee for City Elected Offices

Shall the Minneapolis City Charter be amended to increase the filing fees for candidates seeking City elected offices from the current fee of \$20 for each office to \$500 for the office of Mayor, \$250 for the office of Council Member, \$100 for the office of Board of Estimate and Taxation Member, and \$100 for the office of Park & Recreation Commissioner and, as an alternative to payment of a filing fee, allow a candidate to submit a petition of voter signatures as provided in state law?

The City Council is responsible for drafting the wording and title of the question for the proposed charter amendment by passing a resolution. Pursuant to state statute, the Council has no authority to revise in any way the charter amendment proposed by the Charter Commission.