

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING
METRO CODE CHAPTER 2.18
(CAMPAIGN FINANCE REGULATION)
AND DECLARING AN EMERGENCY

) Ordinance No. 08-1180
)
) Introduced by Chief Operating Officer Michael
) Jordan with the Concurrence of Council President
) David Bragdon

WHEREAS, the Metro Council enacted Metro Code Chapter 2.18 (Campaign Finance Regulation) by Ordinance No. 00-849A (For the Purpose of Amending the Metro Code Regarding Campaign Finance and Disclosure) on March 30, 2000 and effective June 28, 2000; and

WHEREAS, it is reaffirmed that in adopting Ordinance No. 00-849A the Metro Council said that fully and timely disclosure of all campaign contributions, in accordance with ORS 260, contributes to public confidence in elected officials; and

WHEREAS, the Council wishes to revise Chapter 2.18 to conform to the electronic filing requirements of current Oregon Law; and

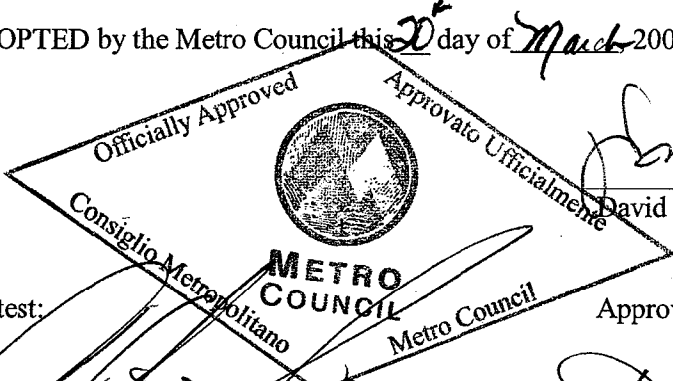
WHEREAS, the Council held a public hearing on the proposed amendments; and

WHEREAS, the Council wishes for all campaign finance reports filed electronically to be posted on Metro's website; now therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. Chapter 2.21 of the Metro Code is hereby amended as indicated in Exhibit "A," attached and incorporated into this ordinance.
2. This ordinance is necessary for the immediate preservation of public health, safety and welfare because Oregon's campaign finance report procedures changed effective January 1, 2008. An emergency is therefore declared to exist, and this ordinance shall take effect immediately, pursuant to Metro Charter Section 39(1).

ADOPTED by the Metro Council this 20th day of March 2008.



[Signature]
David Bragdon, Council President

Attest:
[Signature]
Christina Billington, Recording Secretary

Approved as to form:
[Signature]
Daniel B. Cooper, Metro Attorney

Exhibit "A" to Ordinance No. 08-1180

CHAPTER 2.18

CAMPAIGN FINANCE REGULATION

SECTIONS	TITLE
2.18.010	Purpose and Intent
2.18.020	Definitions
2.18.030	Additional Campaign Finance Reporting Requirements
2.18.040	Public Dissemination of Campaign Finance Reports

2.18.010 Purpose and Intent

The purpose and intent of this chapter is to provide additional campaign finance ~~reporting~~ disclosure to the public that is consistent with the current campaign finance disclosure requirements in Oregon and federal laws. It is the intent of this chapter that it be construed as being a supplement to existing campaign finance regulations.

2.18.020 Definitions

As used in this chapter, the following terms shall have the following meanings. Any word not specifically defined herein shall have the meaning defined in ORS 260.005.

(a) "Candidate" means a candidate for a Metro elected office.

(b) "Legislative or administrative interest" has the meaning defined in ORS 244.020.

(c) "Metro Elected Official" means any person elected or appointed as a member of the Metro Council and the Metro Auditor.

(d) "Metro Elected Office" means the seven (7) Metro Council positions and the Metro Auditor.

2.18.030 Additional Campaign Finance Reporting Requirements

(a) Every Candidate and every Metro Elected Official who is a candidate for any public office shall file with the Metro Council Clerk ~~an original copy of~~ an electronic link to any campaign finance report required to be filed pursuant to ORS 260 or any applicable federal law. ~~Such campaign finance reports shall include all required reports of contributions and~~

~~expenditures. The report~~ Campaign finance report electronic links shall be ~~delivered~~ provided to the Metro Council Clerk within two (2) days after ~~it is filed with~~ they became available from the state or federal filing officer. ~~provided for under Oregon or federal law.~~

~~(b) In addition to the reports required by subsection (a) above, every Candidate and every Metro Elected Official who is a candidate for any public office shall file reports with the Metro Council Clerk disclosing all contributions required to be reported under Oregon or federal law no less frequently than every 90 days. The first report shall be filed with the Metro Council Clerk no later than 90 days after the date the Metro Elected Official declares their candidacy or first organizes a political committee.~~

(eb) Prior to taking any action or voting on any matter in which any person who has a legislative or administrative interest has made a campaign contribution of \$500 or more in the aggregate to the Metro Elected Official, the Metro Elected Official shall disclose the existence of the contribution on the public record, if the contribution has not been previously ~~reported on any~~ made available in a financial report campaign finance report electronic link required to be filed ~~with the Metro Council Clerk~~ pursuant to (a) ~~or (b)~~ above.

(dc) A Metro Councilor shall make the disclosure of such contributions on the record required by (eb) above immediately prior to voting or abstaining from voting on the matter. The Metro Auditor shall disclose such contributions by filing a written notice with the Metro Council Clerk or the Council prior to taking action on any such matter. In all cases, the disclosure shall include the name of the donor, the amount of the contribution and the nature of the donor's legislative or administrative interest in Metro.

2.18.040 Public Dissemination of Campaign Finance Reports

~~The Metro Council Clerk shall maintain a file of all campaign finance reports received and shall provide public access to the file at no charge. The Metro Council Clerk shall also provide such access by including the reports on Metro's world wide web information "page."~~ The Metro Council Clerk shall cause all campaign finance report electronic links to be posted on Metro's website. Website access to the campaign finance report links shall be maintained on the Metro website until the earlier of the January 1 following the election or the Metro elected official's term ends.

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 08-1180 FOR THE PURPOSE OF AMENDING METRO CODE CHAPTER 2.18 (CAMPAIGN FINANCE REGULATION) AND DECLARING AND EMERGENCY

Date: February 27, 2008

Prepared by: Emma Stocker

BACKGROUND

In 2005, the Oregon Legislature passed HB 3458, directing the Secretary of State to develop an electronic filing system to be used to file campaign contribution and expenditure information. That system, ORESTAR, became operational January 1, 2007 and HB 2082 amended campaign finance reporting requirements. Changes, effective January 1, 2008 include requiring that all campaign finance information be filed electronically and continuously throughout the campaign, eliminating “scheduled” reporting deadlines. Transactions are generally required to be filed with the Secretary of State within 30 days of the date of the transaction, except during the 6 weeks prior to an election when transactions must be filed within 7 days. All federal campaign reports are also available electronically.

This Ordinance, No. 08-1180, is for the purpose of amending the Metro Code to reflect new Oregon reporting requirements. In light of the fact that campaign finance reporting will be done continuously, the proposed amendment to the Metro Code allows a candidate to provide a hyper link to those reports filed electronically to the Metro Council Clerk within the appropriate number of days. Federal campaign finance reports, if required, will be available through a link to the Federal Elections Commission website.

ANALYSIS/INFORMATION

Known Opposition None

Legal Antecedents Metro Code 2.18 (Campaign Finance Regulation) as enacted by Ordinance No. 00-849A (For the Purpose of Amending the Metro Code Regarding Campaign Finance and Disclosure)

Anticipated Effects: Amending the Metro Code in this way will bring Metro into accordance with ORS 260 as well as provide greater public access to information through more timely dissemination of campaign information.

Budget Impacts None

RECOMMENDED ACTION

Metro Staff recommends the adoption of Ordinance No. 08-1180.