CHARTER COMMISSION

Bureau & Offices Proposed Amendments Subcommission

October 10, 2022

Agenda

Section	Time
Welcome & subcommission business	10 min
Review OMF proposed amendment	5 min
Discuss Independent Portland Elections Commission	40 min
Next Steps	5 min
Adjourn	

OMF

Bureau Proposed Amendment Review

Bureau	Proposed Amendment(s)	Commission Decision
OMF	One of the City's specific powers is to grant licenses to raise revenue. Some obligors to the City have argued that this language limits the City's taxing authority. Remove the reference to license(s) because it could appear to be a limitation in revenue-raising powers. § 2-105(a)(17)	Voted on 8.30.22 Full Commission Meeting – 9 affirmative votes, incorrectly stated in meeting that it did advance

Independent Elections Commission

INDEPENDENT ELECTIONS COMMISSION (1 of 5)

Issue	Small Donors Proposal	Subcommission provisional consensus	Practices of some other jurisdictions
Should the Charter create an Independent Elections Commission (IEC)?	Yes	Yes	Not applicable
What should the scope of work of the IEC be?	"The [IEC] shall implement the City's public financing of elections program as adopted in City Code and in accordance with the vision and goals as set forward by the Council. The [IEC] may implement any other law or function related to elections, campaign finance, ethics, or other related subjects if delegated to it with appropriate resources."	Implement public financing of elections program as adopted in City Code. Implement any other law or function related to elections, campaign finance, campaign and election ethics, or other related subjects if delegated to it by City Code with appropriate resources	Not applicable

INDEPENDENT ELECTIONS COMMISSION (2 of 5)

Issue	Proposals	Subcommission provisional consensus	Practices of some other jurisdictions
Who should appoint members of the IEC?	"To fill vacancies, the IEC [City Attorney: recommends] [Small Donors: nominates] candidates for Mayoral appointment and Council confirmation."	Mayor appoints members, subject to Council confirmation. No IEC recommendation or nomination process.	Albuquerque: Mayor appoints 3, Council appoints 3, 3+3 appoint 7th member Los Angeles: 5 different officials appoint 5 members New York: Same as Albuquerque & Seattle San Francisco: Same as L.A. Seattle: Same as Albuquerque & N.Y.
How long should the terms of IEC members be, and for how long may members serve?	No limit proposed	To be determined	Albuquerque: 4 years Los Angeles: 5 years New York: 5 years San Francisco: 6 years Seattle: 3 years

INDEPENDENT ELECTIONS COMMISSION (3 of 5)

Issue	Proposal from Small Donors	Subcommission provisional consensus	Practices of some other jurisdictions
Should anyone be excluded from serving on the IEC?	No exclusions	To be determined	See below for examples of exclusions in California

Persons excluded from serving on the California independent districting commission:

Within the 10 years immediately preceding the date of application, the person or a member of the person's immediate family was

1. A candidate, electee or appointee for or to federal or state office
2. An officer, employee, or paid consultant of a political party or of the campaign committee of a candidate for elective federal or state office
3. An elected or appointed member of a political party central committee
4. A registered federal, state, or local lobbyist
5. Paid congressional, legislative, or tax board staff
6. A donor of $2,000 or more to any candidate for elective public office in any year
7. Staff or consultant to, contractor with, or immediate family of the Governor, a Member of the Legislature, a Member of Congress, or a member of the tax board

INDEPENDENT ELECTIONS COMMISSION (4 of 5)

Issue	Proposal from Small Donors	Subcommission provisional consensus	Practices of some other jurisdictions
Should anyone be excluded from serving on the IEC?	No exclusions	To be determined	See below for examples of exclusions in Colorado

Persons excluded from serving on the Colorado independent Congressional districting commission (similar exclusions apply to state legislature districting commission):

A. Has been a candidate for federal elective office within the last 5 years
B. Has been compensated in the last 3 years by a member of, or a campaign committee of a candidate to, the U.S. Congress
C. Has been an elected public official at the federal, state, county, or municipal level in the past 3 years
D. Has been an elected political party official above the precinct level in Colorado or an employee of a political party in the past 3 years;
E. Is on the state legislature districting commission
F. Has been a professional lobbyist registered to lobby with the state of Colorado, with any municipality in Colorado, or at the federal level in the past 3 years

INDEPENDENT ELECTIONS COMMISSION (5 of 5)

Possible exclusions from the proposed Independent Elections Commission of Portland:

Any person who

I. Has been a candidate for any elective office in Portland within the last 5 years

II. Has been compensated in the last 3 years by a person elected to, a campaign committee of a candidate for, or a political action committee advocating for a candidate for, any elective office in Portland

III. Has been elected as a public official at the federal, state, county, regional or municipal level in the past 3 years

IV. Has been an elected political party official above the precinct level in Oregon or an employee of a political party in the past 3 years

V. Has been a lobbyist registered or required to register to lobby with the state or any county, regional, or municipal government in Oregon or the Federal government in the past 3 years

VI. Concluded within the past 4 years serving 2 or more terms on the IEC or any other entity implementing the Small Donors Election program or other elections laws

VII. Is an immediately family member of any person who is described by I—VI above.

Discussion

Next Steps

Charter Commission Meeting –Extended Public Comment	Oct 11th
City Attorney's Office drafts amendments	Oct 12th – 17th
Charter Commission Work Session	Oct 18th

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