

Impartial Analysis County of Orange Measure A

This measure, placed on the ballot by the Board of Supervisors, amends the County Charter, and authorizes the Board to establish a Campaign Finance and Ethics Commission ("Commission").

This measure adds the Campaign Finance and Ethics Commission Ordinance ("Ethics Commission Ordinance"), which establishes a five-member Commission to provide administrative oversight of the Orange County Campaign Reform Ordinance ("Campaign Ordinance") and the County ordinances regulating lobbyists, gifts and certain provisions of the County Code of Ethics (collectively, "Ethics and Campaign Ordinances").

This measure establishes an administrative hearing process for alleged violations of the Ethics and Campaign Ordinances. This measure provides for the appointment of an Executive Director to the Commission, who is tasked with civil enforcement of these ordinances. The Executive Director will investigate alleged violations of these ordinances upon receipt of a written complaint. Under the measure, the Commission will serve as the appellate body for administrative hearing decisions and is required to report annually to the Board of Supervisors.

Under the measure, the Executive Director of the Commission may be delegated subpoena power for campaign account bank records, and both hearing officers and the Commission Chair may be delegated subpoena power to compel the attendance of persons and things.

This measure also requires the Executive Director to obtain copies of campaign statements and maintain an independent tracking system of campaign contributions.

The 1992 voter approved Campaign Ordinance regulates campaign activity of elected County officials and candidates for those offices. This measure clarifies that contribution limits apply to Elective County Officers ("Officers") and County Candidates ("Candidates"). This measure removes provisions regarding spousal contribution aggregation and the intra-candidate transfer prohibition, which have been found unenforceable by federal courts and the California Attorney General.

The measure authorizes Candidates and Officers to establish a campaign bank account for another office so long as the first account is closed within 60 days of establishing the second. The measure specifies that certain intra-candidate transfers are aggregated and subject to contribution limits.

This measure repeals the voter approved provision authorizing the California Fair Practices Commission (FPPC) as civil enforcement prosecutor of the Campaign Ordinance. This measure also allows Candidates and Officers to establish a separate legal defense fund as authorized under California law.

This measure would authorize the Board of Supervisors to make non-substantive changes to the Campaign Ordinance and Ethics Commission Ordinance by a majority vote and substantive changes furthering the purpose of these ordinances by a four-fifths vote.

A "yes" vote is a vote to amend the County Charter and the Orange County Campaign Reform Ordinance, and to establish the Campaign Finance and Ethics Commission.

A "no" vote is a vote to not amend the County Charter and the Orange County Campaign Reform Ordinance and not establish the Campaign Finance and Ethics Commission.

A copy of the entire proposed Ordinance, including the Charter amendment, is posted on the Registrar of Voter's website, <http://www.ocvote.com/>. Voters may also contact the Registrar of Voter's office and request that a copy of the proposed Charter amendment be mailed to them at no cost.