



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

RESOLUTION NO. 070071

Introduced February 8, 2007

Councilmember Kenney

**Referred to the
Committee on Law and Government**

RESOLUTION

Proposing an amendment to the Philadelphia Home Rule Charter relating to the public financing of campaigns for elective City office, and the making of appropriations to the Board of Ethics to administer such program and to carry out its other Charter duties.

WHEREAS, Under Section 6 of the First Class City Home Act (53 P.S. 13106), amendments to the Philadelphia Home Rule Charter may be proposed by a resolution of the Council of the City of Philadelphia adopted with the concurrence of two-thirds of its elected members; now, therefore,

THAT the following amendment to the Philadelphia Home Rule Charter is hereby proposed and shall be submitted to the electors of the City on an election date designated by ordinance:

ARTICLE II LEGISLATIVE BRANCH The Council – Its Election, Organization, Powers and Duties

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CHAPTER 3 LEGISLATION

§2-300. The Annual Operating Budget Ordinance.

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(2) The annual operating budget ordinance shall provide for discharging any deficit and shall make appropriations to the Council, the Mayor, and all officers, departments, boards and commissions which form a part of the executive or administrative branch of the City government, and for all other items which are to be met out of the revenue of the City. All appropriations shall be made in lump sum amounts and according to the following classes of expenditures for each office, department, board or commission:

- (a) Personal services;
- (b) Materials, supplies and equipment;
- (c) Debt service;

(d) *Disbursements to candidates, with respect to certain of the appropriations made to the Board of Ethics in accordance with subsection (4)(e);*

~~(d)~~ (e) Such additional classes as the Mayor shall recommend in his proposed annual operating budget ordinance.

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(4) In every annual operating budget ordinance:

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(e) For the first two fiscal years immediately following the effective date of this subsection, at least \$1,000,000; and for all subsequent fiscal years, an amount adequate to enable the Board to perform the functions assigned to it by this charter, shall be appropriated for the work of the Board of Ethics. *Such appropriations shall include amounts adequate to enable the Board to administer any system of public financing of candidates for elective City office established by ordinance, including the actual disbursement of public funds to candidates. Any appropriations made to the Board of Ethics in the class "disbursements to candidates" that remain unencumbered from the prior fiscal year shall be reappropriated to the Board of Ethics.* Should the Council fail to make an adequate appropriation to the Board of Ethics, the Board, *and, with respect to appropriations necessary to administer public financing, any registered Philadelphia voter,* may petition any court of Common Pleas of Philadelphia County for a mandamus to the Council to perform its duty under this section.

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§2-301. Other Appropriations.

The Council may not make any operating appropriations in addition to those included in the annual operating budget ordinance except:

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(e) To pay the costs of disbursements to candidates as required by any system of public financing for candidates for elective City office established by ordinance.

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ARTICLE VIII PROVISIONS OF GENERAL APPLICATION

CHAPTER 1 FISCAL AND BUDGETARY MATTERS

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§8-102. Estimates of Current Expenditures by Departments, Boards and Commissions.

In order to enable the Mayor to avoid deficits and to check on performance, each officer, department, board and commission of the City, or other agency receiving a City appropriation shall from time to time as requested by the Mayor prepare and submit to him through the Director of Finance for approval or disapproval an estimate of the amount of money required for each activity or function to be carried on by him or it during the ensuing month, quarter or such other period of the current fiscal year as the Mayor shall prescribe. If such estimate does not meet with the approval of the Mayor, it shall be revised in accordance with the Mayor's direction and resubmitted for approval; but the Mayor shall not reduce the estimates of the City Council or of the Auditing Department without their consent nor the estimates of the Personnel Director and the Civil Service Commission below one-half of one percent of the amount to be expended for compensation for civil service employees, *nor the estimate of the Board of Ethics with respect to the amount of money the Board requires to carry out the duties assigned to it by this Charter, including disbursing public financing to candidates as required by ordinance.*

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Note:

Italics indicate matter added by this amendment.

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