

Legislation Text

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Proposing an amendment to The Philadelphia Home Rule Charter regarding appropriations and expenditures for, and implementation of, public financing of political campaigns pursuant to a system as may be established by Council by ordinance; and providing for the submission of the amendment to the electors of Philadelphia.

WHEREAS, Under Section 6 of the First Class City Home Rule Act (53 P.S. §13106), an amendment 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, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, 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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(8) *Public Funding of Political Campaigns.*

(a) *The annual operating budget ordinance shall include appropriations to a Public Campaign Finance Fund, to be created and maintained by the Director of Finance as a separate fund of the City, in an amount equal to the estimate provided by the Board of Ethics of the amounts necessary to meet any obligations to fund political campaigns as may be set forth in an ordinance of the Council establishing such obligations.*

(b) *Council may make additional appropriations to the Fund, in its discretion.*

(c) *The requirement of subsection (a) shall not apply upon a certification by the Director of Finance that General Fund Revenues set forth in the Mayor's estimate of receipts pursuant to Section 2-300(3) are less than General Fund Revenues set forth in the Mayor's estimate of receipts for the previous annual operating budget ordinance.*

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ARTICLE IV

EXECUTIVE AND ADMINISTRATIVE BRANCH - POWERS AND DUTIES

The Mayor, The City Representative and Departments, Boards, Commissions and Offices under the Mayor

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CHAPTER 11

BOARD OF ETHICS

§ 4-1100. Powers and Duties.

(a) The Board of Ethics shall administer and enforce all provisions of this Charter and ordinances pertaining to ethical matters, which for purposes of this Chapter shall include conflicts of interest, financial disclosure, standards of governmental conduct, campaign finance matters, prohibited political activities, and such additional related matters as the Council may from time to time assign to the Board.

(b) The Board shall handle all inquiries and complaints surrounding ethical matters and, notwithstanding the provisions of Section 4-400(a) and Section 8-410 of this charter, the Board shall render advisory opinions; provided that, with respect to opinions regarding State law, the Law Department, at the option of an employee requesting advice, shall have concurrent authority to render advisory opinions.

(c) The Board shall have the power to conduct investigations and convene hearings. The Board shall conduct its enforcement activities either by bringing enforcement actions in the Court of Common Pleas or, if authorized by Council by ordinance, administratively adjudicating alleged violations and imposing civil penalties and other remedies for violations.

(d) The Board shall prepare and disseminate a Code of Ethics Manual for use by all City officers and employees and conduct educational and training programs for all City officers and employees.

(e) *No later than 150 days before the start of each fiscal year the Board shall provide the Director of Finance with an estimate of the appropriations necessary in such fiscal year to meet any obligations to fund political campaigns as may be set forth in an ordinance of the Council establishing such obligations. The Board shall determine eligibility for funding pursuant to the standards set forth in any such ordinance.*

(f) In addition, and subject to the provisions of this charter, the Board of Ethics shall exercise such other powers and duties vested in and imposed upon it by ordinance.

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ARTICLE VI

EXECUTIVE AND ADMINISTRATIVE BRANCH - POWERS AND DUTIES

Director of Finance, Financial Departments, Boards and Commissions, City Treasurer, Procurement Department, and Board of Pensions and Retirement

CHAPTER 1

DIRECTOR OF FINANCE

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§ 6-111. *Public Campaign Finance Fund.*

(a) *The Director of Finance shall create and maintain a Public Campaign Finance Fund as a separate fund of the City for budgeting purposes and shall provide for distributions from such Fund to eligible parties. The Board of Ethics shall determine eligibility for funding pursuant to the standards set forth in any ordinance establishing obligations to fund political campaigns.*

(b) *Notwithstanding subsection (a), no funds shall be distributed from such Fund in a fiscal year upon certification by the Director of Finance that:*

(1) General Fund Revenues actually received by the City during the prior fiscal year were at least one percent (1%) less than the General Fund Revenues set forth in the Mayor's estimate of receipts pursuant to Section 2-300(3) for such fiscal year; or

(2) Limitation on distribution of such funds is necessary to avoid either a material disruption in City services or to provide a basis to fund emergency programs necessary to protect the health, safety or welfare of City residents. Certification pursuant to this subsection (2) must be approved either by (i) a resolution adopted by two-thirds of all of the members of the Council, or (ii) an agency of the Commonwealth with responsibility for ensuring the fiscal stability of the City.

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ARTICLE VII
EXECUTIVE AND ADMINISTRATIVE BRANCH - POWERS AND DUTIES
Personnel Director and Civil Service Commission and the Civil Service

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CHAPTER 3
CIVIL SERVICE: GENERAL PROVISIONS AND EXEMPTIONS

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§ 7-301. *Exemptions.*

All officers and employees of the City, including all officers and employees of all departments, all independent boards and commissions and all departmental boards and commissions, shall be under civil service except:

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(g) *For purposes of implementing and administering a system of public funding of political campaigns, up to two employees of the Board of Ethics.*

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