ORDINANCE NO. 1550

AN ORDINANCE ADDING ARTICLE V TO CHAPTER 2 OF THE SOLANO COUNTY CODE, ESTABLISHING VOLUNTARY CAMPAIGN FINANCIAL CEILINGS AND LIMITS

The Board of Supervisors of Solano County ordains as follows:

Section 1. Chapter 2 of the Solano County Code is amended to add Article V and Sections 2-280 through 2-286, to read as follows:

ARTICLE V. VOLUNTARY CAMPAIGN FINANCIAL CEILINGS AND LIMITS

Sec. 2-280 Intent.

The Board adopts this ordinance pursuant to Article XI, Section 7 of the California Constitution and sections 85400 and 85706 of the Government Code, to implement the California Political Reform Act of 1996 and to prevent partisan influence resulting from large contributions.

Sec. 2-281 Findings.

The Board finds:

(a) The financial strength of individuals and organizations too often exert controlling or undue influence over candidates for public office;

(b) The rapidly increasing costs of political campaigns force many candidates to raise a larger percentage of money from interest groups with a specific financial stake in matters before local government;

(c) The public must maintain confidence in the integrity of its government.

Sec. 2-282 Purpose.

The Board enacts this ordinance to achieve the following objectives:

(a) To minimize the problem of unjust influence, potential or real, caused by excessive contributions and expenditures in campaigns by providing for reasonable contribution limits and expenditure ceilings for candidates;

(b) To ensure that all individuals and interest groups in Solano County enjoy a fair opportunity to participate in elective and governmental processes;

(c) To allow candidates to spend less of their time on fund raising and more of their time dealing with issues of importance to their constituents;

(d) To provide incentives that encourage candidates to limit campaign expenditures voluntarily;

(e) To enable serious candidates to raise enough money to communicate their views and positions adequately to the public for meaningful public discussion of issues.
Sec. 2-283 Definitions.

(a) The definitions and other provisions of the Political Reform Act of 1974 (Government Code section 81000 et seq.) and the California Political Reform Act of 1996 (Government Code section 85100 et seq.), collectively "the Acts," and the regulations of the Fair Political Practices Commission shall govern the interpretation and application of this Article.

(b) "Local elective office" means any office subject to county-wide election, the office of County Supervisor, the positions of Municipal and Superior Court Judge and the office of Marshal.

(c) "Independent expenditure" means an expenditure that is not made in cooperation, consultation or concert with a candidate for local elective office, or the candidate's campaign officers, employees or volunteers.

Sec. 2-284 Voluntary Campaign Financial Ceilings and Limits.

(a) No candidate for local elective office who voluntarily accepts expenditure ceilings shall make campaign expenditures above $0.40 (forty cents) per resident for each election in the jurisdictional area from which the candidate is elected.

(b) Residential population shall be established by the most recent population figures made available to the Department of Environmental Management from the State of California Department of Finance. Population for each supervisorial district shall be deemed to be one-fifth (1/5th) of the population of the entire county.

(c) Each candidate for local elective office shall file with the Registrar of Voters a written statement of acceptance or rejection of the voluntary expenditure ceilings before accepting any contributions.

(d) No candidate for local elective office who accepts the voluntary expenditure ceilings and no controlled campaign committee of such a candidate shall make campaign expenditures cumulatively above the voluntary expenditure ceilings established by this section.

(e) Each candidate for local elective office who accepts the voluntary expenditure ceilings shall be subject to the contribution limits set forth in Government Code section 85402 or its successor. As to each such candidate, the Registrar of Voters shall prominently notify voters that the candidate voluntarily agreed to the expenditure ceilings, as required by Government Code section 85607 and any applicable regulations.

(f) Each candidate for local elective office who rejects the voluntary expenditure ceilings shall be subject to the contribution limits set forth in Government Code section 85301 or its successor.

(g) Within fourteen (14) days after the primary, special primary, or special election, any candidate for local elective office who initially rejected the voluntary expenditure ceilings but who nevertheless did not exceed the recommended spending limits, may file a statement of acceptance of the spending limits for a general or special runoff election and receive all the benefits accompanying such an agreement specified in this section.

(h) The contribution limits and expenditure ceilings established by this section shall be subject to the cost of living adjustments under Government Code section 83124 or its successor.
Sec. 2-285 Independent Expenditures for Campaign Literature.

Any person who makes independent expenditures for a mass mailing, slate mailing or other campaign materials which support or oppose any candidate for local elective office shall prominently place the following statement on the mailing or materials in typeface no smaller than 14 points:

Notice to Voters
(Required by Solano County)
This mailing is not authorized or approved by any candidate for County office or by any election official.
It is paid for by
(name and committee identification number)
(address, city, state)
Total cost of this mailing is $(amount)

Sec. 2-286 Penalties.

The penalties and remedies for violations of this Article shall be those set forth in the Acts.

Section 2. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors declares that it would have passed this ordinance and every section, subsection, clause or phrase of it, even if any of the sections, subsections, sentences, clauses or phrases are declared unconstitutional.

Section 3. This ordinance shall take effect thirty (30) days after its passage.

Section 4. This ordinance shall be published once within fifteen (15) days after its passage, in the Fairfield Daily Republic, a newspaper of general circulation in Solano County.

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This ordinance was introduced at a regular meeting of the Solano County Board of Supervisors on August 26, 1997 and passed and adopted at its meeting on September 9, 1997 by the following vote:

AYES: Supervisors Carroll, Kondylis, Silva, Thomson, and Chairman Gojkovich

NOES: Supervisors None

ABSENT: Supervisors None

ABSTAIN: Supervisors None

ATTEST:
Michael Johnson, Clerk

Gordon Gojkovich, Chairman
Solano County Board of Supervisors

By: Deputy