

Prospective Petition

Local Initiative and Referendum

SEL 370

rev 04/14 ORS 250.045,
250.165, 250.265, 255.135

Warning Supplying false information on this form may result in conviction of a felony with a fine of up to \$125,000 and/or prison for up to 5 years. Each chief petitioner is required to provide, on the same form, their name, residence address, a contact phone number and signature attesting that the information on the form is true and correct. Changes to the information provided for a chief petitioner or to the circulator pay status below must be reported to the Elections Division no later than the 10th day after you first have knowledge or should have had knowledge of the change.

RECEIVED
APR 23 AM 11:52
TIM SCOTT
ELECTIONS

Petition Information		Type	
This filing is an	<input checked="" type="checkbox"/> Original	<input type="checkbox"/> Amendment	<input checked="" type="checkbox"/> Initiative
			<input type="checkbox"/> Referendum
Jurisdiction		Some Circulators may be Paid	
<input checked="" type="checkbox"/> County	<input type="checkbox"/> City	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
	<input type="checkbox"/> District		

Title
A FAIR ELECTIONS AND CLEAN GOVERNANCE CHARTER AMENDMENT

Website if applicable
WWW.MULT.FAIRELECTION.ORG

Petition Correspondence Select the method of receiving notices or other correspondence from the Elections Division.

Correspondence Recipient

Email Chief Petitioners

Mail Chief Petitioners

Recipient information

Name DAVID DELK

Email Address MULTINIT@OREG.ORG

Chief Petitioner Information At least one original chief petitioner must remain throughout the petition process or the petition is void.

→ By signing this document, I hereby state that all information on the form is true and correct and attest that no circulators will be compensated money or other valuable consideration on this petition based on the number of signatures obtained by the circulator.

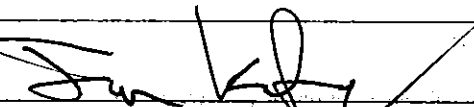
Name Jason Kafoury

Contact Phone (503) 224-2647

Residence Address street, city, state, zip 1011 NW. Blisan # 202, PORTLAND OR, 97209

Mailing Address if different

Email Address JKafoury7@gmail.com

Signature 

Date Signed April 14, 2015

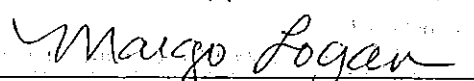
Name Margo Logan

Contact Phone 503 781 2308

Residence Address street, city, state, zip 515 NE Tomahawk Dr. SHIP SL PORTLAND OR 97217

Mailing Address if different 11850 N Center Ave # 361 Portland OR 97217

Email Address cccvision2003@yahoo.com

Signature 

Date Signed 4/14/15

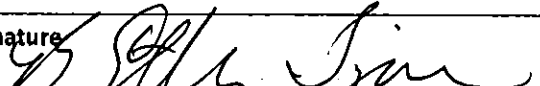
Name B. Elizabeth Tugan

Contact Phone 503-246-7850

Residence Address street, city, state, zip 12320 SW 60th Ave Portland, OR 97219

Mailing Address if different

Email Address elizat8@pobox.com

Signature 

Date Signed 4/14/15

Agent Authorization Form

SEL 307

rev 01/14
ORS 250.052

Filing a New Agent Authorization Form: This form may be used by chief petitioners of an initiative or referendum, the chief petitioner of a recall or the chief sponsor of a minor political party formation. It will allow anyone named by all current chief petitioners or the chief sponsor to act on their behalf in matters regarding the petition process. With the exception of signatures required to be submitted monthly for state initiative petitions, only chief petitioners or the chief sponsor may submit signatures for verification. All chief petitioners must sign the same authorization form.

Amending information on this Form: To authorize additional or different agents chief petitioners the chief sponsor must file an amended form within 10 days of the change. To notify the filing officer of a change in information, submit this form, completed in its entirety and signed by all current chief petitioners or the chief sponsor.

Withdrawal of Petition: It is not necessary to submit this form when withdrawing a petition.

This filing is an: Original Amendment

RECEIVED
APR 23 AM 11:52
TIM SCOTT
DIRECTOR OF ELECTIONS

Petition Information

Petition Title or Number

A FAIR ELECTIONS AND CLEAN GOVERNANCE CHARTER AMENDMENT

Type

Initiative Referendum Recall Minor Party Formation

Authorized Agent Information

Name DAVID DELK	Contact Phone 503-232-5495
Name DAN MEEK	Contact Phone 503-913-7405
Name	Contact Phone
Name	Contact Phone
Name	Contact Phone

Chief Petitioner/ Sponsor Information All chief petitioners must sign the same form.

→ By signing this document, I hereby state that the above named individuals are authorized to act on my behalf.

Name Jason Kafouris	Contact Phone (503) 224-2647	Email Address JKafouris7@gmail.com
Signature <i>Jason Kafouris</i>		Date Signed 4/14/15

Name MARGO LOGA	Contact Phone 503-781-2308	Email Address CrowUision2003@yahoo.com
Signature <i>Margo Logan</i>		Date Signed 4-16-15

Name B. Elizabeth Trojan	Contact Phone 503-246-7850	Email Address elizabeth@pdax.com
Signature <i>B. Elizabeth Trojan</i>		Date Signed 4/14/15

A Fair Elections and Clean Governance Charter Amendment

Initiative Petition To The People Of Multnomah County

We, the undersigned voters of the county of Multnomah County, Oregon, respectfully direct that this proposed Clean and Fair Elections and Governance Amendment to the Multnomah County Home Rule Charter, a full, true and correct copy which is printed on the reverse side hereof, be submitted to the electors of the county of Multnomah County for their approval or rejection at general election scheduled for November 8, 2016.

Title: "A Fair Elections and Clean Governance Charter Amendment"

An Amendment to the Multnomah County Home Rule Charter Chapter XI. Elections: To reduce the influence of large campaign contributions and expenditures on candidate elections and to increase information available to voters on the sources and amounts of such contributions and expenditures.

NOW, THEREFORE, THE PEOPLE OF Multnomah County HEREBY ORDAIN;

Whereas, the Oregon State Constitution declares that "We declare that all men, when they form a social compact are equal in right: that all power is inherent in the people, and all free governments are founded on their authority, and instituted for their peace, safety, and happiness; and they have at all times a right to alter, reform, or abolish the government in such manner as they may think proper;" and

Whereas, The purpose of this chapter is to establish the right of Multnomah County voters to fair elections and clean local government(s) by limiting large political contributions and expenditures and corporate involvement in elections; and

Whereas, The people of Multnomah County have the right to fair elections, which shall include the right to an electoral process free from the influence of large political contributions and expenditures and from the treatment of money as speech for elections purposes; and

Whereas, All residents of this County possess the fundamental and unalienable right to a form of governance where they live which recognizes that all power is inherent in the people, that all free governments are founded on

the people's authority and consent, and that corporate entities and their directors and managers shall not enjoy special privileges or powers under the law which make community majorities subordinate to them; and

Whereas, this Amendment shall be known and may be cited as the "Clean and Fair Elections and Governance Amendment;" and

Whereas, this Amendment is enacted pursuant to the inherent right of the voters of this County to govern their own community, including, without limitation, the Declaration of Independence's declaration that governments are instituted to secure the rights of people, and recognition within the Oregon Constitution that all power is inherent in the people.

The People of Multnomah County therefore adopt the following Amendment to the Multnomah County Home Rule Charter:

A new Section 11.60 to Chapter XI of the Multnomah County Home Rule Charter, shall read as follows:

(1) Definitions.

For purposes of this Amendment, unless otherwise indicated by the text or context of this Amendment, all terms shall have the definitions at Chapter 260 of Oregon Revised Statutes, as of January 1, 2015.

- (a) "Entity" means any corporation, partnership, limited liability company, proprietorship, or other form of organization which creates an entity which is legally separate from Individuals.
- (b) "Candidate" means a Candidate in a Multnomah County Candidate Election.
- (c) "Communication" means any written, printed, digital, electronic or broadcast communications but does not include communication by means of:
 - (A) Small items worn or carried by Individuals, such as buttons, pins, stickers, bracelets, and pens;
 - (B) Bumper stickers smaller than 60 square inches;
 - (C) Signs smaller than 6 square feet; or
 - (D) A distribution of two hundred (200) or fewer substantially similar pieces of literature within any 10-day period.
- (d) "Contribution" has the meaning set forth at ORS 260.005(3) and 260.007, as of January 1, 2015, except it does not include funds provided to Candidate committees by entities of government pursuant to systems of public funding.
- (e) "Coordinated Expenditure" has the meaning set forth at ORS 260.005 (10)(d), as of January 1, 2015.
- (f) "Dominant Contributor" means any Individual or Entity which contributes more than five hundred dollars (\$500) during an Election Period to a Candidate committee, Political Committee, Political Party, or Independent Expenditure campaign.
- (g) "Dominant Independent Spender" means any Individual or Entity which expends more than five hundred dollars (\$500) during an Election Period to support or oppose a particular Candidate.

- (h) "Election Period" means:
- (A) The period beginning the day after a biennial general election and ending at midnight of the day of the next biennial primary election; and
 - (B) The period beginning the day after a biennial primary election and ending at midnight of the day of the next biennial general election.
 - (C) For any recall election, the period beginning the day that the recall election is called or declared and ending at midnight of the day of the recall election.
 - (D) For any special election called to fill a vacancy, the period beginning the day that the special election is called or declared and ending at midnight of the day of the election.
- (i) "Expenditure" has the meaning set forth at ORS 260.005(8) and 260.007, as of January 1, 2015, except that it does not include:
- (A) Production of an officeholder scorecard or Candidate survey and its distribution by paper or electronic copies (but not by paid advertising on television or radio) at a cost of less than ten thousand dollars (\$10,000) for distribution to the public.
 - (B) Any bona fide news story, commentary or editorial distributed through the facilities of any media organization, including any television or radio station, newspaper, magazine or other regularly published periodical; provided, that the media organization:
 - (i) Is not paid by any Individual or Entity for distributing it, apart from normal advertisers;
 - (ii) Is not owned or controlled by one or more Candidates, Political Committees, or Political Parties mentioned in it; and
 - (iii) Does not distribute it to voters by unsolicited mailings or other means of distribution not sought by the recipient, including any paid advertisement about it in any other medium.

- (j) "Independent Expenditure" means an Expenditure to influence the outcome of a Candidate election that is not made by that Candidate's committee and is not a "Coordinated Expenditure" as defined in this section.
- (k) "Independent Spender" means any Individual or Entity that makes an Independent Expenditure.
- (l) "Individual" means a citizen or resident alien of the United States entitled to vote in federal elections; however, when this Amendment expresses a limitation or prohibition, "Individual" means any human being.
- (m) "Involved in Multnomah County Candidate Elections" means that the Individual, Entity, or group has expended money to support or oppose one or more Candidates in a Multnomah County Candidate Election since the most recent biennial general election.
- (n) "Multnomah County Candidate Election" means an election, including a primary election, conducted in whole or in part by Multnomah County to select (or recall) a person to serve (or cease serving) in public office, other than statewide or federal public office or seat in the Oregon Legislature.
- (o) "Multnomah County Internal Candidate Election" means an election, including a primary election, to select persons to serve (or cease serving) in public offices of Multnomah County.
- (p) "Political Committee" shall have the definition at ORS 260.005, except:
 - (A) It includes only committees which support or oppose one or more Candidates for public office.
 - (B) The following shall be treated as a single Political Committee: All Political Committees established, financed, maintained, or controlled by:
 - (i) For corporations: the same corporation (including all corporate affiliates and subsidiaries) or substantially the same group of corporations;
 - (ii) For unions: the same labor organization unit, at any level, if the unit has authority to make an independent decision as to which Candidates to support or oppose; or

- (iii) For others, substantially the same group of Individuals or entities or combinations thereof.
- (q) "Political Party" means an Entity which qualifies as an Oregon major Political Party or minor Political Party under ORS Chapter 248.
- (r) "Prominently Disclose" means that the Communication states information which is:
 - (A) Current to within ten (10) days of the printing of printed material or within five (5) days of the transmitting of a video or audio Communication;
 - (B) Comprehensible to a person with average reading, vision, and hearing abilities;
 - (C) Printed on the first page or fold of the printed Communication in type not smaller than 10 points;
 - (D) Printed on the sign or billboard in type not smaller than 10% of the largest size type used in the Communication;
 - (E) If presented by video, readable on the regular screen (not closed captioning) for not less than 10 seconds in letters greater than 10 percent of the visual screen height with reasonable color contrast with the background;
 - (F) If presented by audio, spoken to be clearly audible and understood at a maximum rate of five words per second and otherwise appropriately conveyed for the hearing impaired.
- (s) "Relative" has the meaning set forth at ORS 244.020(15), as of January 1, 2015, except that it shall include all persons within the fourth degree of consanguinity to the Candidate or public official.
- (t) "Small Donor Committee" means a Political Committee:
 - (A) Established to accept only Contributions from Individuals;
 - (B) Which cannot accept such Contributions in amounts exceeding fifty dollars (\$50) per Individual per calendar year; and
 - (C) Which makes Contributions and/or Expenditures only to influence the outcome of Multnomah County Candidate Elections.

- (D) The following shall be treated as a single Small Donor Committee: All Small Donor Committees established, financed, maintained, or controlled by:
 - (i) For corporations: the same corporation (including all corporate affiliates and subsidiaries) or substantially the same group of corporations;
 - (ii) For unions: the same labor organization unit, at any level, if the unit has authority to make an independent decision as to which Candidates to support or oppose; or
 - (iii) For others, substantially the same group of Individuals or entities or combinations thereof.

- (u) "Types of Businesses" means that the business shall be identified by the words that correspond to the primary six-digit North American Industry Classification System (NAICS) classification that the business has applied to documents it files with the Internal Revenue Service.

(2) Contributions relating to Candidates in Multnomah County Candidate Elections.

- (a) No Entity shall make a Contribution to influence the outcome of any Multnomah County Candidate Election.
- (b) An Individual or Entity may make a Contribution to influence the outcome of any Multnomah County Candidate Election only as specifically allowed in this Amendment.
- (c) A Candidate, Candidate committee, Political Committee, Political Party, or other Entity may accept a Contribution to influence the outcome of any Multnomah County Candidate Election only from funds obtained from the sources and in accordance with the Contribution limits set forth in this Amendment.
- (d) Contributions to Candidate Committees.

Only the following Contributions to Candidate committees are allowed in any Election Period to support or oppose Candidates contesting for any particular public office in a Multnomah County Candidate Election:

- (A) An Individual may contribute not more than two hundred dollars (\$200).
- (B) A Political Committee may contribute not more than five hundred dollars (\$500).
- (C) A Political Party may contribute not more than two thousand dollars (\$2,000).

(e) Contributions to Political Committees.

Only the following Contributions to Political Committees or Political Parties are allowed in any calendar year for the purpose of supporting or opposing Candidates contesting for public offices in Multnomah County Candidate Elections:

- (A) An Individual may contribute not more than two hundred dollars (\$200).
- (B) A Political Committee may contribute not more than five hundred dollars (\$500).

- (C) A Political Party may contribute not more than two thousand dollars (\$2,000).
- (f) Contributions by Small Donor Committees: A Small Donor Committee may contribute any amounts to Candidate committees, Political Committees, and Political Parties.
- (g) A Contribution to a Candidate shall be deemed a Contribution to the Candidate's Candidate committee.
- (h) An Expenditure by a Political Party to support the candidacy of its nominee shall be deemed a Contribution to the Candidate's Candidate committee.
- (i) No Individual under fourteen (14) years of age shall make any Contributions to Candidates or entities involved in Multnomah County Candidate Elections.

(3) Expenditures by or Coordinated with Candidates, Political Committees, or Political Parties.

- (a) No Candidate committee, Political Committee, measure committee, Political Party, or Small Donor Committee shall expend funds to support or oppose a Candidate in a Multnomah County Candidate Election, except those collected from the sources and in accordance with the Contribution limits set forth in Section (2) above.
- (b) A Coordinated Expenditure shall constitute both (1) a Contribution to the relevant coordinated Entity by the maker of the Expenditure and (2) an Expenditure by the relevant coordinated Entity.
- (c) A Candidate or Political Party may seek a determination that an Expenditure is a Coordinated Expenditure benefitting an opposing Candidate or Political Party by filing a petition with the Circuit Court of Multnomah County. The court shall schedule the petition for hearing not later than the third business day after its filing and service upon the benefitting Candidate or party. The courts shall accord such petitions, and appeals therefrom, precedence on their dockets.

(4) Independent Expenditures Regarding Candidates.

- (a) Any group, association, or Entity (other than an Individual) that makes an Independent Expenditure that seeks to influence the outcome of any Multnomah County Candidate Election shall register as a Political Committee within three (3) business days of making an Expenditure for that purpose. The filing shall also report the Entity's previous sources of funding during the current election cycle.
- (b) Only the following Independent Expenditures are allowed in any Election Period to support or oppose Candidates contesting for any particular public office in a Multnomah County Candidate Election:
 - (A) An Individual in any calendar year may make aggregate Independent Expenditures of not more than ten thousand dollars (\$10,000).
 - (B) No Individual under fourteen (14) years of age may make any Independent Expenditure
 - (C) A Political Committee in any calendar year may make aggregate Independent Expenditures of not more than ten thousand dollars (\$10,000).

(5) Candidate Personal Contributions and Expenditures in Multnomah County Elections.

- (a) A Candidate may contribute to the Candidate's own committee during any Election Period not more than ten thousand dollars (\$10,000) plus fifty percent (50%) of the amount of:
 - (A) Contributions received by another Candidate for the same public office in the same contest from Dominant Contributors; plus
 - (B) Independent Expenditures benefitting the other Candidate by Dominant Independent Spenders.
- (b) Once a Candidate has contributed more than \$5,000 in the aggregate to the Candidate's own committee during any election cycle, the Candidate's committee shall report to the appropriate filing officer pursuant to ORS Chapter 260, within seven (7) business days of its receipt, every subsequent Contribution by the Candidate to the Candidate committee during the election cycle.
- (c) A Candidate shall make no loans to the Candidate's own committee.
- (d) If for any reason subsection (c) above is not in effect, then every loan by a Candidate to the Candidate's own committee outstanding at the close of the Election Period shall be considered a Contribution and shall not be repaid from committee funds.
- (e) All Expenditures by a Candidate regarding the candidacy shall be deemed a Contribution to the Candidate's committee.

(6) Timely Disclosure of Large Contributions and Expenditures.

- (a) Every Political Committee involved in Multnomah County Candidate Elections shall name and identify itself in all Communications using a name or phrase that clearly states the economic or other interest of its major donors.
- (b) Each Communication to voters related to a Multnomah County Candidate Election by a Candidate, Candidate committee, Political Committee, or Political Party shall Prominently Disclose:
 - (A) The names of all Political Committees and Political Parties that have paid to provide or present the Communication; and
 - (B) For each contributor to such entities who has contributed amounts equal to or more than the fifth largest Dominant Contributor to each such Entity since the most recent biennial general election:
 - (i) The contributor's name as an Individual or Entity (in the case that, for any reason, Contributions by entities continue); and
 - (ii) The Types of Businesses from which the contributor has obtained a majority of income over the previous 5 years.
 - (C) For each Independent Spender who has paid amounts equal to or more than the fifth largest Dominant Independent Spender of \$500 or more to present the Communication (or substantially similar Communications) since the most recent biennial general election:
 - (i) The Independent Spender's name as an Individual or Entity (in the case that, for any reason, Contributions by entities continue); and
 - (ii) The Types of Businesses from which the Independent Spender has obtained a majority of income over the previous 5 years.

(7) Public Official Conflicts of Interest.

- (a) In addition to the applicable provisions of ORS 244.120 - 244.135, no public official of Multnomah County shall:
- (A) Vote on any official government action or decision or recommendation, if its effect would be a pecuniary benefit exceeding two thousand dollars (\$2,000), cumulatively, to any or all of these persons:
 - (i) The public official;
 - (ii) Members of the public official's household;
 - (iii) The public official's Relatives;
 - (iv) Dominant Contributors to any of the public official's campaigns for the office held; and
 - (v) Businesses owned or controlled, in whole or part, by the public official or household member or Relative or Dominant Contributor, or which has employed any of them over the past two years.
 - (B) Vote on, or participate in the government body's deliberations about, any official government action or decision or recommendation, if its effect would be a pecuniary benefit exceeding five thousand dollars (\$5,000), cumulatively, to any or all of these persons:
 - (i) The public official;
 - (ii) Members of the public official's household;
 - (iii) The public official's Relatives;
 - (iv) Dominant Contributors to any of the public official's campaigns for the office held; and
 - (v) Businesses owned or controlled, in whole or part, by the public official or household member or Relative or Dominant Contributor, or which has employed any of them over the past two years.

- (b) These prohibitions in this section shall not apply:
 - (A) If the interest or employment or membership in a particular business, industry, occupation or other class is required by law as a prerequisite to the holding of the office; or
 - (B) If the official government action or decision or recommendation would affect to the same degree a class consisting of all inhabitants of the state.

(8) Enforcement.

- (a) The provisions of this Amendment shall be administered and enforced by the Multnomah County Auditor.
- (b) For any Candidate determined to have violated any provision of this Amendment, the Voters' Pamphlet prepared for the election at issue shall display no statement of the Candidate but shall state the Candidate's specific violation(s) of this Amendment.
- (c) Each violation of any provision in this Amendment shall be punishable by imposition of a civil fine which is not less than five times, nor more than twenty times, the amount of the unlawful Contribution or Expenditure, including Contributions or Expenditures not disclosed in accordance with Section (6).
- (d) Any person eligible to vote in a Multnomah County Candidate Election shall have a civil cause of action against any violator of this Amendment and shall, upon proof of violation, recover a civil penalty of not less than \$500 per incident of violation.
- (e) Any person may file a written complaint of a violation of any of the provisions of this Amendment with the Multnomah County Auditor, who shall immediately refer the complaint to an administrative law judge. The administrative law judge shall hold a hearing on the complaint within fifteen (15) days and shall render a final decision within fifteen (15) days of the hearing. The decision shall include any appropriate order, sanction, or relief authorized by statute and shall be final and subject to review by the Court of Appeals as an agency decision in a contested case.
- (f) The decision, when final, shall be enforced by the Multnomah County Auditor, Multnomah County Attorney, and Multnomah County District Attorney. If the decision is not enforced within thirty (30) days of the decision becoming final, the complainant may bring a civil action, in a representative capacity for the benefit of the public, for the collection of the applicable civil penalty, payable to Multnomah County.

(9) Adjustments.

If, in the absence of this Section (9), there would be entered in any court of final jurisdiction any order impairing the effectiveness of any provision of this Amendment on the ground that the United States Constitution or Oregon Constitution:

- (a) Does not allow such a numeric limit or threshold, percentage limit or threshold, time period, or age limit, we, the electors of Multnomah County, acting in our legislative capacity, hereby:
 - (A) Increase the challenged numeric limit or threshold by a factor of two;
 - (B) Increase the challenged percentage limit or threshold by fifty percent (50%);
 - (C) Adjust the challenged time period by thirty (30) days;
 - (D) Increase the challenged age limit by 2 years;

A prohibition shall be considered a numeric limit of zero.

- (b) Requires that any type of Individual or Entity be wholly or partially exempt from any of the prohibitions or limitations in this Amendment, then we, the electors of Multnomah County, acting in our legislative capacity, hereby declare that the provisions of this Amendment shall be given a narrowing interpretation so as to avoid invalidation of any provision of this Amendment and to preserve its effectiveness to the maximum degree consistent with the constitutions.

(10) Severability.

The provisions of this Charter Amendment shall supersede any provisions of law with which they may conflict. For the purpose of determining constitutionality, every section, subsection, and subdivision thereof of this Amendment, at any level of subdivision, shall be evaluated separately. If any section, subsection or subdivision at any level is held invalid, the remaining sections, subsections and subdivisions shall not be affected and shall remain in full force and effect. The courts shall sever those sections, subsections, and subdivisions necessary to render this Amendment consistent with the United States Constitution and with the Oregon Constitution. Each section, subsection, and subdivision thereof, at any level of subdivision, shall be considered severable, individually or in any combination.

If the courts of Oregon determine, with finality, that the provisions of this Amendment cannot be applied to Candidates for office other than public offices of Multnomah County itself, then this Amendment shall apply only to elections for public offices of Multnomah County itself, and every instance of "Multnomah County Candidate Election" in this Amendment shall be replaced with "Multnomah County Internal Candidate Election."