

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON**

RESOLUTION NO. 2019-071

Requesting a Proposed Ordinance to Implement Disclosure Requirements in Multnomah County Candidate Elections.

The Multnomah County Board of Commissioners Finds:

- a. The Multnomah County Board of Commissioners (“Board”) supports campaign finance reform.
- b. The Board is committed to carrying forward the will of the voters, who approved campaign finance reform amendments to the Multnomah County Home Rule Charter through adoption of Measure 26-184 (2016), to the extent possible in light of existing case law interpreting the Oregon Constitution and the United States Constitution.
- c. To that end, the Board sought a court ruling on the constitutionality of Measure 26-184, and accompanying Ordinance No. 1243, which is now codified in Multnomah County Code (“MCC”) 5.200 to 5.206.
- d. A trial court judge ruled that the provisions of Multnomah County Code limiting campaign contributions and expenditures, as well as the provision requiring disclosures in communications relating to Multnomah County candidate elections, violated Article I, section 8, of the Oregon Constitution. The Oregon Supreme Court is now reviewing that ruling in a certified appeal, with oral argument scheduled for November 1, 2019.
- e. Following the trial court’s ruling, City of Portland (“City”) voters adopted a substantially similar campaign finance reform measure, and the City similarly sought a court ruling on the constitutionality of its measure.
- f. A trial court judge ruled that the City’s disclosure provision does not violate Article I, section 8, of the Oregon Constitution or the First Amendment to the United States Constitution, and noted that the City provision cured deficiencies in the County disclosure provision.
- g. Consistent with the Board’s desire to carry forward the will of the voters to the extent possible in light of existing case law, the Board seeks to implement a meaningful and operationally sound disclosure provision that will align with the type of disclosure provision that has now been held to be constitutional by the trial court.

The Multnomah County Board of Commissioners Resolves:

1. To support campaign finance reform to the extent possible in light of existing case law.
2. To request that the Chair direct the Elections Division of the Department of Community Services and the County Attorney to prepare an ordinance, and any necessary implementing documents, by December 31, 2019, requiring campaign communications relating to Multnomah County candidate elections to disclose their funding sources.

ADOPTED this 18th day of July, 2019.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON



Deborah Kafoury, Chair



REVIEWED:
JENNY M. MADKOUR, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON



By _____
Jenny M. Madkour, County Attorney

SUBMITTED BY: Deborah Kafoury, Chair