

Prospective Petition

Local Initiative and Referendum

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 22 JUN 2021 14:41
SEL 370
 rev 01/18 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 a 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.

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 type="checkbox"/> District	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Title Subject or name you give your petition.
 Honest Elections Ordinance of Columbia County

Website if applicable

Petition Correspondence Select the method of receiving notices or other correspondence from the Filing Officer.

Correspondence Recipient Email Chief Petitioners Mail Chief Petitioners

Recipient Information

Name	Email Address
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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 Emily Miranda	Contact Phone [REDACTED]
Residence Address street, city, state, zip 33986 7 Oaks Dr, Scappoose, OR 97056	
Mailing Address if different	Email Address MRS. EMILY. MIRANDA @GMAIL
Signature <i>Emily Miranda</i>	Date Signed 6/20/21

Name SABBATH RAIN MIKELSON	Contact Phone [REDACTED]
Residence Address street, city, state, zip 33986 7 OAKS DR, SCAPPOOSE, OR 97053	
Mailing Address if different	Email Address SABBATHRAINN@GMAIL.COM
Signature <i>Sabbath Rain</i>	Date Signed 06/22/2021

Name MADELINE REESE	Contact Phone [REDACTED]
Residence Address street, city, state, zip 33363 SW MEADOWBROOK DRIVE, SCAPPOOSE, OR 97056	
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Signature <i>Madeline Reese</i>	Date Signed 6-22-21

Honest Elections Ordinance of Columbia County, Oregon

Whereas, the people of County of Columbia, Oregon, find that limiting large contributions and expenditures in political campaigns would avoid the reality and appearance of corruption, including *quid pro quo* corruption, and serve other valuable purposes, they adopt this Ordinance:

ORDINANCE: CAMPAIGN FINANCE IN CANDIDATE ELECTIONS

Section 1. Contributions in Columbia County Candidate Elections.

- a. An Individual or Entity may make Contributions only as specifically allowed to be received in this Ordinance.
- b. A Candidate or Candidate Committee may receive only the following Contributions during any Election Cycle:
 - (1) Not more than five hundred dollars (\$500) from an Individual or a Political Committee other than a Small Donor Committee;
 - (2) Any amount from a qualified Small Donor Committee;
 - (3) A loan balance of not more than five thousand dollars (\$5,000) from the candidate; and
 - (4) No amount from any other Entity, except as provided in Section 5 below.

Section 2. Candidate Personal Contributions and Expenditures.

- a. A candidate may contribute to the candidate's own committee during any election period not more than ten thousand dollars (\$10,000); and
- b. An additional fifty percent (50%) of that limit, if the candidate is not the incumbent for the public office sought.
- c. A candidate shall make no loans to the candidate's own committee.
- d. If for any reason subsection (2) above is not in effect or enforced, 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 his or her candidacy shall be deemed a contribution to the candidate's committee.
- f. Every Communication funded in whole or in part by the candidate shall Prominently Disclose the amount that the candidate has contributed to the campaign, current to within ten (10) calendar days of the printing of printed material or within five (5) calendar days of the transmitting of a video or audio or online written Communication.

Section 3. Expenditures in Columbia County Candidate Elections.

- a. No Individual or Entity shall expend funds to support or oppose a Candidate, except those collected from the sources and under the Contribution limits set forth in this Ordinance.
- b. An Entity shall register as a Political Committee under Oregon law within three (3) business days of making aggregate Independent Expenditures exceeding \$750 in any Election Cycle to support or oppose one or more Candidates in any Columbia County Candidate Election.
- c. Only the following Independent Expenditures are allowed per Election Cycle to support or oppose one or more Candidates in any particular Columbia County Candidate Election:
 - (1) An Individual may make aggregate Independent Expenditures of not more than five thousand dollars (\$5,000).
 - (2) A Small Donor Committee may make Independent Expenditures in any amounts from funds contributed in compliance with Section 1 above.
 - (3) A Political Committee may make aggregate Independent Expenditures of not more than five thousand dollars (\$5,000), provided that the Independent Expenditures are funded by means of Contributions to the Political Committee by Individuals in amounts not exceeding five hundred dollars (\$500) per Individual per year.

Section 4. Timely Disclosure of Large Contributions and Expenditures.

- a. Each Communication to voters supporting or opposing a candidate in a Columbia County Candidate Election shall Prominently Disclose the true original sources of the Contributions and/or Independent Expenditures used to fund the Communication, including:
 - (1) The names of any Political Committees and other Entities that have paid to provide or present it; and
 - (2) For each of the five Dominant Contributors providing the largest amounts of funding to each such Political Committee or Entity in the current Election Cycle:
 - (a) The name of the Individual or Entity providing the Contribution; and
 - (b) The types of businesses from which the maker of the Contribution has obtained a majority of income over the previous 5 years, with each business identified by the name associated with its 6-digit code of the North American Industry Classification System (NAICS).
 - (3) For each of the largest five Dominant Independent Spenders paying to provide or present it:
 - (a) The name of the Individual or Entity providing the Independent Expenditure; and
 - (b) The types of businesses from which the maker of the Independent Expenditure has obtained a majority of income over the previous 5 years, with each business identified by the name associated with its 6-digit code of the North American Industry Classification System (NAICS).
- b. If any of the five largest Dominant Contributors or Dominant Independent Spenders is a Political Committee (other than a Small Donor Committee) or nonprofit organization, the prominent disclosure shall include its top three funders during the current Election Cycle.
- c. The disclosure shall be current to within ten (10) days of the printing of printed material or within five (5) days of the sending of electronic text or email or the posting of information on the internet or the transmitting of a video or audio Communication.

Section 5. Coordination with Public Funding of Campaigns.

A candidate participating in a government system of public funding of campaigns may receive any amount that such system allows a participating candidate to receive.

Section 6. Disposition of Unspent Campaign Funds.

No later than 60 calendar days after the end of the applicable election cycle, any unexpended moneys in excess of \$10,000 that remain in the principal campaign committee of a candidate for Columbia County office shall be provided to the County Clerk for the purpose of producing the voters pamphlet.

Section 7. Implementation and Enforcement.

- a. The provisions of this Act shall be administered and enforced by the County Clerk and citizens of Columbia County.
- b. Each violation of any provision in this Act shall be punished 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 an expenditure not in compliance with the prominent disclosure requirements of Section 4 of this Act.
- c. The recipient of any contribution that violates this Act may remedy the violation by refunding to the contributor, within ten (10) calendar days of receiving the contribution, an amount that renders the contribution in compliance with this Act.
- d. Any person may file a written complaint of a violation of any of the provisions of this Act with the County Clerk.
- e. The County Clerk, otherwise having reason to believe that a violation of any provision has occurred, shall issue a complaint regarding such violation.
- f. Upon receipt or issuance of a complaint, the County Clerk:
 - (1) Shall examine the complaint to determine whether a violation has occurred and shall make any investigation necessary;

- (2) Within two business days of receiving or issuing a complaint, shall issue a notification, including a copy of the complaint, to every person who is the object of the complaint and to the complainant;
 - (3) Shall accept written materials supporting or opposing the complaint for a period of 10 business days following any such notification; and
 - (4) Shall render a decision on the complaint within 10 business days of the close of the material submission period.
- g. If the complaint is received or issued within 30 days of the date of the election involving the object of the complaint, then all time periods stated in subsection f. above shall be reduced by one-half.
 - h. The County Clerk may issue subpoenas to compel the production of records, documents, books, papers, memoranda or other information necessary to determine compliance with the provisions of this Ordinance.
 - i. Upon finding a violation of the requirement for timely disclosure set forth in Section 4 above, the County Clerk shall determine the true original sources of the Contributions and/or Independent Expenditures used to fund the Communication at issue and shall immediately issue a statement to all interested parties and news organizations containing all of the information about the involved donor(s) required by Section 4.
 - j. The proceeding conducted by the County Clerk is not a judicial or quasi-judicial proceeding. The rules of evidence shall be the same as in other than contested cases conducted by agencies of the State of Oregon.
 - k. The complainant or any person who is the object of the complaint may, within 30 days of the issuance of the decision, appeal that order to the appropriate Circuit Court and obtain a *de novo* evidentiary hearing on the complaint.
 - l. The decision in the matter shall be deemed final, following completion of any judicial review. Such decision shall be enforced by Columbia County. 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 collection of the applicable civil

penalty, payable to the Columbia County, and for any appropriate equitable relief.

- m. In addition to all other remedies, any person adversely affected or aggrieved by a violation of the provisions of this Act or who filed a complaint alleging a violation may bring a civil action in a representative capacity against the alleged violator to apply the applicable civil penalty, payable to Columbia County.

Section 8. Adjustments.

All dollar amounts specified in this Ordinance shall be adjusted on January 1 of each year ending in zero to reflect an appropriate measure of price inflation, rounded to the nearest ten dollars.

Section 9. Severability.

For the purpose of determining constitutionality, every section, subsection, and subdivision thereof of this Ordinance, at any level of subdivision, shall be evaluated separately and shall be considered severable, individually or in any combination. 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 Ordinance consistent with the United States Constitution and the Oregon Constitution.

Section 10. Definitions.

Unless otherwise indicated by the text or context of this Ordinance, all terms shall have the definitions at Chapter 260 of Oregon Revised Statutes, as of January 1, 2021. Terms found therein or defined below are capitalized in this Ordinance.

- a. "Candidate" has the meaning set forth at ORS 260.005(1).
- b. "Candidate Committee" has the meaning set forth at ORS 260.039 - 260.041, as of November 8, 2016, for the term "principal campaign committee."

- c. "Columbia County Candidate Election" means an election, including a primary election, to select persons to serve in public offices of Columbia County.
- d. "Communication" means any written, printed, digital, electronic or broadcast Communications in support of or opposition to a candidate, not including small items worn or carried by Individuals (such as buttons, pins, stickers, or pens), bumper stickers, signs smaller than 6 square feet, or a distribution of two hundred (200) or fewer substantially similar pieces of literature within any 10-day period.
- e. "Dominant Contributor" means any Individual or Entity which contributes more than one thousand dollars (\$1,000) during an Election Cycle to a Candidate Committee or Political Committee.
- f. "Dominant Independent Spender" means any Individual or Entity which expends more than one thousand dollars (\$1,000) during an Election Cycle to support or oppose a particular Candidate.
- g. "Election cycle" means:
 - (1) Generally, the period between an election at which a candidate is elected and the next election for that same office, disregarding any intervening primary or nominating election, any recall election, or any special election called to fill a vacancy.
 - (2) 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.
 - (3) 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.
- h. "Entity" means any corporation, partnership, limited liability company, proprietorship, Candidate Committee, Political Committee, or other form of organization which creates an entity which is legally separate from an Individual.
- i. "Individual" means a citizen of the United States; however, when this Ordinance expresses a limitation or prohibition, "Individual" means any human being.
- j. "Prominently Disclose" means that:

- (1) The disclosure is readily comprehensible to an individual with average reading, vision and hearing faculties; and
 - (2)
 - (a) Any printed disclosure appears in a typeface of contrasting color and in a font size that is at least as large as the font size used for the majority of the text in the printed material;
 - (b) Any video disclosure is readable without the use of closed captioning and is visible for four or more seconds;
 - (c) Any video disclosure is accompanied by an auditory disclosure of all of the required information;
 - (d) Any auditory disclosure is spoken at a maximum rate of five words per second;
 - (e) Any disclosure displayed on an internet website or as part of an electronic mail message is in a typeface of contrasting color and in a font size that is at least as large as the font size used for the majority of the text used on the website or in the body of the message; and
 - (f) Any disclosure on a billboard or sign appears in a typeface of contrasting color and in a font size that is at least 20 percent of the height of the billboard or sign.
- k. "Small Donor Committee" means a Political Committee which has never accepted any Contributions except from Individuals in amounts limited to one hundred dollars (\$100) per Individual contributor per calendar year.