

EXECUTIVE ORDER NO. 12-08

**MAYOR'S ADVISORY TASK FORCE ON
ETHICS & CAMPAIGN FINANCE REFORM**

WHEREAS, the City's campaign finance ordinance, enacted in 2003, has now been in effect for a full municipal election cycle; and

WHEREAS, the City's campaign finance ordinance received extraordinary acclaim for its effect on reducing the perception of "pay to play" in the 2007 Mayoral and Council elections; and

WHEREAS, on February 1, 2006, the City's extensive new requirements on no-bid contracting became effective, including mandatory disclosure of campaign contributions before the award of such a contract and throughout the contract period. These new provisions on no-bid contracts provide for a more open and transparent government and further diminish the perception of "pay to play" politics; and

WHEREAS, now having had the experience of the recent election cycle, it is an opportune time to evaluate and examine the City's campaign finance restrictions in a comprehensive and coordinated manner for further refinements and revisions to strengthen and clarify the ordinance, and to explore public campaign financing; and

WHEREAS, in an effort to restore integrity and public confidence in City government, the City – with voter approval – created a new independent Board of Ethics in the spring of 2006; and

WHEREAS, the Board of Ethics has instituted annual mandatory ethics training for all City officers and employees and has rendered opinions on a variety of ethical matters, including political activity restrictions on City board or commission members; and

WHEREAS, while the ethics climate within City government has significantly improved, there is always more that can be done in an effort to restore the public's faith and confidence in its government; and

WHEREAS, as evidence of further possible reforms, at the close of the most recent Council session in 2007, there remained under consideration several ethics-related bills, addressing matters such as nepotism, outside employment, gift restrictions, and lobbyist registration; and

WHEREAS, a comprehensive review of further ethics laws, campaign finance reforms, and political activity restrictions, along with a review of best practices within these areas, will provide the Mayor and Council with guidance on additional reforms that will continue to instill honesty, transparency and accountability within City government;

NOW, THEREFORE, by the powers vested in me by the Philadelphia Home Rule Charter, it is hereby ORDERED:

Section 1. ESTABLISHMENT OF THE MAYOR'S ADVISORY TASK FORCE ON ETHICS AND CAMPAIGN FINANCE REFORM

The Mayor's Advisory Task Force On Ethics and Campaign Finance Reform is hereby established in the Office of the Mayor.

Section 2. DUTIES OF THE MAYOR'S ADVISORY TASK FORCE ON ETHICS AND CAMPAIGN FINANCE REFORM

A. The Mayor's Advisory Task Force On Ethics and Campaign Finance Reform shall perform a comprehensive review of:

1) The City's campaign finance ordinance, including its direct regulation of contributions (Chapter 20-1000 of The Philadelphia Code) and the imposition of disclosure and eligibility requirements with respect to certain City contracting (Chapter 17-1400 of the Code);

2) Public campaign financing laws in other jurisdictions;

3) Additional ethics reforms for City government, with particular focus on the subjects left pending in the most recent session of City Council, including nepotism, outside employment, gifts, lobbying and training; and

4) City Solicitor opinions and Ethics Board opinions on political activity restrictions for City elected officials, their staff members, and members of any City board or commission.

B. By no later than February 1, 2009, the Task Force shall provide a report to the Mayor and the Council President setting forth its recommendations regarding improvements, changes or amendments to the existing campaign finance and ethics laws of the City. The Task Force shall convene at least one public hearing for the purposes of receiving information and recommendations from the public. The Task Force shall conduct its business in open meetings, except where necessary to preserve confidentiality. The Mayor may extend the deadline for submission, upon request of the Task Force, as necessary. Unless the Mayor shall prescribe further duties and responsibilities for the Task Force, the Task Force shall, after submission of its report, conclude its activities and terminate its service.

Section 3. COMPOSITION OF THE TASK FORCE

A. The Mayor's Advisory Task Force On Ethics and Campaign Finance Reform shall be comprised of nine (9) members, with one member appointed by each of the following:

- 1) the Mayor;
- 2) the Council President;
- 3) the Greater Philadelphia Chamber of Commerce;
- 4) the NAACP, Philadelphia Branch;
- 5) the Dean of the Law School of the University of Pennsylvania;
- 6) the Philadelphia Bar Association;
- 7) the Philadelphia Council, AFL-CIO;
- 8) the Committee of Seventy; and
- 9) the League of Women Voters, Philadelphia Chapter.

B. The foregoing organizations shall submit their appointees to the Mayor within fourteen days of the effective date of this Executive Order. In the event any of the foregoing organizations decline to provide a representative or do not meet the required timeframe for appointments, the Mayor, at his discretion, may substitute another organization or may allow the position to remain vacant.

C. The Mayor shall designate the Chair.

D. No member shall be an elected official or a current City, State or Federal employee.

Section 4. COOPERATION.

All City employees are directed to provide such assistance and cooperation to the Task Force as the Task Force requests in furtherance of its duties. In particular, it is expected that the Task Force will work closely with the Chief Integrity Officer and the Inspector General; and the Mayor hereby requests the cooperation and assistance of the Board of Ethics.

Section 5. EFFECTIVE DATE

This Order shall be effective immediately.

9/24/08
DATE



MICHAEL A. NUTTER, MAYOR