



# City of Santa Fe, New Mexico

## LEGISLATIVE SUMMARY

BILL NO. 2013-41

### Campaign Contribution Definition

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**SPONSOR(S):** Calvert, Bushee

**SUMMARY:** The bill proposes to amend Subsections 9-2.3(I) SFCC 1987 and 9-3.3(I) SFCC 1987 to amend the definition of *contribution* to include as a contribution certain expenditures by persons other than the candidate or the candidate's political committee.

On November 5, 2013, the Ethics and Campaign Review Board reviewed and recommended approval of the proposed ordinance amendment.

**PREPARED BY:** Rebecca Seligman, Legislative Liaison Assistant

**DATE:** November 6, 2013

**ATTACHMENTS:** Bill  
FIR

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**CITY OF SANTA FE, NEW MEXICO**

**BILL NO. 2013-41**

**INTRODUCED BY:**

Councilor Chris Calvert

Councilor Patti Bushee

**AN ORDINANCE**

**RELATING TO THE CITY OF SANTA FE CAMPAIGN CODE AND PUBLIC CAMPAIGN  
FINANCE CODE, AMENDING SUBSECTIONS 9-2.3(I) SFCC 1987 AND 9-3.3(E) SFCC 1987  
TO AMEND THE DEFINITION OF *CONTRIBUTION* TO INCLUDE AS A CONTRIBUTION  
CERTAIN EXPENDITURES BY PERSONS OTHER THAN THE CANDIDATE OR THE  
CANDIDATE'S POLITICAL COMMITTEE.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:**

**Section 1. Subsection 9-2.3(I) SFCC 1987 (being Ord. #1998-41, §3, as amended) is amended to read:**

I. *Contribution* means a loan, loan guarantee, gift, advance, pledge, contract, agreement or promise of money or anything of value or other obligation, whether or not these items are legally enforceable, made directly or indirectly, to a candidate or political committee for the purpose of influencing the outcome of a municipal election.

(1) The term "contribution" includes:

(a) The transfer of funds or anything of value between political

1 committees;

2 (b) The transfer of anything of value for less than full consideration;

3 (c) Interest, dividends or other income derived from the investment of  
4 campaign funds;

5 (d) The payment for the services of an individual serving on behalf of a  
6 candidate or political committee, which payments are made by a third party; and

7 (e) The purchase of tickets for fundraising events such as dinners, rallies,  
8 raffles, etc. and the proceeds of collections at fundraising events.

9 (f) An expenditure by a person other than a candidate or the candidate's  
10 political committee that is made in cooperation, consultation or concert with, or at the  
11 request or suggestion of, a candidate or the candidate's political committee.

12 (2) The term "contribution" does not include:

13 (a) A volunteer's personal services provided without compensation or the  
14 travel or personal expenses of such a campaign worker; and

15 (b) The cost of an event held in honor of or on behalf of a candidate  
16 when the total cost of the event amounts to no more than two hundred dollars (\$200.).

17 **Section 2. Subsection 9-3.3(E) SFCC 1987 (being Ord. #2009-44, §4, as amended) is**  
18 **amended to read:**

19 E. *Contribution* means a loan, loan guarantee, gift, advance, pledge, contract, agreement  
20 or promise of money or anything of value or other obligation, whether or not legally enforceable,  
21 made directly or indirectly, to a candidate or political committee for the purpose of influencing the  
22 outcome of a municipal election.

23 (1) The term "contribution" includes:

24 (a) The transfer of funds or anything of value between political  
25 committees;

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- (b) The transfer of anything of value for less than full consideration;
- (c) Interest, dividends or other income derived from the investment of campaign funds;
- (d) The payment for the services of an individual serving on behalf of a candidate or political committee, which payments are made by a third party; and
- (e) The purchase of tickets for fundraising events such as dinners, rallies, raffles, etc. and the proceeds of collections at fundraising events.
- (f) An expenditure by a person other than a candidate or the candidate's political committee that is made in cooperation, consultation or concert with, or at the request or suggestion of, a candidate or the candidate's political committee.

- (2) The term "contribution" does not include:
  - (a) A volunteer's personal services provided without compensation or the travel or personal expenses of such a campaign worker; and
  - (b) The cost of an event held in honor of or on behalf of a candidate when the total cost of the event amounts to no more than two hundred dollars (\$200.).

**Section 3. Effective Date.** This Ordinance shall become effective immediately upon adoption.

APPROVED AS TO FORM:



KELLEY A. BRENNAN , INTERIM CITY ATTORNEY

### City of Santa Fe Fiscal Impact Report (FIR)

This Fiscal Impact Report (FIR) shall be completed for each proposed bill or resolution as to its direct impact upon the City's operating budget and is intended for use by any of the standing committees of and the Governing Body of the City of Santa Fe. Bills or resolutions with no fiscal impact still require a completed FIR. Bills or resolutions with a fiscal impact must be reviewed by the Finance Committee. Bills or resolutions without a fiscal impact generally do not require review by the Finance Committee unless the subject of the bill or resolution is financial in nature.

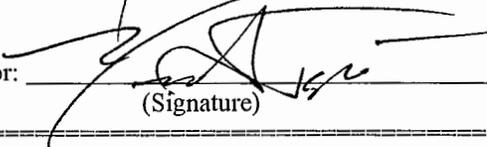
**Section A. General Information**

(Check) Bill:   X   Resolution: \_\_\_\_\_  
(A single FIR may be used for related bills and/or resolutions)

Short Title(s): Relating to the City of Santa Fe Campaign Code and Public Campaign Finance Code, amending Subsections 9-2.3(I) SFCC 1987 and 9-3.3(E) SFCC 1987 to amend the definition of contribution to include as a contribution certain expenditures by persons other than the candidate or the candidate's political committee.

Sponsor(s): Councilors Calvert and Bushee  
Reviewing Department(s): City Attorney's Office  
Persons Completing FIR: Rebecca Seligman Date: 11/06/2013 Phone: 955-6501

Reviewed by City Attorney:  Date: 11/7/13  
(Signature)

Reviewed by Finance Director:  Date: 11/8/13  
(Signature)

**Section B. Summary**

Briefly explain the purpose and major provisions of the bill/resolution:  
The purpose of the ordinance is to amend under Subsection 9-2.3(I) SFCC 1987 and Subsection 9-3.3(E) SFCC 1987, to include under the definition of contributions, "an expenditure by a person other than a candidate or the candidate's political committee that is made in cooperation, consultation or concert with, or at the request or suggestion of, a candidate or the candidate's political committee."

**Section C. Fiscal Impact**

- Note:** Financial information on this FIR does not directly translate into a City of Santa Fe budget increase. For a budget increase, the following are required:
- a. The item must be on the agenda at the Finance Committee and City Council as a "Request for Approval of a City of Santa Fe Budget Increase" with a definitive funding source (could be same item and same time as bill/resolution)
  - b. Detailed budget information must be attached as to fund, business units, and line item, amounts, and explanations (similar to annual requests for budget)
  - c. Detailed personnel forms must be attached as to range, salary, and benefit allocation and signed by Human Resource Department for each new position(s) requested (prorated for period to be employed by fiscal year)\*
- 1. Projected Expenditures:**
- a. Indicate Fiscal Year(s) affected – usually current fiscal year and following fiscal year (i.e., FY 03/04 and FY 04/05)
  - b. Indicate: "A" if current budget and level of staffing will absorb the costs  
"N" if new, additional, or increased budget or staffing will be required
  - c. Indicate: "R" – if recurring annual costs  
"NR" if one-time, non-recurring costs, such as start-up, contract or equipment costs
  - d. Attach additional projection schedules if two years does not adequately project revenue and cost patterns
  - e. Costs may be netted or shown as an offset if some cost savings are projected (explain in Section 3 Narrative)

Finance Director: \_\_\_\_\_

X   Check here if no fiscal impact

Column #:	1	2	3	4	5	6	7	8
	Expenditure Classification	FY	"A" Costs Absorbed or "N" New Budget Required	"R" Costs Recurring or "NR" Non-recurring	FY	"A" Costs Absorbed or "N" New Budget Required	"R" Costs – Recurring or "NR" Non-recurring	Fund Affected

Personnel*	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Fringe**	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Capital Outlay	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Land/ Building	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Professional Services	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
All Other Operating Costs	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Total:	\$ _____			\$ _____				

\* Any indication that additional staffing would be required must be reviewed and approved in advance by the City Manager by attached memo before release of FIR to committees. \*\*For fringe benefits contact the Finance Dept.

**2. Revenue Sources:**

- a. To indicate new revenues and/or
- b. Required for costs for which new expenditure budget is proposed above in item 1.

Column #:	1	2	3	4	5	6
	Type of Revenue	FY	"R" Costs Recurring or "NR" Non-recurring	FY	"R" Costs – Recurring or "NR" Non-recurring	Fund Affected

_____	\$ _____	_____	\$ _____	_____	_____	_____
_____	\$ _____	_____	\$ _____	_____	_____	_____
_____	\$ _____	_____	\$ _____	_____	_____	_____
Total:	\$ _____		\$ _____			

**3. Expenditure/Revenue Narrative:**

Explain expenditure/revenue source(s). Include revenue calculations, grant(s) available, anticipated date of receipt of revenues/grants, etc. Explain expenditures, grant match(s), justify personnel increase(s), detail capital and operating uses, etc. (Attach supplemental page, if necessary.)

None

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**Section D. General Narrative**

**1. Conflicts:** Does this proposed bill/resolution duplicate/conflict with/companion to/relate to any City code, approved ordinance or resolution, other adopted policies or proposed legislation? Include details of city adopted laws/ordinance/resolutions and dates. Summarize the relationships, conflicts or overlaps.

None that staff is aware of.

**2. Consequences of Not Enacting This Bill/Resolution:** Are there consequences of not enacting this bill/resolution? If so, describe:

Not enacting this bill would continue to allow an expenditures by a person other than a candidate or the candidate's political committee that is made in cooperation, consultation or concert with, or at the request or suggestion of, a candidate or the candidate's political committee.

**3. Technical Issues:**

Are there incorrect citations of law, drafting errors or other problems? Are there any amendments that should be considered? Are there any other alternatives which should be considered? If so, describe.

None that staff is aware of.

**4. Community Impact:** Briefly describe the major positive or negative effects the Bill/Resolution might have on the community including, but not limited to, businesses, neighborhoods, families, children and youth, social service providers and other institutions such as schools, churches, etc.

The amendment would clarify to contributors that such types of expenditures are not permitted.

Form adopted: 01/12/05; revised 8/24/05; 4/17/08

Chair Miller said Item B is an amendment that would include certain expenditures by persons other than the candidate or the candidate's committee. He asked Zachary Shandler to comment.

- b) An Ordinance Relating to the City of Santa Fe Campaign Code and Public Campaign Finance Code, Amending Subsections 9-2.3(I) SFCC 1987 and 9-3.3(E) SFCC 1987 to Amend the Definition of *Contribution* to Include as a Contribution Certain Expenditures by Persons Other Than the Candidate or the Candidate's Political Committee. (Councilor Calvert and Councilor Bushee) (Zachary Shandler)

Mr. Shandler said the Board could consider three actions: to recommend the bill as proposed to City Council; to recommend with changes; or to require additional study. The bill provides a new definition for *contribution* in both the Campaign Code and the Public Finance Code and now includes: "an expenditure by a person other than a candidate or the candidate's political committee that is made in cooperation, consultation or concert with, or at the request or suggestion of, a candidate or candidate's political committee."

Mr. Shandler noted that the language came from federal law and federal CFR. He said important is that the effective date is immediately upon adoption. The City Attorney's office issued an advisory opinion to the City Clerk in September, 2013 and is included in the Board's packet.

Mr. Shandler said the Board should think about three entities; the candidate's committee; interpreted as the committee with the campaign manager, treasurer, etc.; the political committee and independent groups.

Mr. Shandler pointed out that the last paragraph of the opinion set up the day's discussion: "courts and regulators have struggled to find the difference between permissible coordinated activities and coordinated activities that simply disguise contributions."

Mr. Shandler said one of the cosponsors, Councilor Patti Bushee is present, as is Jim Harrington; one of the drafters of the bill. He asked for their comments on the bill.

Councilor Bushee thanked the Board for their service. She said the concern is to make the definitions of *coordination* and who could coordinate, as clear as possible. She asked Mr. Harrington with Common Cause to comment on Attorney Shandler's opinion.

Mr. Harrington said the view of Common Cause set forth in the e-mail (Exhibit 1) is mainly sent in response to press reports. The principal advantage of this bill is to remove doubt. Federal language is copied that gives case law on situations that might come up and expansive interpretation is given by both the Supreme Court and the FEC to the term *coordination*.

Mr. Harrington stressed the importance to move the bill along. He said the bill has an immediate effective date so it would be in effect for the heaviest part of the campaign activity in January/February.

Councilor Bushee said her concern is not from a candidate stance as much as she supports public campaign finance reform initiatives. She said could see potential failure for public campaign financing

in Santa Fe if the definitions are not clear. Councilor Bushee said this bill makes clear that the current campaign code does not encourage coordination between candidates and PACs.

Chair Miller asked for questions or comments from the Board.

Mr. Harrington said the FEC regulations have two parts to the definition of *coordination*; the content prong about how the ad supports the candidate and the conduct prong; about sharing staff and sharing information between the PAC and the campaign, etc. He said the hope is that would become relevant if the bill doesn't deviate from the federal wording.

Mr. Thompson said his problem is that the bill goes into effect immediately if passed and campaigns have started. He asked why it was necessary to spring the bill now.

Mr. Harrington said the bill has been in the works for some time. He said the value of passing the bill now is that most of the serious spending takes place in January and February and no one officially becomes a candidate for another month. He noted that the bill would not be retroactive.

Mr. Shandler said they talked about the committees; political, the candidate's and the independent committees. He said the political committees are the ones authorized to coordinate; not independent groups. He said with registration from only one political committee received to date, he thought there wouldn't be a lot of upheaval for this campaign.

Chair Miller asked what would happen if the law is passed and the political committee did something considered expenditure, prior to the passing of the law, in cooperation with the campaign.

Mr. Shandler said a party could file a complaint and the ECRB could decide if the complaint had jurisdiction and should be applied prospectively.

Mr. Harrington said current code and this provision prohibits spending by anyone on behalf of any publicly financed candidate, coordinated with the candidate and doesn't have to be a committee. He gave an example of a person who with candidate's approval, spent \$10,000 on a series of ads. He said that would be a coordinated expenditure and is illegal for a publicly financed candidate under the current code.

Chair Miller asked if Mr. Harrington and the City Attorney's office disagreed.

Mr. Shandler said when he wrote the memo he wanted to provide sufficient deference to the ECRB, should they have to make factual determinations.

Mr. Harrington said Common Cause and the Sierra Club both participated in the 2008 campaign and reported under Code 926, and were not political committees. He said the coordination part of the codes state "publicly financed candidates shall not accept any contributions except qualifying and seed money." He said that doesn't say from *whom*.

Chair Miller said the Board made recommendations recently passed by City Council that excluded volunteer personal services from the definition of *contribution*. He asked if expenditure by a person other than the candidate is called a contribution; would a political committee be able to coordinate with a candidate on a volunteer's personal services without running afoul of the bill.

Mr. Harrington said the idea of public financing is to get private money; if just services, it is permitted.

Mr. Shandler noted the definition in K Expenditure, in the Code; 9-2.3 of the definition section. Chair Miller confirmed that would be the payment or transfer of anything of value, but not services.

Mr. Harrington added if a publically financed candidate coordinated with a PAC and spent money on a lot of ads to support the candidate; that could be an illegal expenditure of private money by the candidate.

Mr. Shandler said part of the analysis would be that expenditure talks about services, but has an exemption for volunteer services. He said that starts you thinking about different scenarios and is why it defers to the Board to determine what coordination is.

Ms. Lujan said if an independent was not coordinating with the campaign, but created hours of manpower to assist the campaign; that isn't money per se, but she would question that.

Mr. Harrington said that would not violate the code for two reasons; that would just be volunteer services if not paid. Secondly, there was probably not a discussion with the campaign. He said if someone wants to stretch the term *services*, they could say this is just volunteer services. He said the Board could clarify or reject that argument.

Chair Miller opened the floor to public comment.

#### **PUBLIC COMMENT**

Mr. Rad Acton, District 2 City Council candidate said a gray area is if compensation is made known for services by a PAC and was coordinated. He said while made known; where the coordination would begin and end has to be addressed. He said that could open up a Pandora's Box of promotional ambiguity. He said an option is to consider all subsequent contact with that PAC be carefully defined and/or given value.

Mr. Acton said he is for the legislation, but sees a way of acknowledging collusion with a PAC and compensating them for their service. He said an ad runs seven times a week, but they paid for the service and made that known. The PAC could "run amok" with the promotions via the association that was formally compensated.

Mr. Acton asked what would happen after that and how would that be monitored. He said they have to be careful once that box is open; about other services that would be provided that have value.

Ms. Kovnat said what Mr. Acton is saying is a political PAC acting in cooperation with a political candidate. She said that is what this provision would prevent.

Mr. Acton said only if the compensation is not considered part of the public financing budget.

*Councilor Patti Bushee* said speaking as a candidate, the scenario Mr. Acton portrays would count against the public funds and would not just be unlimited. She gave an example: if everyone is running clean and fair campaigns, but one PAC attached to one candidate claims to run publicly funded; they would be able to spend unlimited funds.

Councilor Bushee said the remedy would be to complain as another candidate, to the ECRB about that happening and have the Board rule. She said to define what is allowed and what coordination is or is not, is the bigger concern from her perspective.

*Margaret Josephina Campos* said this feels like a rerun of the same material. She said for someone running for mayor, there is too much rhetoric and it is confusing. She said people in general don't understand the five dollar qualification or where that comes from.

Ms. Margaret Campos said another problem is filling out the petition and going door to door and the person is supposed to be representing everyone in the district or in Santa Fe. She hears that as long as the signatures are from your relatives and friends, you can avoid the rest of the district. She said that is a rerun of what the state level senators and representatives do and the City should look after the general public and put things in simple terms. She said no one is looking at what the PACs are doing and this is not transparent and not right.

*Mr. Omar Amed* agreed there is a lot that needs clarification. He said he also agrees with Mr. Thompson about the issue with timing. He worried there might be an ulterior motive; the bill is targeting one group and one candidate would be affected.

Mr. Thompson asked who Mr. Amed thought the target was.

Mr. Amed said the singular PAC Progressive Santa Fe that supports Javier Gonzalez.

Mr. Biderman asked Mr. Amed if he was a part of the Gonzalez campaign.

Mr. Amed said he does work on the campaign for Mr. Gonzales. He said his concerns were not with the bill. He thought it a great policy and said the campaign has not done anything inappropriate, but wonders about the motive to introduce and enact the bill now.

He said the PAC is coordinated with the campaign and it has already been frustrating with things in the paper about the PAC's existence and actions. He said things the PAC has said have already affected the Gonzalez campaign negatively in the press.

Mr. Biderman said if the bill is enacted promptly the campaign could coordinate with the PAC. He asked if that wouldn't give protection and coverage to Mr. Gonzalez's campaign.

Mr. Amed said he worries about other motives. He said usually things are enacted immediately to affect an ongoing process. He thought it wasn't a proper course of action even though he agrees that the proposal is a good thing and needed.

Chair Miller said it is good for the Board to hear comments about the possible impacts of the proposed legislation, but the Board should not be overly concerned with the motivation. He said the Board is more interested in the merits of the proposal and the impact.

Ms. Kovnat said she viewed this change consistent with the spirit of public finance. She said it doesn't really make a change, but clarifies the rules about finance.

**Ms. Kovnat moved that the Board approve the ordinance as written and to recommend City Council adopt the ordinance. Mr. Thompson seconded the motion and the motion passed by unanimous voice vote.**

Chair Miller said by hearing Item 2D first, the Board would address everything in 2C.

(Revised agenda order)

- d) An Ordinance Relating to the City of Santa Fe Campaign Code and Public Campaign Finance Code, Amending Subsection 9-2.14 SFCC 1987 and Creating a New Subsection 9-3.12 SFCC 1987 to Establish a Ban on Contributions from Businesses or Persons Who Have a Relationship With a Business That Are or May Be in the Future in a Contractual Relationship With the City of Santa Fe. (Councilor Calvert) (Zachary Shandler)

Mr. Shandler said this ordinance would establish a ban on businesses or persons who have a relationship with the business and are, or may be in a contractual relationship with the City of Santa Fe. He explained that proposal 2C differs in that it has only a *current* contractual relationship.

He pointed out he provided a variety of findings that were in response to a federal court case in Albuquerque where the judge thought there were insufficient findings. He said many of the findings were from previous documents.

Mr. Shandler said an existing State Law 13-191.1 requires prospective contractors (businesses that have submitted an offer to an RFP) be forbidden to make a contribution and must disclose any contributions made within the previous 2 years. Currently the prospective contractor has a period of time they are not allowed to make a contribution.

Mr. Shandler read from page 3: "no candidate for mayor, council, municipal judge or candidate's political committee can accept contributions from any business contributor who at the time of the contribution is in a contractual relationship with the City to provide goods and services."

Mr. Shandler continued reading "no candidate for mayor, council, municipal judge, or candidate's political committee shall accept contributions from an individual contributor (defined as at the time of the contribution: the owner, on the board of directors, the chief executive officer or registered lobbyist with a controlling interest greater than 20% in an entity/organization) in a contractual relationship with the City to provide goods and services."

Mr. Shandler explained the response is to an Albuquerque court case with a ban on business contributions where some were plaintiffs were dismissed for lack of standing. He said the idea is that

the owner could still make a contribution. The Santa Fe code specifically defines business contributor and individual contributor.

Mr. Shandler said the language regarding owner of the business, board of directors; lobbyist, etc. was from House Bill 113 that tried to broaden the state law, but was vetoed by the governor. The 20% was from the State Governmental Conduct Act concerned with a business owned by owner and spouse. The 20% was to enable the diminutive owner to still make contributions.

Mr. Shandler read: "no candidate for mayor, council, municipal judge, or candidate's political committee shall accept a contribution in violation of 13-1-191.1 current state law; or from an individual or business contributor when it can be reasonably expected that a future contract with the City is considered to be part of a reward for the contribution."

Mr. Shandler said option A and B is in an attempt to provide objective language for someone who is not a contractor, but is considering that in the future. The language might also be repeated in the Public Financing Code. He noted there is no emergency clause, but the Board could recommend one.

Mr. Biderman thanked Mr. Shandler. He said his concern was with language in sections G and H. He said the State Statute 13-1-191.1 is confusing how this would interact with that. He said it doesn't make sense that a person could be in violation of accepting a contribution from someone who has not yet made a contribution and has nothing yet to disclose.

Mr. Biderman was worried about the wording and said that could be read as someone who made the contribution and didn't disclose it and is after-the-fact. The candidate would then be in violation even though it was the responsibility of the contractor to disclose.

Mr. Shandler agreed Mr. Biderman's point was valid. He explained the intention was to notify everyone about the current state law. He said the Procurement Code applies to everyone, but this particular law specifically references that the law applies to municipalities.

Mr. Biderman said if someone made a contribution 2 years prior to having a contract, they would just have to disclose that; it isn't that they couldn't make a contribution. He was confused how that fits with the ordinance when talking about disclosure.

Mr. Shandler said those were good points and the language could be redrafted to avoid those scenarios.

Mr. Biderman said his problem with H is similar because it is a ban on the candidate of the committee accepting the contribution and not a ban on the prospective contractor. He said his concern is how a candidate who is not an incumbent would know who would be a prospective contractor. Mr. Biderman said that could be an unfair burden for a candidate outside the system.

Mr. Shandler said he used the existing language, but the sentence could be flipped to put the burden on the contractor. He said regarding the policy makers deciding; Councilor Calvert wanted to put both options on the table so policymakers could have this type of debate.

Ms. Kovnat said she was concerned that H is so open-ended. She said a person who hopes for a City contract is precluded, but the candidate is precluded from accepting a contribution. She said a firm time period linked to the procurement process would make sense.

Mr. Biderman pointed out he is a contractor in Santa Fe, as an alternative municipal judge.

Mr. Thompson agreed with Ms. Kovnat's concerns. He said it is important for any governing body or anyone with influence to try to avoid litigation. He would prefer governing elected officials decide this.

**Mr. Thompson moved that the Board not approve the bill and that the bill be sent back for further study. Ms. Lujan seconded the motion.**

Ms. Kovnat thought the questions could be severed. She said she had fewer problems with E and F and thought they don't need to be sent back. Mr. Thompson agreed.

**Mr. Thompson modified the motion to send the bill and the discussion centering on 2D, back for clarification.**

There was no further discussion on the motion.

**The motion passed by majority voice vote. Mr. Biderman abstained as a contractor with the City.**

~~c) An Ordinance Relating to the City of Santa Fe Campaign Code and Public Campaign Finance Code, Amending Subsection 9-2.14 SFCC 1987 and Creating a New Subsection 9-3.12 SFCC 1987 to Establish a Ban on Contributions from Businesses or Persons Who Have a Relationship With a Business That Are In a Contractual Relationship With the City Of Santa Fe. (Councilor Calvert and Councilor Bushee) (Zachary Shandler)~~

~~Chair Miller said item 2C is similar and focuses on the ban on contributions from business contributors or individuals who are part of a business, or a lobbyist.~~

~~Chair Miller asked Mr. Shandler how many government contractors the City has and how many people this would affect. He said he wants a sense of the candidate's ability to run and the candidate's ability to collect qualifying contributions.~~

~~Mr. Shandler was not aware of the current number of contractors who made a contribution in this election cycle. He said businesses could make seed money contributions and qualifying contributions and it would depend on the effective date.~~

~~Chair Miller asked if the bill would prohibit a business contributor from making a qualifying contribution.~~

~~Mr. Shandler said he looked at whether a business could make a seed money contribution, but not whether they could make a qualifying contribution. He said the City Clerk advised him to look at that.~~