

1 [Citizens Advisory Committee on Elections.]

2

3 **Ordinance amending the San Francisco Municipal Elections Code, by repealing**  
4 **Sections 700 through 760, regarding the Citizens Advisory Committee on Elections.**

5 Note: Additions are *single-underline italics Times New Roman*;  
6 deletions are ~~*strikethrough italics Times New Roman*~~.  
7 Board amendment additions are double underlined.  
8 Board amendment deletions are ~~strikethrough normal~~.

8 Be it ordained by the People of the City and County of San Francisco:

9

10 Section 1. Section 760 of the Municipal Elections Code provides that if the voters  
11 approve an amendment to the Charter creating an Elections Commission, the Elections  
12 Commission shall within seven months after the effective date of such Charter Amendment  
13 submit a report to the Board of Supervisors containing the Commission's recommendations  
14 regarding (1) whether the Citizens Advisory Committee on Elections should continue to exist  
15 and (2) if so, what its role should be.

16 In November of 2001, the voters adopted Charter Section 13.103.5, creating the San  
17 Francisco Elections Commission.

18 On July 17, 2002, the Elections Commission concluded that the functions of the  
19 Citizens Advisory Committee on Elections duplicated those of the Commission, and for that  
20 reason recommended to the Board of Supervisors that the Committee be dissolved.

21

22 / / /

23 / / /

24 / / /

25 / / /

1 Section 2. The San Francisco Municipal Elections Code is hereby amended by  
2 repealing Sections 700 through 760, in their entirety.

3 ~~SEC. 700. ESTABLISHMENT; COMPOSITION.~~

4 ~~The Citizens Advisory Committee on Elections (hereinafter called "CACE") shall consist of 11~~  
5 ~~voting members, 5 of whom shall be appointed by the Mayor and 6 of whom shall be appointed by the~~  
6 ~~Board of Supervisors. One of the members appointed by the Mayor and two of the members appointed~~  
7 ~~by the Board of Supervisors shall be nominated by a citizens' group interested in civic participation~~  
8 ~~and/or fair elections. The appointive members shall be registered San Francisco voters, demonstrate~~  
9 ~~an interest and knowledge in the elections process, and show a commitment to fair and impartial~~  
10 ~~elections. The City Attorney or his or her designated representative, and the Director of Elections or~~  
11 ~~his or her designated representative shall be ex officio members and shall have a voice but no vote in~~  
12 ~~CACE proceedings.~~

13 ~~The term of each voting member shall be four years. The terms of each voting member will be~~  
14 ~~staggered. Upon enactment of this ordinance, each voting member will draw a lot to determine the~~  
15 ~~expiration of his or her initial term. Two voting members' initial terms will expire on July 1, 2002;~~  
16 ~~three voting members' initial terms will expire on July 1, 2003; three voting members' initial terms will~~  
17 ~~expire on July 1, 2004; and three voting members' initial terms will expire on July 1, 2005. No person~~  
18 ~~may serve more than one term as a member of the CACE, provided that persons appointed to less than~~  
19 ~~four-year terms shall be eligible to be appointed to one additional four-year term.~~

20 ~~The CACE shall elect a chairperson from among its appointed members. The term of office as~~  
21 ~~chairperson shall be for the calendar year or for that portion thereof remaining after each such~~  
22 ~~chairperson is elected.~~

23 ~~If a member is unable to attend a meeting of the CACE, he or she shall so notify all other~~  
24 ~~members at least forty-eight hours before the meeting. If a member is absent from four consecutive~~  
25

1 *meetings without providing such notice, the member shall be deemed to have resigned by operation of*  
2 *law.*

3 *In the event a vacancy occurs during the term of office of any members, a successor shall be*  
4 *appointed for the unexpired term of the office vacated in a manner similar to that described herein for*  
5 *the initial members. Members of the CACE shall serve without compensation. Members may be*  
6 *removed by the Mayor only pursuant to San Francisco Charter Section 15.105.*

7  
8 **~~SEC. 710. POWERS AND DUTIES.~~**

9 *The CACE shall have the power and duty to:*

10 *(a) — Study, and make advisory recommendations to the officers of the City and County on all*  
11 *matters relating to voter registration, elections and the administration of the office of the Director of*  
12 *Elections;*

13 *(b) — Investigate compliance with the requirements of federal, State and local election and*  
14 *campaign reporting, disclosure laws and other statutes relating to the conduct of elections in San*  
15 *Francisco;*

16 *(c) — Promote citizen participation in the electoral process;*

17 *(d) — Study and report on all election matters referred to it by various officers of the City and*  
18 *County; and*

19 *(e) — Do any and all things necessary or convenient to enable it fully and adequately to*  
20 *exercise the aforesaid powers, to perform the aforesaid duties, and to accomplish the objectives and*  
21 *purposes of this Article.*

22  
23 **~~SEC. 720. REPORTS.~~**

24 *The CACE shall render annually two written reports of its activities to the Mayor, the City*  
25 *Administrator, the Director of Elections, and to the Board of Supervisors. All reports for the previous*

1 ~~three years shall be accessible through the World Wide Web site of the Department of Elections. Each~~  
2 ~~report shall contain the following:~~

3 ~~(a) — A discussion of the Department of Elections' efforts to improve voter participation,~~  
4 ~~improve the quality of poll workers, and update voter rolls;~~

5 ~~(b) — Recommendations for the modernization of election laws and practices;~~

6 ~~(c) — Recommendations for ensuring fair and impartial elections; and~~

7 ~~(d) — Discussion and/or recommendations for complying with federal and state laws~~  
8 ~~protecting the rights of voters.~~

9 ~~The CACE may from time to time initiate reports to the various officers of the City and County~~  
10 ~~on specific election matters.~~

11  
12 **~~SEC. 730. MEETINGS.~~**

13 ~~The place, date and time of meetings of the CACE shall be prescribed by rule of the CACE;~~  
14 ~~provided, however, that the CACE shall hold a regular meeting not less than once every two months.~~

15 ~~The Chairperson may call special meetings, subject to the public notice requirements imposed by state~~  
16 ~~and local law.~~

17  
18 **~~SEC. 740. COMPLAINTS; ENFORCEMENT.~~**

19 ~~When a majority of the CACE feels that the Director of Elections has unjustifiably failed to~~  
20 ~~follow the recommendations of the CACE it may appeal such a course of action to the appointing~~  
21 ~~officer of the Director of Elections. That appointing officer may then investigate the complaint and,~~  
22 ~~upon a finding that the Director has failed to comply with State, federal or local laws pertaining to~~  
23 ~~assistance to members of minority language groups to assure full exercise of their voting rights, may,~~  
24 ~~subject to the pertinent provisions of the San Francisco Charter, take appropriate steps to discipline~~  
25 ~~the Director. Such discipline may range from a mere reprimand to dismissal from office.~~

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

**~~SEC. 750. PROHIBITED ACTIVITIES.~~**

~~During his or her tenure, no member of the CACE may: hold any other public office or any employment with the City or any City officer; provide services, on a volunteer or compensatory basis, individually support or oppose, or contribute to a campaign involving a candidate for City office, a City ballot measure or a City official seeking any elective office; employ or be employed by, or receive any gifts or other compensation from, a person required to register as a lobbyist under the City's lobbyist ordinance or a person who employs someone required to register as a lobbyist under the City's lobbyist ordinance; or employ or be employed by, or receive any gifts or other compensation from, a person required to register as a campaign consultant under the City's campaign consultant ordinance or a person who employs someone required to register as a campaign consultant under the City's campaign consultant ordinance.~~

**~~SEC. 760. ELECTIONS COMMISSION REPORT.~~**

~~If the voters approve an amendment to the Charter creating an Elections Commission, the Elections Commission shall within seven months after the effective date of such Charter Amendment submit a report to the Board of Supervisors containing the Commission's recommendations regarding (1) whether the CACE should continue to exist and (2) if so, what its role should be.~~

APPROVED AS TO FORM:  
DENNIS J. HERRERA, City Attorney

By: \_\_\_\_\_  
THOMAS J. OWEN  
Deputy City Attorney