

Suggestions from Mr. Trotner:

PROPOSED BILL TO CHANGE THE CURRENT ALLENTOWN ETHICS STATUTE

Delete current City Charter §1101 B & C and substitute the following language therefor:

§1101.

Section 1. Statement of Ethics and Anti-corruption Policy. The proper operation of responsible government requires that public officials and employees be independent, impartial, and responsible to the people; that government decisions and policy be made in the best interests of the community and the government; that public office not be used for personal gain; that officials and employees not be unduly or inappropriately influenced by those they regulate or by those who seek special benefits from the City; and that the public have confidence in the integrity and transparency of its government.

Section 2. Ethics Code and Ethics Board to be established.

a. Ethics Code and Ethics Board. There is hereby created a new, independent, appointed, ongoing citizens Ethics Board of five (5) members, whose membership shall consist of registered City of Allentown electors who have special ethics, training, investigation, and other relevant subject matter expertise. None of the members shall be an officer or employee of Allentown government or any of its departments, boards, commissions, agencies, or authorities.

b. Four (4) board members, no two (2) of whom shall be of the same political party, shall be initially, publicly interviewed and appointed by city council for terms beginning twenty eight (28) days following the enactment of this statute. Following their appointment, they shall appoint a fifth board member, who shall be an attorney in good standing with the bar of the County of Lehigh, for a term beginning twenty eight (28) days following the enactment of this statute. The intent of this provision is that the new Board shall be in place twenty eight (28) days after the enactment of this statute and that they will render decisions under the existing Ethics Code until the Board shall propose, and Council shall approve, the new Code, as provided for under § 2. c(1) below. Subsequent appointments shall be made within twenty one (21) days of a vacancy occurring. The replacement Board member shall be appointed in the same way the outgoing member was selected (i.e., either by Council or by the Ethics Board. The City Council shall provide by ordinance for the length and staggering of the terms of Ethics Board members.

c. The Ethics Board shall: (i) within six (6) months of appointment, formally prepare new proposed Ethics Commission rules for approval by Council; (ii) adopt bylaws and due process procedures for the administration of the Ethics

Board; (iii) manage and

coordinate the mandatory training of local officials, officers, employees, and board members in state and local ethics; (v) have the authority to refer ethics and corruption matters to the State Ethics Commission or other

appropriate enforcement agencies; (vi) recommend proposed ordinances, resolutions, or charter amendments to City Council in all areas of ethics and corruption, including

but not limited to: conflicts of interest; financial disclosure; voting conflicts; ethics education; ethics in procurement, monitoring, and enforcement of the City's pay to play statute; campaign ethics and financing; whistleblower protection and

lobbying. All such legislative proposals shall be filed with and approved by City Council before they become effective; (vii) have the authority to investigate complaints and to levy those civil penalties as may be authorized by City Council for violations of the City's ethics code; and (viii) employ volunteer staff. A structure shall be established for the Ethics Board that ensures independence and impartiality,

and provides for the maximum practicable input from citizens and community organizations.

Section 3. Contribution Limitations.

No candidate for City Council shall accept any election campaign contribution from any contributor, including a political committee as defined by state law, in cash or in kind, in an amount in excess of the appropriate campaign limits established for individuals and corporations under federal law [currently \$2700].

Section 2. Severability. If any section, subsection or provision of this charter change is determined by a court to be invalid, the remainder of this charter change shall not be affected by such invalidity.