FAIR POLITICAL PRACTICES COMMISSION

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August 29, 2001

The Honorable Gray Davis
Governor
State of California
State Capitol
Sacramento, California 95814

Dear Governor Davis:

On behalf of the Fair Political Practices Commission, I request your favorable consideration of Senate Bill 34 (Burton). This is a follow-up measure to Proposition 34, the campaign reform initiative approved by over 60 percent of California voters last fall.

After conducting extensive and mostly fruitful negotiations with the bill's author, the Commission voted to support the bill in its final amended form. While the bill is not perfect in every detail, it resolves many of Proposition 34's technical shortcomings. Although the Commission does not individually endorse every change made by the bill, it strongly supports several of the major provisions, including:

- Increased disclosure required of member communication payments made by political parties under Government Code Section 85312. This provision returns the state of the parties' member communication reporting requirements to what they were prior to the passage of Proposition 34. In so doing, the bill addresses and resolves much of the controversy surrounding party membership communications that arose during this year's Los Angeles mayoral primary election. As the agency with primary responsibility for interpreting and enforcing the Act, the Commission believes SB 34 will ensure adequate public disclosure by political parties, as well as the integrity of local campaign reform regimes, while continuing to recognize that regulation of these entities is a matter of statewide concern.
- A change in the paid ballot measure spokespersons requirement in Government Code Section 84511 to shift the reporting obligation from the spokesperson to the committee making the payment. This provision will reduce the number of inadvertent violations by those unfamiliar with the Political Reform Act.

- Clarification as to the sections of Proposition 34 that currently apply to all candidates and those that are delayed in their application to statewide candidates until after the next statewide general election. This is not a substantive change, but will greatly ease the regulatory burden placed on the Commission by the vague wording of Section 83 of Proposition 34.

In addition, while the Commission did not request the following provisions, we are encouraged by their inclusion in the bill:

- Earlier disclosure of large contributions ($5,000 or more) made in support of, or opposition to, state candidates and ballot measures more than 90 days prior to an election. Under Government Section 85309, these payments will be reported within 10 business days.
- Clarification that political party payments for state candidate-requested member communications must come from funds subject to the $25,000 per source contribution under Section 85303.

On balance, SB 34 is a measure deserving of your signature. We urge your favorable consideration of the bill.

Very truly yours,

Karen Getman

Karen Getman
Chairman

Cc: The Honorable John Burton
The Honorable Ross Johnson
The Honorable Betty Karnette