



THE CITY OF SAN DIEGO

January 10, 2011

Fair Political Practices Commission
428 J Street, Suite 800
Sacramento, CA 95814

VIA ELECTRONIC AND REGULAR MAIL

Re: Electronic Filing and Elimination of Paper Filing Requirement

Dear Commissioners:

In connection with the proposals considered by the FPPC Chairman's Task Force on the Political Reform Act, the San Francisco Ethics Commission has recommended the elimination of the paper filing requirement and the designation of the electronic document as the official document of record. The San Francisco Ethics Commission asked many local agencies, including the San Diego Ethics Commission, to endorse its position, which will be expressed in a letter sent to the FPPC before its next meeting on January 28, 2011. As I advised the San Francisco Ethics Commission, the San Diego Ethics Commission has not had sufficient time to evaluate the proposal in order to consider endorsing it.

Although the San Diego Ethics Commission has not endorsed the proposal put forth by San Francisco, our Commission strongly supports electronic filing and the ultimate potential for electronic filing to eliminate the need for paper records, which will result in substantial cost savings associated with paperwork reduction. We worked very closely with the San Diego City Clerk's Office on the development of an online filing system for campaign statements because we recognize the importance of making the information disclosed on campaign statements as accessible to the public as possible.

Before the FPPC considers implementing the San Francisco (or any similar) proposal, however, we are hopeful that the agency will employ its customary deliberative process to provide ample opportunity for the public, regulated community, and local jurisdictions to carefully evaluate the related issues, including the following:

- the impact of mandatory electronic filing on grassroots candidates and treasurers, and whether paper filing should continue to be accepted for candidates with financial activity below a specified financial threshold;



Ethics Commission

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- whether the elimination of the paper filing requirement should apply only to jurisdictions that already have an electronic filing system in place, or whether it should apply to all jurisdictions such that those agencies that do not yet have electronic filing will be required to implement it;
- whether mandatory electronic filing should apply to all types of campaign disclosure statements (Forms 410, 425, 450, 460, 461, 465, 470, 495, 496, 497, and 501) in light of the fact that many jurisdictions, including the City San Diego, do not currently have electronic filing capabilities for all these forms;
- whether there are security issues that need to be addressed, and whether a mandatory electronic filing system should include an authorization/submittal component for both the candidate/principal officer(s) and the campaign treasurer; and,
- whether any mandatory system should be preceded by a pilot project to ensure system capabilities in light of the fact that any malfunctions preceding an election could result in the inability of the public to access important information contained in the disclosure statements.

Finally, with respect to the contention put forth by San Francisco that the transition from paper to electronic filing should take place before the FPPC commences development of a single online database for all state and local filings, we submit that there is no apparent reason for mandating online filing before creating a single statewide online system. In fact, a single online system available to all jurisdictions could potentially eliminate the need for local jurisdictions that do not currently have electronic filing to create and maintain their own local systems. In any event, we believe that both of these important issues should be carefully considered by the FPPC and local agencies on parallel tracks.

Sincerely,



Stacey Fulhorst
Executive Director

cc: John St. Croix, San Francisco Ethics Commission
Elizabeth Maland, San Diego City Clerk