

# California Legislature Assembly Rules Committee

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March 8, 2012

Chair Ravel and Commissioners Garrett, Rotunda, Montgomery and Eskovitz  
Fair Political Practices Commission  
428 J Street, Suite 620  
Sacramento, CA 95814

## **RE: Support and Request for Amendment to Proposed Regulation 18215.3**

Dear Commissioners:

The purpose of this letter is support of the concepts of proposed Regulation 18215.3 (“Behested Payment Reporting”). As proposed, the regulation, at subdivision (b), would provide for an exception to reporting where a solicitation from a charitable organization does not “feature” an elected officer, or PUC member. The Assembly supports the language of subdivision (b).

The Assembly also specifically joins the State Senate in supporting a second exception from reporting, at subdivision (c), concerning governmental entities. By proposing this exception, staff acknowledges that statutory authority exists to craft an exception for payments made “by” governmental entities. However, as currently drafted, the language of subdivision (c) is limited to situations where an elected officer solicits assistance from another governmental entity for his or her own agency. The Assembly urges the Commission to adopt subdivision (c) without the limiting language “of the elected officer or PUC member’s agency” at the end of the subdivision. A request made by any elected officer for a payment “by” any other governmental entity similarly promotes governmental functions. Since subdivision (c) already provides that the exception only applies if a payment is used in the regular course of an agency’s official business, reporting of government-to-government payments is unnecessary.

Thank you for consideration of our comments.

Sincerely,



Luisa Menchaca  
Chief Counsel, Assembly Legislative Ethics Committee