



March 14, 2012

Commissioner Ann Ravel, Chair, and
Commissioners Sean Eskovitz, Elizabeth Garrett,
Lynn Montgomery, and Ronald D. Rotunda
California Fair Political Practices Commission
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Re: Petition to Amendment New Regulation:
Title 2 Cal. Code Regs., § 18705.5
Agenda Item 43 (March 15, 2012)

Dear Chair Ravel and Commissioners:

The California State Association of Counties (CSAC) joins the League of California Cities City Attorneys FPPC Committee (League) in supporting the petition seeking amendments to Regulation 18705.5. With the clarifications set forth in the League's letter, we respectfully urge the Commission to approve the petition.

CSAC is a non-profit corporation. The membership consists of the 58 California counties. CSAC shares the League's interest in this issue. Like members of a city council, members of a county Board of Supervisors must regularly make appointments to governing boards of separate districts, joint powers agencies, and the like. Frequently, the appointment of a member of the Board of Supervisors to such governing boards is required by statute, and is therefore an unavoidable part of the work that Supervisors perform on behalf of the public. Occasionally, those appointments include a small stipend.

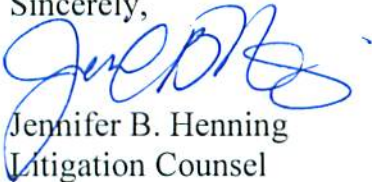
Despite the compulsory nature of many of these appointments, and the fact that the Political Reform Act specifically excludes government agency "salary and reimbursement" from the definition of income, (Gov. Code, § 82030), Regulation 18705.5 currently defines these appointments as a disqualifying financial interest if the compensation or reimbursement equals or exceeds \$250 within any 12 month period. For the reasons cited in the League's letter, CSAC urges the Commission to amend the regulation. The procedural and policy difficulties caused by the current Regulation, as outlined in the League's letter, are not justified by the limited benefits that may be achieved by defining these appointments as a disqualifying financial interest.

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CSAC unequivocally supports this Commission's efforts toward public official compensation transparency. The Commission's current regulation requiring disqualification based on stipends for these appointments, however, does nothing to fully inform the public about the total compensation that a particular official receives for his or her public service. The approach proposed in the petition (as clarified by the League's letter), addresses the need to disclose the total compensation an official receives as a result of his or her various governing board appointments. It is a reasonable approach that recognizes the practical needs of local agencies in making appointments to various governing boards, and is consistent with the Political Reform Act.

For these reasons, CSAC joins the League's letter in supporting the petition to amend Regulation 18705.5

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Henning", is written over the typed name.

Jennifer B. Henning
Litigation Counsel
California State Association of Counties