



RURAL COUNTY REPRESENTATIVES
OF CALIFORNIA

May 2, 2016

The Honorable Kevin Mullin
Member, California State Assembly
State Capitol, Room 3160
Sacramento, CA 95814

RE: Assembly Bill 2523 – OPPOSE UNLESS AMENDED

Dear Assembly Member Mullin:

On behalf of the Rural County Representatives of California (RCRC), I regret to inform you of our “Oppose Unless Amended” position to your Assembly Bill 2523 which would impose campaign contribution limits, similar to ones imposed on state legislators, for those running for local offices including the offices of county supervisor.

RCRC is an association of thirty-five rural California counties and the RCRC Board of Directors is comprised of elected supervisors from each of those member counties. In all but a handful of jurisdictions, counties conduct elections including those involving candidates and ballot measures for cities. This function occurs through the county election clerk, many of whom are appointed by the Board of Supervisors.

Under the Political Reform Act (PRA), a variety of campaign contribution limits and disclosure are required for state officeholders (Governor, Members of the Legislature, Controller, etc.). The PRA is enforced by the Fair Political Practices Commission (FPPC). AB 2523 extends many of these provisions to local officeholders; however, enforcement of these limitations would be placed under the purview of the local district attorney. It is the requirement that the district attorney be the enforcement body and his/her requirement to use the criminal statutes for proper punishment that gives RCRC much concern. District attorneys are locally-elected positions and subject to political pressures that all other county officeholders face. More importantly, we see an inherent conflict between district attorneys and those holding/running for the Board of Supervisors in that boards are charged with adopting the budget of a district attorney’s office. Finally, we question the priority district attorneys would give to investigating/prosecuting cases of misconduct involving campaign contribution limits and the disclosure requirements that would be needed to accompany these limits.

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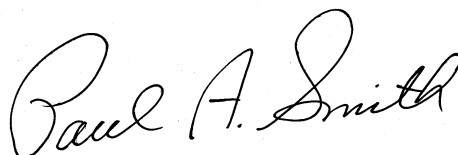
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RCRC respectfully requests that amendments be made to remove the district attorney as the enforcement entity. Ideally, we would request that if we are to impose contribution limitations, they should be brought under the purview of the FPPC – the State agency whose governing members are appointed and has nearly fifty years of addressing the rules set forth to conduct campaigns. We understand that such an amendment would trigger a new requirement under the PRA, and subsequently require a 2/3rds vote in both houses of the Legislature as well as a need to provide the FPPC with the resources to enforce the new requirement. If those two political hurdles are too difficult to achieve, we would suggest the Secretary of State or another state agency. But requiring district attorney's to enforce the provisions of AB 2523 would simply invite more complications than it would be if the duty was placed into the hands of state agencies already familiar with their respective elections role.

On a final note, we wish to be clear – RCRC does not take issue with imposing campaign contribution limitations at the local level. In fact, many large-population counties impose such requirements upon candidates campaigning for the Board of Supervisors. It is simply the current mechanism of enforcement that we find objectionable.

If you should have any questions or concerns regarding RCRC's position to AB 2523, please do not hesitate to contact me at (916) 447-4806.

Sincerely,

A handwritten signature in black ink that reads "Paul A. Smith". The signature is written in a cursive, flowing style.

PAUL A. SMITH
Senior Legislative Advocate

cc: Members of the Assembly Appropriations Committee
Members of the Fair Political Practices Commission
Mr. Ethan Jones, Assembly Elections & Redistricting Committee