

**Meeting Minutes**  
**(Unapproved and Subject to Change)**  
**Fair Political Practices Commission**  
**Law and Policy Committee Meeting<sup>i</sup>**  
**January 13, 2021 10:00 a.m.**

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The Law and Policy Committee was called to order at 10:00 a.m.

**1. Public Comment for items not on the agenda.**

**2. Approval of December 9, 2020 minutes.**

**MOTION:** To approve the December 9, 2020 Committee minutes. Moved by Commissioner Cardenas, seconded by Chair Miadich. The motion was approved 2-0.

**3. Interested Person Feedback on Pre-Noticed Amendments to Regulations Governing the Enforcement Division's Streamline and Warning Letter Programs and New Tier Two Streamline Program.**

Chair Miadich disclosed he had a conversation with Trent Lange prior to the Law and Policy Committee meeting.

Trent Lange, President, California Clean Money Campaign, discussed the seven items related to the California Disclose Act and streamline regulations that was listed in his comment letter. The biggest concern was the clear disclosure of the top contributors of \$50,000 or more.

Chair Miadich asked if an advertisement would qualify for streamline if it omits a top contributor that should have been listed in the disclaimer. Galena West, Executive Director, explained that the Enforcement division would exclude it from streamline if the top contributor was not present on the ad. Ms. West proposed to rewrite the language for number 5 on Mr. Lange's list to make it more clear and explain that late contributor reports do not trigger the change in top contributor.

Chair Miadich suggested to add more discretion in 18360.2 penalties section to deal with discretion to give the Chief of Enforcement the penalty to increase the percentages or the base amount.

**MOTION:** To recommend to the full Commission approval of the Enforcement division streamline warning letter programs and the new tier 2 streamline program with the following amendments 1. To clarify that missing an incorrect top donor information is an exclusion from the streamline program. 2. To define incorrect in 18360.3 to clarify that an incorrect name of a top contributor is not an exclusion so long as the identity of the top contributor is stated. 3. Streamline program is not available

for late contribution report violations that would have changed the disclosure of the top contributors on disclaimer 4. To amend the penalty section under tier 2 of the new streamline program to give additional discretion to the Chief of Enforcement to impose penalties higher than the base penalties in tier 2 under two circumstances: Missing or incorrect information on a disclaimer would result in confusion to voters or where there has been a repeat violation of the same type. Moved by Chair Miadich, seconded by Commissioner Cardenas. The motion was approved 2-0.

#### **4. Legislative Update.**

Lindsey Nakano, Legislative Counsel, stated that the legislature reconvened on January 11, 2021 and six commission related bills have been introduced. Four of the bills were introduced and discussed at the last L&P meeting. The fifth bill, AB 227, would prohibit a governor's appointee, a person residing in the appointee's household, or another person at the request or demand of the appointee, from making a monetary contribution to the governor's campaign. The sixth bill was reported by the Sacramento Bee, AB 236, would require limited liability companies to disclose the sources of funding if the LLC contributes \$50,000 or more to a political campaign in the state in a given year or a total of \$100,000 in four consecutive years.

#### **5. Discussion of items for February 2021 Committee meeting.**

Chair Miadich stated that a legislative update would be included on the agenda for the February 2021 L&P Committee meeting.

The meeting concluded at 11:26 a.m.

#### **ADDITIONAL INFORMATION.**

- You may listen to and participate in this committee meeting by teleconference by calling: (877) 411-9748; access code 723284.
- For questions about this meeting, you may contact the Commission Assistant at (916) 322-5660.