

Meeting Minutes
(Unapproved and Subject to Change)
Fair Political Practices Commission
Law and Policy Committee Meetingⁱ
June 10, 2021 11:00 a.m.

The Law and Policy Committee was called to order at 11:08 a.m.

- 1. Public Comment for items not on the agenda.**
- 2. Approval of May 11, 2021 minutes.**

MOTION: To approve May 11, 2021 Committee minutes. Moved by Commissioner Baker, seconded by Chair Miadich. The motion was approved 2-0.

- 3. Legislative Update.**

Lindsey Nakano, Legislative Counsel, gave an overview of current and pending legislation. SB 686 passed in the Senate 32-6 with bipartisan support.

The committee has expressed interest in and support of amendments that would change the threshold for inclusions on an LLC's statement of members to shorten the lookback period from two calendar years to possibly two calendar quarters and change the monetary threshold from one thousand dollars in cumulative capital contributions to five or ten thousand in cumulative capital contributions. Commissioner Baker asked if there were any drafted amendments and Ms. Nakano stated that they have requested language, but they have not seen any of the drafts yet. Chair Miadich asked what the last day for amendments is and Ms. Nakano stated that it will ideally be seven days before it is heard in committee.

AB 378 was heard in the Senate Judiciary committee and passed on consent. AB 1367 passed in the assembly 78-0 with bipartisan support. AB 1590 passed in the assembly last month and was referred to the senate election committee. AB 975 was ordered to be an inactive file. AB 40 was order to the inactive file by the author. SB 752 passed in the Senate 35-0. Chair Miadich asked if it would be an appropriate time for the Commission to consider a position for SB 752 by the July meeting. Ms. Nakano stated that it would be appropriate and that she is waiting for the author regarding certain details.

4. Discussion of Proposed Regulatory Changes for Electronic Media Advertisements.

Toren Lewis, Commission Counsel, gave a presentation on paid influencer posts about candidates and measures. Staff proposes updating the regulation to better address the expansion of platforms on which paid content now more frequently appears and expanding the campaign reporting requirements.

Chair Miadich asked about how a committee amplifies their communication. Mr. Lewis stated that in some cases the committee hires a firm to boost their messages and purchase fake likes to make their posts appear popular.

Chair Miadich asked about the cost and Mr. Lewis states that there are firms that offer cheap services. Chair Miadich asked about the expenditure threshold, and Mr. Lewis stated that they are not changing the \$100 threshold for reporting.

Chair Miadich asked if the new language has been defined in the regulations or act. Mr. Lewis stated that he does not believe they are defined. Chair Miadich stated that staff may benefit from more precise definitions.

Chair Miadich asked if they have received any stakeholder comment on this regulation package. Mr. Lewis and Mr. Banbridge both stated that there have not been any comments.

Commissioner Baker asked if there have been any media inquires regarding the topic. Jay Wierenga, Communications Director, stated that he has received a few inquires about influencers, and that the media is interested in the topic.

5. Discussion of items for July 2021 Committee meeting. Committee members and staff will discuss proposed agenda items for the May 2021 committee meeting.

Chair Miadich stated the Committee would hear an update on behested payments and a legislative update in July. Commissioner Baker asked about the automatic contributions and when it would be presented. Chair Miadich stated that they will add it to the July agenda.

MOTION: To adjourn the meeting. Moved by Chair Miadich, seconded by Commissioner Baker. The motion was approved 2-0.

The meeting adjourned at 12:04 p.m.