

Meeting Minutes
Fair Political Practices Commission
Law and Policy Committee Meeting
November 9, 2023
10:00 am

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

- 1. Public Comment for items not on the agenda.**
- 2. Approval of September 2023 minutes.**

MOTION: To approve September 2023 Committee minutes. Moved by Commissioner Baker, seconded by Chair Miadich. The motion was approved 2-0.

- 3. Potential Regulations 2024.** Dave Bainbridge, General Counsel, presented a list of Regulation projects. The projects were collected over the past year and were either requested by the Commission or proposed by FPPC staff. Mr. Bainbridge reviewed each proposal and answered questions the Chair and Commissioner Baker asked. These ideas will be shared at the November Commission meeting, where they will be discussed by the full commission. Commissioner Baker asked if there is any other outreach to sources outside the Commission and the Commission staff. Mr. Bainbridge said that the publicity presenting at Law & Policy and the Commission meeting garners ideas, such as the outreach from the S.F. Ethics Commission. The public can also request regulatory ideas, and all proposals will be considered for the 2024 regulatory calendar. The Commission has the authority to change, add, or remove any proposals. The full and final proposal for adoption will be presented at the January Commission meeting.

Chair Miadich asked if we have statutory authority to extend the ability to transfer to interest-bearing accounts. Mr. Bainbridge explained that we do have the authority and have advised as such in advice letters. This would be codifying the advice in the regulation to create greater clarity.

Chair Miadich asked if there are specific Section 84308 ideas. Mr. Bainbridge said they are clarifying holes they did not anticipate the first time around through writing the trainings.

Chair Miadich requested a follow-up on how Cryptocurrency campaign contributions are being reported (not in-kind contributions) and how Cryptocurrency campaign contributions are being disclosed on Statements of Economic Interest to be added to the proposal. Mr. Bainbridge will come back with a proposal.

Commissioner Baker requested a reexamination of the behested payment changes after the Commission receives the update from staff. Chair Miadich suggested that public officials who file behested payments online should receive a confirmation receipt and asked if that is a regulation project or an IT project. Mr. Bainbridge confirmed that IT is currently working on upgrading the system and thinks that they already receive an email.

Commissioner Baker would like to examine if we can add to the regulation calendar changes that might come from the attribution comment letter.

4. **Legislative Proposal 2024.** Lindsay Nakano, Senior FPPC Legislative Counsel, during the meeting, presented seven legislative ideas for potential Commission sponsorship. The Commission previously requested some of these ideas during previous meetings, while some were new proposals put forward by the FPPC staff. The legislative proposals will be presented at the November Commission meeting for discussion among the full Commission. Ms. Nakano provided a detailed explanation of each proposal and addressed questions from both the Chair and Commissioner Baker.

MOTION: To accept the Legislative Proposals and recommend approval to the Commission. Moved by Chair Miadich, seconded by Commissioner Baker. The motion was approved 2-0.

5. **Discussion of items for the next Committee meeting.**

Commissioner Baker wanted to ensure that the information on candidate-controlled ballot measure committees will be presented to the full Commission. Chair Miadich said it would.

Commissioner Baker inquired whether there will be a presentation on regulatory authority. Chair Miadich encouraged the Commissioners to call or make inquiries to Mr. Bainbridge. Commissioner Baker would like to know if there is reporting on the rules that apply to EFTs, and Miadich Chair agreed and asked that a briefing be made to the Commission regarding this topic in the first quarter next year.

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

The meeting adjourned at 10:46 a.m.