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## POLICY & LEGISLATION UPDATE

January 2009

### FULL PUBLIC FINANCING OF CITY CAMPAIGNS

CF # 05-1536	<b>Status:</b> Pending with Rules Committee and Budget Committee.
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On November 14, 2006, the Commission approved a detailed full public financing proposal, which was transmitted to the City Council on December 14, with a request for additional input. It was heard by the Rules & Elections Committee on April 11 and May 9, 2007. The office of the Chief Legislative Analyst (CLA) prepared a committee report, which identifies the commission's proposal as one option for a system of full public financing.

On August 21, 2007, we and the California Clean Money Campaign (CCMC) participated in a training session for the field staff in the Department of Neighborhood Empowerment (DONE). The CCMC is in the process of conducting neighborhood council workshops, to solicit their feedback regarding full public financing within the City. DONE has been asked to report to the Rules & Government Committee regarding any feedback received from the neighborhood councils through this process.

### ASSEMBLY BILL 1430 (MEMBER COMMUNICATIONS)

CF # 07-0002-S123	<b>Status:</b> Enacted; FPPC rulemaking pending.
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Assembly Bill (AB) 1430 was introduced in the California state legislature in February 2007 and raised the question of a local agency's ability to regulate member communications within its jurisdiction. In May 2007, the Commission voted to urge the City to oppose AB 1430. Letters were sent to both the Mayor and the City Council, and the matter was referred to the then Intergovernmental Relations Committee. The office of the Chief Legislative Analyst urged opposition to AB 1430; and in July 2007, a City Council resolution (Garcetti-Rosendahl) in opposition to the bill was also referred to the Intergovernmental Relations Committee.

In July 2007, the Senate Elections, Reapportionment and Constitutional Amendments Committee heard testimony in opposition to the bill from our office, the San Diego Ethics Commission, Common Cause, and the League of Women Voters. The committee voted in favor of the bill, and the legislature adopted it. The new law became effective on January 1, 2008.

The Fair Political Practices Commission (FPPC) held an interested persons meeting in November 2007. We participated in the meeting, along with the San Diego Ethics Commission, attorneys for the Republican and Democratic parties, and groups such as the League of Women Voters, Common Cause, and the Center for Governmental Studies. The FPPC has not yet proposed a draft regulation.

**CPI REVIEW & AMENDMENT TO LAMC § 49.7.1.2**

CF # 08-1056	<b>Status:</b> Pending with Rules Committee.
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In March and April 2008, the Ethics Commission conducted the first mandatory review of certain campaign finance limits, in light of changes in the Consumer Price Index (CPI). Based on an analysis of actual contribution and expenditure patterns in City campaigns and by City officeholders, the Commission determined that no adjustments should be made to the limits at this time. However, the Commission did recommend that Los Angeles Municipal Code § 49.7.1.2 be amended to improve the process for conducting future CPI reviews. A letter was transmitted to the City Council on April 25. The matter has been referred to the Rules & Government Committee.

**INSTANT RUNOFF VOTING**

CF # 09-1100-S1 CF # 09-1100-S4	<b>Status:</b> Pending with Rules Committee.
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On September 23, 2008, a motion (Huizar-Rosendahl) was introduced to ask the City Attorney to prepare the documents necessary to place instant runoff voting (IRV) on the March 2009 ballot. The motion also asked the Chief Legislative Analyst (CLA) and the City Administrative Officer to report on the feasibility of dedicating any savings realized from IRV in a special fund to support full public financing.

On October 7, 2008, another motion (Rosendahl-Huizar-Reyes) was introduced to ask the City Attorney to prepare the documents necessary to place IRV on the March 2009 ballot, with the provision that IRV would only be implemented when certified election equipment and software are available.

The CLA submitted a report that cautioned against placing IRV on the ballot before affected City agencies, the Los Angeles Unified School District, and the Los Angeles Community College District have an opportunity to fully evaluate the issues surrounding IRV. The report also recommended that a working group of different agencies, including the Ethics Commission, be established to identify and evaluate those issues.

The Rules & Government Committee considered the motions on October 22 and informally agreed that more information is needed before moving forward with IRV. The committee moved the matter to the full City Council without recommendation. The City Council considered the motions on October 29 and formally determined that additional information is needed before IRV is placed before the voters. They adopted the CLA's recommendation to create a working group and directed the working group to report to the Rules & Government Committee by July 4, 2009.

On December 3, we met with representatives of the New American Foundation, a proponent of IRV. In anticipation of our involvement with the working group, the foundation offered to provide data regarding the effect that IRV has had on San Francisco's partial public financing program.

**HORIZON SNAPSHOT**

January 2009

**Ideal Timeline For Commission Consideration**

<b>January 2009</b>	<b>February 2009</b>	<b>March 2009</b>	<b>April 2009</b>	<b>May 2009</b>
<ul style="list-style-type: none"> <li>• Commissioner recusals report</li> <li>• Analysis of Commissioner Jubany's recusals</li> </ul>	<ul style="list-style-type: none"> <li>• Category #2 of lobbying proposal</li> </ul>	<ul style="list-style-type: none"> <li>• Category #3 of lobbying proposal</li> </ul>	<ul style="list-style-type: none"> <li>• Category #4 of lobbying proposal</li> </ul>	<ul style="list-style-type: none"> <li>• Category #5 of lobbying proposal</li> </ul>

**Work Underway**

<b>Issue</b>	<b>Target Date</b>	<b>Subject Area</b>
Commissioner recusals in the third and fourth quarters of 2008.	Jan 2009	Governmental Ethics
Analysis of Commissioner Jubany's recusals.	Jan 2009	Governmental Ethics
Proposed FPPC regulation 18247.5, regarding general purpose and primarily formed committees.	Jan 2009	Campaign Finance
Category #2 of lobbying proposal (registration).	Feb 2009	Lobbying
Detailed instructions regarding financial disclosure form for neighborhood councils.	Feb 2009	Governmental Ethics
Category #3 of lobbying proposal (limits and prohibitions).	Mar 2009	Lobbying
Category #4 of lobbying proposal (disclosure).	Apr 2009	Lobbying
CFO issues surrounding IRV (CF #s 07-1100-S12, 09-1100-S1, and 09-1100, S4).	Apr 2009	Campaign Finance
Category #5 of lobbying proposal (enforcement and other issues).	May 2009	Lobbying
Requiring clients of lobbyists to notify the City of lobbying activity (CF # 07-3005-S1).	Jun 2009	Lobbying
Ex parte communication policies (CF # 07-3294).	Jun 2009	Lobbying
Enforcement procedures and pending enforcement actions related to lobbying (CF # 05-1425).	Jun 2009	Lobbying
City laws that govern former City officials (CF # 07-3732).	Jun 2009	Governmental Ethics
Independent expenditure laws, in light of Measure R.	Jul 2009	Campaign Finance
Disgorgement and infractions policies.	Jul 2009	Campaign Finance
Officeholder accounts.	Jul 2009	Campaign Finance
Proposed disclosure of gifts to neighborhood council members (CF # 06-3216).	Jul 2009	Governmental Ethics
Ordinance that establishes a Citywide gift policy (CF # 07-3727).	Aug 2009	Governmental Ethics
Regulations regarding gifts of travel (currently housed in CAO Rule 6).	Aug 2009	Governmental Ethics
FPPC regulations regarding AB 1430 (member communications).	Aug 2009	Campaign Finance
Recommendations for a transparent personal services contracting process (CF #s 08-1110, 08-1398).	Aug 2009	Governmental Ethics
Regulations that govern Commission opinions and advice.	Aug 2009	Miscellaneous
Revised conflict-of-interests codes for City agencies.	Ongoing	Governmental Ethics