

Comment Letter sent via email from Joyce Dillard

CHAPTER 1. GENERAL

81000

(d) The influence of large campaign contributors is increased because existing laws for disclosure of campaign receipts and expenditures have proved to be inadequate.

(h) Previous laws regulating political practices have suffered from inadequate enforcement by state and local authorities.

81002

The people enact this title to accomplish the following purposes:

(d) Assets and income of public officials which may be materially affected by their official actions should be disclosed and in appropriate circumstances the officials should be disqualified from acting in order that conflicts of interest may be avoided;

(g) Adequate enforcement mechanisms should be provided to public officials and private citizens in order that this title will be vigorously enforced.

81003.

This title should be liberally construed to accomplish its purposes.

The Argument in Favor said:

Why do powerful interests continue to dominate?

The problem still remains. We do not believe this regulation, as written, sustains the intent of the voter-approved initiative.

We now face the inclusion of Public Officials as Public Safety Officers with advantages of non-disclosure (Government Code 6254.21) which states:

*(f) For purposes of this section, "**elected or appointed official**" includes, but is not limited to, all of the following:*

- (1) State constitutional officers*
- (2) Members of the Legislature*
- (3) Judges and court commissioners*
- (4) District attorneys*
- (5) Public defenders*
- (6) Members of a city council*
- (7) Members of a board of supervisors*
- (8) Appointees of the Governor*
- (9) Appointees of the Legislature*
- (10) Mayors*
- (11) City attorneys*
- (12) Police chiefs and sheriffs*
- (13) A public safety official, as defined in **Section 6254.24**.*
- (14) State administrative law judges.*

The Proposed Basic Rule omits the following definition from the 1974 Political Reform Initiative Text:

82032. "Influencing legislative or administrative action" means promoting, supporting, influencing, modifying, opposing or delaying any legislative or administrative action by any means, including but not limited to the provision or use of information, statistics, studies or analyses.

82048. "Public official" means every member, officer, employee or consultant of a state or local government agency.

The use of FINAL GOVERNMENTAL DECISION omits the intent of Section 82032 in the influencing. Any decision of influence needs to be considered during the process of a decision.

Not addressed is the Public's access, or lack thereof, to a government decision or influence. There are few systems in place for oversight. We must not allow Whistleblowers to be the only form of government oversight.

Systems are NOT in place to make discovery easy. These regulations must be written for that aspect to liberally construe to accomplish its purpose.

Regulations serve no purpose if they obstruct. These regulations do not fit into the problems of disclosure of levels of influence for the Public. We do not feel that our Public Safety is being addressed properly. Fair Political Practices regulations need to address these issues in relationship to the responsibilities of Public Officials and their decisions on behalf of the Public.

The term "distinguishable from the effect on the public generally" does not capture the responsibility of Public Officials.

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