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**From:** Richard Rios  
**Sent:** Wednesday, July 26, 2017 11:33 AM  
**To:** Sheva Tabatabaiejad  
**Cc:** Jodi Remke; Maria Audero; Brian Hatch; Allison Hayward; Erin Peth  
**Subject:** Comment Letter for July 27 FPPC Hearing  
**Attachments:** scanneddoc0493.pdf

Good morning. Please find attached a comment letter related to Item 3 on tomorrow's FPPC agenda.

Richard R. Rios  
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Sacramento, CA 95814

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# SENATOR JOHN L. BURTON (RET)

ATTORNEY AT LAW

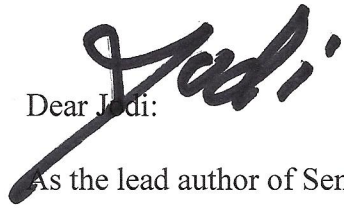
CONSULTANT IN GOVERNMENTAL AFFAIRS

July 26, 2017

Ms. Jodi Remke  
Fair Political Practices Commission  
1102 Q Street, Suite 3000  
Sacramento, CA 95811

RE: Legislative Intent and History Regarding Recalls

Dear Jodi:



As the lead author of Senate Bill 1223 (Chapter 102, Statutes of 2000), which was ultimately presented to the voters of California as Proposition 34, I respectfully request you consider the legislative history and intent regarding contributions to recall committees.

California has never applied or intended to apply contribution or spending limits to recall committees. With the passage of SB 1223, it was always my intent to continue to ensure that state candidates who are the targets of recall elections were not at a fundraising disadvantage when compared to recall proponents, who are eligible to raise unlimited funds.

The only way to guarantee that both recall proponents and state candidates who are the targets of a recall election are treated equally in all circumstances was to provide an express exception to the contribution limits for state candidate recall committees. Government Code Section 85315 was included in SB 1223 for this reason. It reads in relevant part: "An elected state officer may accept contributions to oppose the qualification of a recall measure, and if qualification is

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successful, the recall election, without regard to the campaign contributions limits set forth in this chapter.”

Applying limits to contributions made by a state candidate to a recall committee controlled by another state candidate is inconsistent with the plain language of the statute and it is also inconsistent with my intent as the author of SB 1223.

For these reasons, I respectfully request the Commission issue an opinion concluding that there is no limit on the amount of contributions that may be made by a state candidate to the recall committee of another state candidate.

Sincerely,



JOHN BURTON

State Senator, Ret.

CC: Commissioner Audero, Commissioner Hatch

Commissioner Hayward