PRESS ADVISORY

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Supervisors Approve Contract with Fair Political Practices Commission

SAN BERNARDINO—December 18, 2012—Today, the San Bernardino County Board of Supervisors unanimously approved a first-of-its-kind contract with the California Fair Political Practices Commission (FPPC) that puts the political watchdog in charge of enforcing a local campaign law limiting contributions to candidates running for County offices.

"Contracting with the FPPC ensures our County's campaign finance reform laws will be applied effectively and objectively," said San Bernardino County Second District Supervisor Janice Rutherford, who proposed the County's campaign finance ordinance and also recommended contracting with the FPPC rather than creating an internal ethics commission to enforce the rules. "Why add another layer of County government when we already have an independent State agency that is qualified and capable of enforcing our campaign finance law? We can save money and bring greater efficiency by contracting with the State."

The two-year contract authorizes the FPPC to bill up to \$493,296 to enforce the campaign finance ordinance. The amount billed may be less than the contract amount depending on the work required. If FPPC services exceed the amount allocated, Board of Supervisors' approval would be required to increase the contract amount.

The FPPC was formed after the passage of Proposition 9 (The Political Reform Act) in 1974. The agency enforces campaign finance limits in place for State elected officials, and it also reviews State and local elected officials' conflict of interest statements. Earlier this year, former Assemblyman Paul Cook introduced legislation to allow the FPPC to enforce the County's campaign ordinance. Gov. Jerry Brown signed the law, which applies only to San Bernardino County, on July 24.

The FPPC will enforce a campaign finance ordinance adopted by the Board of Supervisors on Aug. 21. Under the ordinance, candidates for County offices cannot accept more than \$3,900 from a single source, including corporations, special interest groups, and individuals, per election cycle. Previously, Supervisors were allowed to collect unlimited contributions. The ordinance also requires all candidates for County offices and independent political action committees that support County candidates to electronically file contributions and expenditures if those cumulatively exceed \$10,000 in an election cycle. The State sets a threshold of \$50,000 for electronic reporting. Campaign information that is reported electronically can be posted online and made available to the public faster than if it is submitted on paper.

Candidates who violate the ordinance can be fined up to three times the contribution amount not properly reported or \$10,000—whichever is greater. Violation of the ordinance is a misdemeanor. In addition, the ordinance provides for civil and administrative penalties for violators. The ordinance becomes effective on Jan. 1, 2013.

In 2011, Rutherford convened an Ethics Advisory Working Group made up of former elected officials and local civic leaders to consider and recommend ways to improve ethical accountability in County government. The group recommended Supervisors implement a campaign finance ordinance and debated whether the County should establish an ethics commission to enforce the rules. The group discussed how commissioners could be appointed without involving the local elected officials they would be expected to police. The cost of creating and maintaining an ethics commission was also a factor. The City of Los Angeles spends about \$2.2 million annually on its ethics commission while the City of Oakland and City of San Diego annually spend about \$266,000 and \$891,000 respectively to enforce their campaign finance rules.