

Meeting Minutes
Fair Political Practices Commission
Law and Policy Committee Meeting
September 12, 2023
10:00 am

The Law and Policy Committee meeting was called to order at 10:07 a.m.

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

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

- 3. Candidate-controlled ballot measure committees.** Dave Bainbridge, General Counsel, presented a PowerPoint presentation summarizing the law concerning candidate-controlled ballot measure committees. The presentation was the result of an Enforcement case for which the Commission approved a settlement back in March, and there were questions among the Commissioners about candidate-controlled ballot committees. The case involved a candidate for governor using funds from a ballot measure committee he controlled to promote himself and his candidacy for governor.

Chair Miadich and Commissioner Baker asked various questions about Commission Regulation 18521.5's provisions concerning candidate-controlled ballot measure committees and the possible application of the statute to hypothetical situations. Commissioner Baker inquired whether the Commission should take additional action to prevent the perceived misuse of candidate-controlled ballot measures. General Counsel Bainbridge indicated his belief that the current regulation did a pretty good job of addressing the concerns about possible misuse of candidate-controlled ballot measures, given that the First Amendment likely protects the right of candidates to control ballot measure committees.

- 4. Discussion of items for the next Committee meeting.** Chair Miadich requested that the next Law & Policy meeting take place in November.

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

The meeting adjourned at 11:11 a.m.