

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**FROM:** Supervisor John J. Benoit

**SUBMITTAL DATE:** August 16, 2013

**SUBJECT:** Opposition to Senate Bill 594 (Hill): new, broad restrictions on nonprofit organizations that use public resources from participating in campaign activities, as currently drafted.

**RECOMMENDED MOTION:** That the Board of Supervisors:

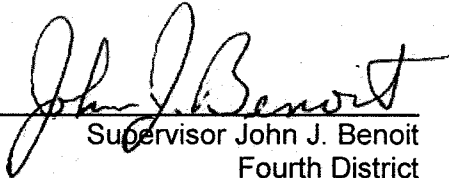
- 1) Oppose Senate Bill 594 which, as currently drafted, which would severely cripple the ability of local governments to have their voices heard; and
- 2) Authorize the chairman of the Board to forward a letter of opposition to the bill's author, the Riverside County state legislative delegation and our Sacramento advocates.

**BACKGROUND:** Existing law prohibits the use of public funds for campaign activities. Senate Bill 594 would add new, broad restrictions on nonprofit organizations that use public resources from participating in campaign activities. The author argues that the bill will prevent taxpayer-financed nonprofit organizations from comingling public and private resources.

This bill expands the definition of public resources in such a broad manner as to silence the voice of local government. The author and supporters have particularly singled out the California Association of Counties (CSAC) and the League of California Cities as the kinds of nonprofit organizations that this bill is intended to target.

CSAC receives 37 percent of its budget from dues (public funds) but the remainder from other sources considered non-public funds. The non-public funds are accounted for separately and are available for expenditure on ballot measure campaigns should CSAC's board of directors so decide.


Continued on 2<sup>nd</sup> page:

  
 Supervisor John J. Benoit  
 Fourth District

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Benoit, seconded by Supervisor Ashley and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

**Ayes:** Jeffries, Tavaglione, Stone, Benoit and Ashley  
**Nays:** None  
**Absent:** None  
**Date:** August 20, 2013  
**xc:** Supvr. Benoit

Kecia Harper-Ihem  
 Clerk of the Board  
 By:   
 Deputy

AUG 20 10 37 AM '13  
 RECEIVED COUNTY CLERK'S OFFICE

3-117

AGENDA NO.

## BACKGROUND:

SB 594 was "gut and amended" recently to insert controversial provisions that define "public resources" to also include any resources "received in exchange for consideration." According to the bill analysis by the Assembly Judiciary Committee, any service performed by a nonprofit for a local agency, for which it received payment, would be considered "public resources" under this bill. Some of CSAC's non-public funds: fees for services, rent and the like are a result of providing goods and services. Including these sources of funds as public resources would effectively preclude CSAC and similarly situated organizations from participating, financially or otherwise, in ballot measure campaigns.

In the past, CSAC has advocated on behalf of ballot measures to protect counties from property tax raids and unfunded state mandates. CSAC has scrupulously complied with all existing state and federal tax and campaign laws and has consistently disclosed its campaign contributions just as other compliant nonprofit organizations do. In 2009, the Fair Political Practices Commission investigated complaints against CSAC and other local agency associations and found no evidence that CSAC and those associations had violated the Political Reform Act.

SB 594 is a serious threat to local government. Future ballot measures may be appropriate for CSAC, utilizing non-public funds, to weigh in on as the voice of counties but this measure would effectively preclude their participation.

I respectfully request my colleagues' concurrence to oppose Senate Bill 594, as currently drafted.

**Riverside County Board of Supervisors  
Request to Speak**

Submit request to Clerk of Board (right of podium),  
Speakers are entitled to three (3) minutes, subject  
to Board Rules listed on the reverse side of this form.

**SPEAKER'S NAME:** Paul Jacobs

**Address:** \_\_\_\_\_  
(only if follow-up mail response requested)

**City:** Temecula **Zip:** \_\_\_\_\_

**Phone #:** \_\_\_\_\_

**Date:** 8/20/13 **Agenda #** 3-117

**PLEASE STATE YOUR POSITION BELOW:**

**Position on "Regular" (non-appealed) Agenda Item:**

       **Support**             **Oppose**             **Neutral**

**Note:** If you are here for an agenda item that is filed  
for "Appeal", please state separately your position on  
the appeal below:

       **Support**             **Oppose**             **Neutral**

**I give my 3 minutes to:** \_\_\_\_\_

## **BOARD RULES**

### **Requests to Address Board on "Agenda" Items:**

You may request to be heard on a published agenda item. Requests to be heard must be submitted to the Clerk of the Board before the scheduled meeting time.

### **Requests to Address Board on items that are "NOT" on the Agenda:**

Notwithstanding any other provisions of these rules, member of the public shall have the right to address the Board during the mid-morning "Oral Communications" segment of the published agenda. Said purpose for address must pertain to issues which are under the direct jurisdiction of the Board of Supervisors. YOUR TIME WILL BE LIMITED TO THREE (3) MINUTES.

### **Power Point Presentations/Printed Material:**

Speakers who intend to conduct a formalized Power Point presentation or provide printed material must notify the Clerk of the Board's Office by 12 noon on the Monday preceding the Tuesday Board meeting, insuring that the Clerk's Office has sufficient copies of all printed materials and at least one (1) copy of the Power Point CD. Copies of printed material given to the Clerk (by Monday noon deadline) will be provided to each Supervisor. If you have the need to use the overhead "Elmo" projector at the Board meeting, please insure your material is clear and with proper contrast, notifying the Clerk well ahead of the meeting, of your intent to use the Elmo.

### **Individual Speaker Limits:**

**Individual speakers are limited to a maximum of three (3) minutes.** Please step up to the podium when the Chairman calls your name and begin speaking immediately. Pull the microphone to your mouth so that the Board, audience, and audio recording system hear you clearly. Once you start speaking, the "green" podium light will light. The "yellow" light will come on when you have one (1) minute remaining. When you have 30 seconds remaining, the "yellow" light will begin flash, indicating you must quickly wrap up your comments. Your time is up when the "red" light flashes. The Chairman adheres to a strict three (3) minutes per speaker. **Note: If you intend to give your time to a "Group/Organized Presentation", please state so clearly at the very bottom of the reverse side of this form.**

### **Group/Organized Presentations:**

Group/organized presentations with more than one (1) speaker will be limited to nine (9) minutes at the Chairman's discretion. The organizer of the presentation will automatically receive the first three (3) minutes, with the remaining six (6) minutes relinquished by other speakers, as requested by them on a completed "Request to Speak" form, and clearly indicated at the front bottom of the form.

### **Addressing the Board & Acknowledgement by Chairman:**

The Chairman will determine what order the speakers will address the Board, and will call on all speakers in pairs. The first speaker should immediately step to the podium and begin addressing the Board. The second speaker should take up a position in one of the chamber aisles in order to quickly step up to the podium after the preceding speaker. This is to afford an efficient and timely Board meeting, giving all attendees the opportunity to make their case. Speakers are prohibited from making personal attacks, and/or using coarse, crude, profane or vulgar language while speaking to the Board members, staff, the general public and/or meeting participants. Such behavior, at the discretion of the Board Chairman may result in removal from the Board Chambers by Sheriff Deputies.