COUNTY OF LOS ANGELES

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RAYMOND G. FORTNER, JR.
County Counsel

November 14, 2005

Agenda No. 34
11/15/05

TO: SUPERVISOR GLORIA MOLINA, Chair
SUPERVISOR YVONNE BRATHWAITE BURKE
SUPERVISOR ZEV YAROSLAVSKY
SUPERVISOR DON KNABE
SUPERVISOR MICHAEL D. ANTONOVICH

FROM: RAYMOND G. FORTNER, JR.
County Counsel

RE: **Status of Report on Enforcement of Proposition B**

This is to provide you with an update on our response to your Board's Motions regarding the County's Campaign Finance Ordinance ("Proposition B"). In furtherance of your last Board discussion, we have met with the District Attorney and mutually agreed on a proposed plan to strengthen the enforcement of Proposition B.

The proposed plan would: 1) make violations strict liability crimes by removing the intent requirement currently in the ordinance; 2) formally incorporate protocols for a notice and cure period, as well as to provide initial notification of the violation to the District Attorney; 3) replace the current civil penalty, which requires court action, with a procedure for administrative fines and subpoenas, and administrative rather than court hearings, including the ability to gather evidence and make criminal referrals to the District Attorney; and 4) modify the provisions precluding the acceptance of contributions from lobbyists so as to also make it a violation of the ordinance for a lobbyist or lobbyist firm to make a contribution.

Our intention is to present the proposed changes to the ordinances in a joint final report which we plan to complete for presentation to your Board on December 6, 2005. Pursuant to the terms of Proposition B, these amendments will require a four-fifths vote of your Board.

If you have questions concerning this matter, please contact me, Senior Assistant County Counsel Leela A. Kapur at (213) 974-1807, or Senior Deputy County Counsel Judy W. Whitehurst at (213) 974-8948.

RGF:JWW:ds

c: David E. Janssen
Chief Administrative Officer

Violet Varona-Lukens, Executive Officer
Board of Supervisors

Conny McCormack
Registrar-Recorder/County Clerk

Steve Cooley
District Attorney