



BOARD OF EQUALIZATION

**CUSTOMER SERVICE & ADMINISTRATIVE EFFICIENCY  
COMMITTEE MEETING MINUTES**

HONORABLE GEORGE RUNNER, COMMITTEE CHAIR  
5901 GREEN VALLEY CIRCLE, CULVER CITY – ROOM 207

NOVEMBER 17, 2015, 9:30 AM

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**ACTION ITEMS & STATUS REPORT ITEMS**

RECEIVED

NOV 30 2015

**Agenda Item No: 1**

TAXPAYER'S RIGHTS ADVOCATE'S OFFICE

**Title:** Pre-Election Mail Policy

**Issue/Topic:**

Presentation and discussion of a proposed policy regarding mail sent by Board Members during pre-election periods.

**Committee Discussion:**

Committee Chair George Runner opened the Committee meeting.

Taxpayers' Rights Advocate Todd Gilman introduced the agenda item. He stated that there are two options presented for the Committee's consideration. The Committee can affirm that Board Members will continue to abide by all laws and regulations regarding mail sent by elected officials, without adopting additional policies; or the Board can adopt a policy that restricts mail sent by Board Members in advance of a primary or general election. This would ban Members and agency staff from mailing, or personally delivering, any document on behalf of any Member to a person's residence, place of employment, business, or post office box within 60 days of an election in which a Member is a candidate for elected office, with exceptions as noted in the attachment to the discussion paper.

Committee Chair George Runner recognized Chairman Jerome Horton to comment on his proposal.

Chairman Jerome Horton made introductory comments regarding the genesis and purpose of the proposal.

Board Member Fiona Ma thanked Chairman Horton for introducing the proposal and suggested they remove "where a Board of Equalization Member is on the ballot for that election" from the proposal, so that all Board Members are operating under the same policy.

Chairman Jerome Horton concurred.

Board Member Diane Harkey asked how this would restrict Board Member's ability to conduct outreach events. Deputy Controller Yvette Stowers also asked if Small Business Seminars would be restricted. There was a discussion regarding Small

Business Seminars.

Committee Chair George Runner stated that it would not change anything related to business educational seminars, but rather would prohibit unsolicited direct mail informational material.

Chairman Jerome Horton concurred, stating that the proposal exempts mailings related to BOE sponsored events, as part of the BOE's administrative duties.

Ms. Harkey asked if this would apply next year during the primary and general election, even though no Board Members are on the ballot. Committee Chair Runner clarified that it would only apply to election cycles in which any Board Member is involved in the election.

**Committee Action/Recommendation/Direction:**

Chairman Jerome Horton made a motion to adopt the proposal (see attached) as amended by Board Member Ma to restrict mailings, as specified by the proposal, by all Members when any Member is on the ballot.

The motion was seconded by Board Member Ma.

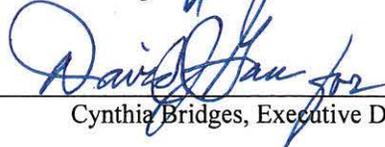
Without objection, the motion passed.

Committee Chair George Runner adjourned the meeting.

Approved: \_\_\_\_\_



George Runner, Committee Chair



Cynthia Bridges, Executive Director

BOARD APPROVED

At the 11-17-15 Board Meeting



Joann Richmond, Chief  
Board Proceeding Division

The Assembly provides the above exceptions and additional exceptions for:

- Mail to a constituent concerning casework for that constituent.
- Mailings and deliveries made in the ordinary course of Assembly business to state or federal government officials.
- Mailings or deliveries in the ordinary course of Assembly business to any local government official whose government agency has jurisdiction in all or part of an Assembly Member's district.
- Mailings or deliveries of certificates to school officials for the purpose of recognizing student achievement if not intended for distribution to student's homes
- Personal delivery or distribution of up to 200 substantially similar documents, such as certificates of recognition for constituents, in a calendar month, where there is a clear legislative purpose and the delivery or distribution is done at a public meeting or community event in the Member's district
- Documents mailed or delivered to legislator or legislative staff at their business address
- Documents mailed or delivered by the Rules Committee or other authorized Assembly offices as part of the Assembly's normal administrative business or if otherwise required by law, the Rules of the Assembly, or the Joint Rules of the Senate and Assembly
- Informational brochures set out in a public place if pick-up is not solicited by the Member or staff.

### ***Proposed Board Policy Regarding Pre-Election Mail***

#### **60-Day Pre-Election Mail Ban**

Board Members and agency staff would be barred from mailing or personally delivering any document on behalf of any Board Member to a person's residence, place of employment, business or P.O. Box within 60 days of an election where a Board of Equalization Member is on the ballot for that election.

The only exceptions to this 60-day pre-election mail ban would be as follows:

- Documents mailed or delivered by the BOE as part of the BOE's normal agency business.
- Official BOE public notices.
- Mailings concerning changes in the law provided that the mailing includes all five Board Member names.
- Mailings to constituents pursuant to a BOE sponsored event where the Board Member is participating.
- Mailings and deliveries may be made in the ordinary course of Board Member business to state or federal government officials.

BOE Board Members  
October 16, 2015

- Mailings sent in response to an unsolicited request for information, either written or oral received by a Board Member.
- Documents may be mailed or delivered to, or on behalf of, a constituent concerning casework being done for that constituent.
- Board Members may mail or deliver personalized hand-written notes.
- Mailings and deliveries may be made in the ordinary course of Board Member business to any local government official whose government agency has jurisdiction in all or part of a Board Member's district.
- Mailings or deliveries of certificates to school officials for the purpose of recognizing student achievement if not intended for distribution to student's homes.
- Personal delivery or distribution of up to 200 substantially similar documents, such as certificates of recognition for constituents, in a calendar month, where there is a clear Board of Equalization purpose and the delivery or distribution is done at a public meeting or community event in the Member's district.
- Press releases may be mailed or delivered to bona fide members of the media only.
- Documents may be mailed or delivered to legislators or legislative staff at their business address.
- Documents may be mailed or delivered to other Board Members or BOE staff at their business address.
- Informational brochures set out in a public place if pick-up is not solicited by the Board Member or staff.

Sincerely,



JEROMÉ E. HORTON, Chairman  
3<sup>rd</sup> District, Board Member

cc: Ms. Kari Hammond  
Ms. Shellie Hughes  
Mr. Sean Wallentine  
Mr. Jim Kuhl  
Mr. Russell Lowery  
Ms. Yvette Stowers