



Dorothy Rothrock
Vice President
Government Relations

March 3, 2011

Ms. Sherrie Kinkle
State Board of Equalization
Property and Special Taxes Department
PO Box 942879
Sacramento, CA 94279-0064

RE: Comments regarding Possessory Interest Annual Usage Report for Discussion at March 14 Interested Parties Meeting

Dear Ms. Kinkle:

We are writing in support of the State Board of Equalization's (Board) legal opinion that Annual Usage Reports concerning possessory interests must be disclosed in response to a request under the Public Records Act. In addition, we ask that the Board clarify the "inconsistency" in the Legal Departments analysis.

The California Manufacturers & Technology Association (CMTA) works to improve and enhance a strong business climate for California's manufacturing, processing and technology based companies. Since 1918, CMTA has worked with state government to develop balanced laws, effective regulations and sound public policies to stimulate economic growth and create new jobs. The Board's legal opinion regarding the confidentiality of possessory interest documents that are held by the assessors is of interest to our members that hold possessory interests.

Our members believe that all documents related to possessory interests should be available as public records to ensure that appraised values are fair and that they do not offer a competitive advantage to some businesses over others. The assessors should not be permitted to avoid Public Records Act requirements and hold secret comparable values.

The Board should ensure that CMTA's members have access to all possessory interest documents and not just the Possessory Interest Annual Usage Report. Thus, we urge the Board to issue additional legal guidance to clarify that state and local government agencies may not avoid disclosure of public records related to possessory interests.

Respectfully submitted,

Dorothy Rothrock