

Date: Jan. 11, 2011

Item No. 2

File No. _____

SUNSHINE ORDINANCE TASK FORCE

Compliance and Amendments Committee

AGENDA PACKET CONTENTS LIST*

- Proposed revisions to Ethics Commission regulations
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Completed by: Chris Rustom

Date: Jan 6, 2011

***This list reflects the explanatory documents provided**

~ Late Agenda Items (documents received too late for distribution to the Task Force Members)

** The document this form replaces exceeds 25 pages and will therefore not be copied for the packet. The original document is in the file kept by the Administrator, and may be viewed in its entirety by the Task Force, or any member of the public upon request at City Hall, Room 244.

ATTACHMENT A

San Francisco
Ethics Commission



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San Francisco, CA 94102
Phone 252-3100 Fax 252-3112

ETHICS COMMISSION REGULATIONS FOR COMPLAINTS ALLEGING VIOLATIONS OF THE SUNSHINE ORDINANCE

Effective Date: _____, 2010

DS EDITS, NOVEMBER 2010

Main changes / questions as of 11/21

1. Replaces all "executive director" with "commission."
2. Deletes confidentiality provisions, replaces with compliance with Sunshine Ordinance and California Public Records Act.
3. Adds Commission hearings for all Executive Director report recommendations, not just for violations. This allows for full Commission consideration of all decisions.
4. Eliminates hearing panel procedure.
5. Probably the most sweeping change is deletion of the stipulated order procedure, formerly section VII. The thrust of our changes is to make the process of hearing Sunshine complaints a public one, involving as much as possible the members of the full Ethics Commission. This procedure allows for things to just be ignored.

6. Section IV.A V.B and VLD – important revisions re SO and CPRA – defaulting toward, not

away from, openness.

DRAFT

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I. PREAMBLE

Pursuant to San Francisco Charter section 15.102, the San Francisco Ethics Commission promulgates these Regulations in order to ensure compliance with the San Francisco Sunshine Ordinance, S.F. Admin. Code §§ 67.1, et seq. These Regulations shall apply only to complaints alleging violations of the Sunshine Ordinance and referrals from the Sunshine Ordinance Task Force. All matters involving alleged violations of conflict of interest, campaign finance, lobbyist, campaign consultant or other ethics laws shall be handled under the Ethics Commission's Regulations for Investigations and Enforcement Proceedings.

II. DEFINITIONS

For purposes of these Regulations, the following definitions shall apply:

- A. "Business day" means any day other than a Saturday, Sunday, City holiday, or a day on which the Commission office is closed for business.
- B. "City" means the City and County of San Francisco.
- C. "Commission" means the Ethics Commission or its delegee.
- D. "Complaint" means a written document alleging a violation of the Sunshine Ordinance filed with the Commission in any form of media, including any electronic format, alleging a willful violation of the Sunshine Ordinance.
- E. "Complainant" means a person or entity that files a complaint.
- F. "Day" means calendar day unless otherwise specifically indicated. If a deadline falls on a weekend or City holiday, the deadline shall be extended to the next business day.
- G. ~~"Deliver" means transmit by U.S. mail or personal delivery to a person or entity. The Commission, the Executive Director, the Task Force or a Respondent receiving material may consent to any other means of delivery, including delivery by e-mail or fax. In any proceeding, the Commission Chairperson, designated Commissioner or hearing officer may order that delivery of briefs or other materials be accomplished by e-mail.~~
- H. ~~"Executive Director" means the Executive Director of the Commission or the Executive Director's designee.~~
- I. ~~"Exculpatory information" means information tending to show that the respondent is not guilty of the alleged violations.~~
- J. ~~"Mitigating information" means information tending to excuse or reduce the culpability of the Respondent's conduct.~~

K.G. "Order of Determination" means a ~~final recommendation~~ an Order issued by the Task Force concerning a ~~violation of the Sunshine Ordinance~~ finding a violation of the Sunshine Ordinance and requiring the Respondent to correct the violation.

L.H. "Referral" means a ~~reference~~ referral for enforcement and/or penalties from the Task Force to the Commission, ~~after the Task Force has issued~~ for non-compliance with an Order of Determination finding a violation of the Sunshine Ordinance.

M.I. "Respondent" means a person who is alleged or identified in a complaint to have ~~committed a violation of~~ violated the Sunshine Ordinance.

N. "Stipulated order" means an order regarding a complaint, the terms of which have been agreed to by both the ~~Executive Director and the Respondent.~~

O.J. "Sunshine Ordinance" means San Francisco Administrative Code section 67A, et seq.

P.K. "Task Force" means the Sunshine Ordinance Task Force, established by San Francisco Administrative Code section 67.30.

Q.L. "Willful violation" means a violation where an individual intentionally violated the Sunshine Ordinance and acted or failed to act with the knowledge that such act or failure to act was a violation of the Sunshine Ordinance.

III. COMPLAINTS COMPLAINTS ALLEGING VIOLATIONS OF THE SUNSHINE ORDINANCE. SUNSHINE ORDINANCE

A. Any person or entity may file a complaint with the Commission. Each Complaint shall be administered in accordance with Section [] of these Regulations. Upon receipt of a Complaint, the Executive Director shall immediately notify and forward a copy thereof to the District Attorney and the California Attorney General.

~~A. Any person, including Commission staff, may file a complaint with the Commission or the Task Force alleging a violation of the Sunshine Ordinance. When the Executive Director receives a complaint that the Task Force has not yet considered or that is still pending at the Task Force, the Executive Director may handle the complaint pursuant to Section IV of these Regulations or may, in his or her discretion, take no action until after the Task Force has issued an Order of Determination or a final recommendation regarding the complaint.~~

B. When the Executive Director Commission receives a referral from the Task Force, the Executive Director Commission shall immediately schedule a hearing at the its next regular meeting of the. The Commission, provided that: 1) the Executive Director issue a shall further give written notice to each Respondent and the original Complainant (real party in interest) of the date, time and location of the hearing, at least 15 days in advance of the hearing date. The

~~Executive Director Commission shall also provide a courtesy notice to the Task Force. Such hearings shall otherwise be governed by the provisions of Section V-IV of these Regulations.~~

~~C. If the Task Force or a Complainant notifies the District Attorney or California Attorney General of a violation or alleged violation of the Sunshine Ordinance, the Executive Director shall not take action on the referral or complaint regarding that violation or alleged violation until at least 40 days after the notification date.~~

IV. INVESTIGATIONS; REPORT AND RECOMMENDATION

A. Factual Investigation. ~~The Executive Director's Commission shall investigate each Complaint. The investigation may shall include, but shall not be limited to, the interview interviews of the Complainant(s) and Respondent(s) and any witnesses, and the review of documentary and other evidence. The investigation shall be completed no later than 60 days after the Complaint is filed. The investigation shall be conducted in a confidential manner, pursuant to San Francisco Charter, Appendix C, section C3.699-13 accordance with the Sunshine Ordinance and shall not conflict with the California Public Records Act, California Government Code section 6250 et seq. Any records resulting from the investigation shall be made public in accordance with the Sunshine Ordinance and the California Public Records Act, California Government Code section 6250 et seq.~~

B. Report of Investigation.

1. ~~After the Executive Director Commission has completed his or her its investigation, the Executive Director Commission shall prepare a written report summarizing his or her its factual and legal findings. The report shall contain a summary of the legal provisions cited by the complaint Complaint and the evidence gathered through the Ethics Commission's investigation, including any exculpatory and mitigating information. In the report, the Executive Director Commission may present statements including hearsay, declarations of investigators or others relating to the statements of witnesses, or the examination of any other evidence. The report shall not exceed 10 pages excluding attachments.~~

2. ~~The report shall also include the Executive Director's Commission's recommendation, which shall be comprised of one of the following: a) a finding that Respondent violated the Sunshine Ordinance and proposed penalties; b) a finding that Respondent violated the Sunshine Ordinance and a proposed stipulation, decision and order; or c) a finding of no violation of the Sunshine Ordinance and dismissal. The report shall be delivered to the Commission.~~

- a. **Finding of Violation of Sunshine Ordinance and Penalties.** If the report recommends a finding of violation and penalties, the Executive Director Commission shall schedule a hearing pursuant to Section IV.C. of these Regulations.
- b. **Finding of Violation of Sunshine Ordinance and Proposed Stipulation, Decision and Order.** If the report recommends a finding of violation and settlement, the Executive Director recommendation and report shall so inform the

Commission. Thereafter, any two or more Commissioners may cause the matter to be calendared for consideration by the full Commission in open session at the next Commission meeting held no sooner than ten days after the date the Executive Director informs the Commission of the proposed stipulation, decision and order. During the meeting at which the Commission considers the proposed stipulation, Commissioners may ask staff questions and shall take one of the following actions, each of which requires the vote of three Commissioners: 1) accept the proposed stipulation; 2) reject the proposed stipulation and instruct staff to seek a different settlement amount; or 3) reject the proposed stipulation and instruct staff to schedule a hearing pursuant to Section IV.C. of these Regulations.

A Commissioner's request to calendar the matter for consideration by the full Commission must be received by the Executive Director no fewer than five days prior to the date of the meeting, so that the Executive Director may comply with the applicable notice and agenda requirements.

If two or more members of the Commission do not request the matter to be calendared, the Executive Director shall: 1) sign the stipulation; 2) have the Commission Chairperson sign the stipulation; 3) have the Respondent sign the stipulation; and 4) inform the Complainant of the finding of violation and stipulated order.

e. Finding of No Violation of Sunshine Ordinance and Dismissal. If the report recommends a finding of no violation and dismissal, the Executive Director recommendation and report shall so inform the Commission. Thereafter, any two or more Commissioners may cause the matter to be calendared for consideration by the full Commission in open session at the next Commission meeting held no sooner than ten days after the date the Executive Director informs the Commission of the dismissal recommendation. During the meeting at which the Commission considers the dismissal recommendation, Commissioners may ask staff questions and shall take one of the following actions, each of which requires the vote of three Commissioners: 1) accept the dismissal recommendation; 2) reject the dismissal recommendation and instruct staff to seek a settlement; or 3) reject the dismissal recommendation and instruct staff to schedule a hearing pursuant to Section IV.C. of these Regulations.

A Commissioner's request to calendar the matter for consideration by the full Commission must be received by the Executive Director no fewer than five days prior to the date of the meeting, so that the Executive Director may comply with the applicable notice and agenda requirements.

If two or more members of the Commission do not request the matter to be calendared, the Executive Director shall take no further action except that he or she shall inform the Complainant and the Respondent of the finding of no violation and dismissal.

C. **Delivery of Report and Notice of Hearing.** ~~If~~ When a hearing is scheduled pursuant to section IV.B., the ~~Executive Director-Commission~~ shall deliver to each Respondent and the Complainant a copy of the report summarizing the Ethics Commission's investigation, with written notice of the date, time and location of the hearing, at least 45 days in advance of the hearing date. The notice shall inform each Respondent that he or she has the right to be present and represented by counsel at the hearing.

D. **Response to the Report.**

1. ~~If~~ When a hearing is scheduled, each Respondent may submit a written response to the report. The response ~~may contain legal arguments, a summary of evidence, and any mitigating information.~~ The response shall not exceed 10 pages excluding attachments.

2. If any Respondent submits a response, he or she must deliver the response no later than 20 days prior to the date of the hearing. The Respondent must deliver eight copies of the response to the ~~Executive Director.~~ The ~~Executive Director~~ must then immediately distribute copies of the response(s) to the Commission. The Respondent must deliver one copy of the response to every other Respondent named in the report.

E. **Rebuttal.**

1. The ~~Executive Director-Commission~~ may submit a written rebuttal to any response. If the ~~Executive Director-Commission~~ chooses to do so, the ~~Executive Director-Commission~~ must deliver the rebuttal to the Commission and each Respondent named in the report no later than seven days prior to the date of the hearing. The rebuttal shall not exceed five pages excluding attachments.

V. **HEARING**

A. **General Rules and Procedures.**

1. **Public Hearing**

~~The hearing shall be open to the public. The Commission may hold the hearing, or the Commission may assign one of its members or a hearing officer to hold the hearing and submit a report and recommendation to the Commission. If the Commission holds the hearing, the Commission may assign an outside hearing officer as the presiding officer at the hearing, as set forth in section VI.E.3.~~

a. For Task Force referrals, the following parties ~~The hearing shall be open to the public. The Complainant(s) (as the real party interest) and Respondent(s) shall have the right to appear and speak on his or her own behalf. At the conclusion of the testimony, public comment shall be heard.~~

i. ~~Original Complainant (real party in interest); and~~

- ii. ~~Respondent(s).~~
- iii. ~~No other live testimony shall be permitted.~~

b. ~~For complaints alleging a violation of the Sunshine Ordinance, the following parties have the right to appear and speak on his or her own behalf:~~

- i. ~~Executive Director; and~~
- ii. ~~Respondent(s).~~
- iii. ~~No other live testimony shall be permitted.~~

2. Standard of Proof

The Commission may determine that a Respondent ~~has committed a violation of~~ violated the Sunshine Ordinance only if a person of ordinary caution and prudence would so conclude, based on a preponderance of the evidence, ~~that the Respondent has committed the violation.~~

3. Burden of Proof

If the matter is a Task Force referral, the Respondent will bear the burden of proof to show that he or she did not violate the Sunshine Ordinance. In such cases, ~~the Respondent must refute or rebut the evidence to show that he or she did not violate the Sunshine Ordinance.~~

If the matter is not a Task Force referral, the ~~Executive Director~~ Commission bears the burden of proof and must meet the standard set forth in Section V.A.2. of these Regulations in order for the Commission to find ~~that the Respondent has committed a violation of~~ violated the Sunshine Ordinance.

4. Rules of Evidence

All evidence admissible in an administrative proceeding governed by the California Administrative Procedure Act shall be admissible in the hearing. The ~~Executive Director~~ Commission or the original Complainant (for Task Force referrals) and each Respondent and shall have the right to introduce exhibits and to rebut any evidence presented.

5. ~~Exhibits~~

~~Where the Executive Director or the original Complainant (for Task Force referrals) and the Respondent stipulate to the admissibility of an exhibit, they shall so advise the Commission in advance of the hearing. For all other exhibits, either the Executive Director or the original Complainant (for Task Force referrals) or the Respondent may move to admit a particular exhibit~~

at the hearing, and the non-moving party shall have an opportunity to object prior to the Commission ruling on the admission.

6. Oral Argument

At the hearing, the Executive Director-Commission or original Complainant (for Task Force referrals) and each Respondent shall be allowed oral argument. The Commission, assigned Commissioner, or hearing officer shall determine the appropriate length for the arguments. General public comment shall be permitted. The Commission shall determine the appropriate length for the arguments.

7. Failure to Appear

A Respondent who fails to appear may be deemed to have admitted the violation(s) brought against him or her.

B. Finding of Violation.

If the Commission conducts the hearing, the Commission shall determine, no later than 45 30 days after the date the hearing is concluded, whether the Respondent has committed a violation of the Sunshine Ordinance. If the Commission assigns one of its members or an outside hearing officer to conduct the hearing, the assigned member or hearing officer shall submit a report and recommendation to the Commission no later than 30 days after the date the hearing is concluded, as described in section VI.E of these Regulations. Thereafter, the Commission shall determine, no later than 45 days after the date the report and recommendation is delivered, whether the Respondent has committed a violation of violated the Sunshine Ordinance.

The votes of at least three Commissioners are required to find that a Respondent has committed a violation of violated the Sunshine Ordinance. The finding of a violation of the Sunshine Ordinance shall be supported by findings of fact and conclusions of law and shall be based on the entire record of the proceedings. Each Commissioner who participates in the decision shall certify on the record that he or she personally heard the testimony (either in person or by listening to a tape or recording of the proceeding) and reviewed the evidence, or otherwise reviewed the entire record of the proceedings.

C. Administrative Orders and Penalties; Warning Letters.

1. The votes of at least three Commissioners are required to dismiss a complaint or issue any order or impose orders and penalties for a violation of the Sunshine Ordinance.

2. To determine whether a violation of the Sunshine Ordinance is willful, the Commission shall consider all the relevant circumstances surrounding the case, including but not limited to:

~~(a) whether the Respondent complied with all aspects of the Sunshine Ordinance, but failed to comply within the appropriate time frame for good cause;~~

~~(b) the volume of records requested, and the extent to which they were practically accessible; and/or~~

~~(c) whether the Respondent consulted with counsel prior to committing the alleged violation.~~

32. If the Commission finds that Respondent committed a willful violation of the Sunshine Ordinance, the Commission may issue orders and penalties requiring the Respondent to:

(a) immediately cease and desist the violation or comply with the order;

(b) cure and correct the willful violation through whatever action is necessary

(b) disclose any documents or records required by law; and/or

(c) pay a monetary penalty to the general fund of the City in an amount up to not less than five hundred (\$500) and not more than five thousand dollars (\$5,000) for each violation.

The Respondent may not use City monies to pay such penalties.

4. If the Commission finds that an elected official or a department head committed a willful violation of willfully violated the Sunshine Ordinance, the Commission may also issue a finding of find official misconduct and so inform the Mayor or appointing authority proceed in accordance with the applicable provisions of Article XV of the City Charter.

5. When deciding penalties, the Commission shall consider all the relevant circumstances surrounding the case, including but not limited to:

~~(a) the severity of the violation;~~

~~(b) the presence or absence of any intention to conceal, deceive, or mislead;~~

~~(c) whether the violation was an isolated incident or part of a pattern;~~

~~(d) whether the Respondent has a prior record of violations; and~~

~~(e) the degree to which the Respondent cooperated with the investigation and demonstrated a willingness to remedy any violations.~~

6. If the Commission finds that Respondent has violated the Sunshine Ordinance but has not committed any willful violation, the Commission may issue warning letters urging the Respondent to:

(a) cease and desist the violation; and/or

(b) disclose any documents or records required by law.

7. Unless otherwise ordered by the Commission, any penalties imposed by the Commission must be paid in full by the Respondent within 90 days of the Commission's decision.

D. Finding of No Violation.

If the Commission determines that there is insufficient evidence to establish that the Respondent has committed a violation of the Sunshine Ordinance, the Commission shall publicly announce this fact. The Commission's announcement may but need not include findings of law and fact. Thereafter, the Commission shall take no further action on the complaint. The Executive Director shall inform each Respondent and the Complainant or original Complainant (for Task Force referrals) of the Commission's determination.

The application of any of the confidentiality provisions of the San Francisco Charter, including but not limited to sections Appendix C, section C3.699-13, and Appendix F, sections F1.107, F1.110, and F1.111, ~~unless such provision conflicts with an express non-confidentiality provision in California Government Code section 6250 et seq. (California Public Records Act) or section 54950 et seq. (Ralph M. Brown Act), is~~ shall not be a defense against an alleged violation of the Sunshine Ordinance, where such confidentiality provisions conflict with the Sunshine Ordinance, the California Public Records Act, Government Code section 6250 et seq. or any other applicable open-government laws.

VI. MISCELLANEOUS PROVISIONS

A. Ex Parte Communications.

Once a complaint is filed with the Commission or referred by the Task Force, no Commissioner shall engage in oral or written communications outside of a Commission meeting regarding the merits of an enforcement action with the Commission's staff, the Respondent, the Complainant, original Complainant (for Task Force referrals), any member of the Task Force or any person communicating on behalf of the Respondent, Complainant, original Complainant (for Task Force referrals) or any member of the Task Force except for communications, such as scheduling matters, generally committed between a court and a party appearing before that court.

B. Access to Complaints and Related Documents and Deliberations.

Complaints, investigative files and information contained therein shall ~~not be disclosed except as necessary to the conduct of an investigation or as required by the California Public Records Act (Government Code section 6250, et seq.) or the San Francisco Sunshine Ordinance. In order to guarantee the integrity of the investigation, internal notes taken by the Executive Director or his or her staff regarding complaints shall not be disclosed until one of the following has occurred:~~

- ~~1. the Commission has accepted staff's dismissal recommendation;~~
- ~~2. the Commission has approved a stipulation, decision and order; or~~

~~3. the Commission has issued its final decision following the hearing.~~

C. Oaths and Affirmations.

~~The Commission, and individual Commissioners and hearing officers assigned to conduct hearings, may administer oaths and affirmations.~~

D. Selection of Designee by the Executive Director.

~~Whenever the Executive Director designates an individual other than a member of the Commission staff to perform a duty arising from the Charter or these Regulations, the Executive Director shall notify the Commission of the designation no later than the next business day.~~

E. Powers and Duties of Individual Commissioners and Hearing Officers.

~~1. Unless otherwise provided, whenever the Commission assigns an individual Commissioner or hearing officer to hear any matter under these Regulations, the assigned Commissioner or hearing officer shall have the same authority, and be subject to the same restrictions, as the Commission.~~

~~2. When an individual Commissioner or a hearing officer is assigned to conduct a hearing under these Regulations, he or she shall submit a report and recommendation for decision by the Commission. The report and recommendation shall contain proposed findings of fact and conclusions of law. Copies of the report and recommendation shall be delivered to the Commission, Executive Director, each Respondent, and the original Complainant (for Task Force referrals) no later than 30 days after the date the hearing is concluded. Thereafter, the Executive Director shall calendar the matter for consideration at the next Commission meeting not less than 15 days after the date the report and recommendation is delivered to the Commission.~~

~~3. When the Commission sits as the hearing panel to hear a case, with an outside hearing officer presiding, the hearing officer shall rule on procedural matters and on the admission and exclusion of evidence only, and shall have no role in the decision on the merits.~~

FD. Extensions of Time and Continuances.

~~The Executive Director-Commission or original Complainant (for Task Force referrals) or any Respondent may request the continuance of a hearing date. The requester must deliver the request to the Commission Chair or the individual Commissioner or hearing officer assigned to hold the hearing, and provide a copy of the request to all other parties no later than ten business days before the date of the hearing. The Commission Chair or the individual Commissioner or hearing officer assigned to hold the hearing shall have the discretion to consider untimely requests.~~

~~The Commission Chair or the individual Commissioner or hearing officer assigned to hold the hearing shall approve or deny the request within five business days of the submission of the request. The Commission Chair or the individual Commissioner or hearing officer assigned to hold the hearing may grant the request only upon a showing of good cause.~~

GE. Recordings.

~~Every hearing shall be electronically audio recorded and made available on the Commissions' website within 48 hours after the hearing ends.~~

HF. Place of Delivery.

~~1. Whenever these Regulations require delivery to the Commission, or its members, or the Executive Director, delivery shall be effected at the Commission office.~~

~~2. Whenever these regulations require delivery to a Respondent, delivery shall be effective and sufficient if made by U. S. mail, personal delivery or any other means of delivery agreed upon by the parties under section II, subsection G, to:~~

~~a. If the Respondent is a City employee, to the employee's City office address or to the address listed with the (Controller/ Payroll) as the employee's current address.~~

~~b. If the Respondent is a former City employee, to the address listed with the City's retirement system.~~

~~c. If neither subsections (a) nor (b) are applicable, to an address reasonably calculated to give notice to and reach the Respondent.~~

~~3. Delivery is effective upon the date of delivery, not the date of receipt.~~

I. Page Limitations and Format Requirements.

Whenever these Regulations impose a page limitation, a "page" means one side of an 8½ inch by 11 inch page, with margins of at least one inch at the left, right, top and bottom of the page, typewritten and double-spaced in no smaller than 12 point type. Each page and any attachments shall be consecutively numbered.

J. Conclusion of Hearing.

For the purposes of these Regulations, a hearing concludes on the last date on which the Commission hears argument or testimony in the proceeding.

VII. STIPULATED ORDERS

A. ~~At any time after the Commission takes jurisdiction over a complaint, the Executive Director may enter into negotiations with Respondent for the purpose of resolving the factual and legal allegations in a complaint by way of a stipulation, decision and order. Any proposed stipulation, decision and order shall explicitly state that:~~

- ~~(1) the proposed stipulation, decision and order is subject to approval by the Commission;~~
- ~~(2) the Respondent knowingly and voluntarily waives any and all procedural rights under the law and these Regulations;~~
- ~~(3) the Respondent understands and acknowledges that the stipulation is not binding on any other agency, and does not preclude the Commission or its staff from referring the matter to, cooperating with, or assisting any other agency with regard to the matter, or any other matter related to it;~~
- ~~(4) the Respondent agrees that in the event the Commission refuses to approve the proposed stipulation, it shall become null and void; and~~
- ~~(5) in the event the Commission rejects the proposed stipulation and a full hearing before the Commission becomes necessary, no member of the Commission shall be disqualified because of prior consideration of the stipulation.~~

B. ~~The stipulation shall set forth the pertinent facts and may include an agreement as to anything that could be ordered by the Commission under section V, subsection C of these Regulations.~~

C. ~~Once the Executive Director enters into a stipulation with a Respondent, the Executive Director shall inform the Commission of this stipulation and shall place the matter on the agenda at the next Commission meeting occurring no sooner than ten days from the date the Executive Director informs the Commission of the stipulated agreement.~~

~~D. — Stipulations must be approved by the Commission and, upon approval, must be announced publicly. The stipulated order shall have the full force of an order of the Commission.~~

IX. SEVERABILITY

If any provision of these Regulations, or the application thereof to any person or circumstance, is held invalid, the validity of the remainder of the Regulations and the applicability of such provisions to other persons and circumstances shall not be affected thereby.

DA

Comparison Details	
Title	pdfDocs compareDocs Comparison Results
Date & Time	11/21/2010 12:34:30 PM
Comparison Time	11.03 seconds
compareDocs version	v3.3.2.63

Sources	
Original Document	[#403055844] [v1] Ethics Sunshine-Regs (original).doc
Modified Document	[#403114278] [v1] Draft Ethics Sunshine_Regs (DS edits).doc

Comparison Statistics	
Insertions	39
Deletions	53
Changes	56
Moves	12
TOTAL CHANGES	160

Word Rendering Set Markup Options	
Name	Standard
<u>Insertions</u>	
<u>Deletions</u>	
<u>Moves / Moves</u>	
Inserted cells	
Deleted cells	
Formatting	Color only.
Changed lines	Mark left border.
Comments color	ByAuthor
Balloons	False

compareDocs Settings Used	Category	Option Selected
Open Comparison Report after Saving	General	Always
Report Type	Word	Formatting
Character Level	Word	False
Include Headers / Footers	Word	True
Include Footnotes / Endnotes	Word	True
Include List Numbers	Word	True
Include Tables	Word	True
Include Field Codes	Word	False
Include Moves	Word	True
Show Track Changes Toolbar	Word	False
Show Reviewing Pane	Word	False
Update Automatic Links at Open	Word	False
Summary Report	Word	End
Include Change Detail Report	Word	End
Document View	Word	Print
Remove Personal Information	Word	False