

State of California



Fair Political Practices Commission

P.O. BOX 807 • SACRAMENTO, 95804 • • • 1100 K STREET BUILDING, SACRAMENTO, 95814

Technical Assistance • • Administration • • Executive/Legal • • Enforcement • • Statements of Economic Interest
(916) 322-5662 322-5660 322-5901 322-6441 322-6444

February 15, 1985

Kenneth Kramer
Finley, Kumble, et al.
9100 Wilshire Blvd.
Beverly Hills, CA 90212

Re: Our File No. A-85-034

Dear Mr. Kramer:

This letter will confirm my telephone advice of February 6, 1985, regarding the campaign disclosure provisions of the Political Reform Act (Government Code Sections 81000-91014).

You had asked whether any special reporting requirements would be imposed on two corporations which made contributions during 1984 if one of the corporations later reimburses the other for its contributions. Both of the corporations in question filed major donor campaign disclosure statements for 1984. I advised you that, as long as there was no agreement between the two entities at the time of making the contributions with regard to the reimbursement, no additional reporting obligations would be incurred. However, if either of the corporations qualifies during 1985 as any type of "committee" under Government Code Section 82013, the reimbursement should be noted on the campaign disclosure statements. Also, please note that as of January 1, 1985, the major donor qualification threshold contained in Section 82013(c) was raised to \$10,000.

If you have any further questions, please do not hesitate to contact me.

Sincerely,

Handwritten signature of Carla J. Wardlow in cursive.

Carla J. Wardlow
Political Reform Consultant

Diane Maura Fishburn
March 29, 1985
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the issuance of business, development and similar permits that have economic value to the recipient.

3. Where the head of an agency has received contributions of more than \$250.00 and, within the next twelve months an application for permit, license or entitlement is filed by the contributor, does Government Code Section 84308(c) allow the agency head to return the contribution within thirty days of the application and still grant (or deny) the application?

a. If not, can the decision-making be delegated to a subordinate officer?

b. If it cannot be delegated, does the "rule of necessity" permit an agency head to participate where the alternative would be that no permit or license can be issued?

4. Government Code Section 84308(d) requires the applicant to "disclose on the record of the proceeding" any contribution of \$250.00 or more in the preceding twelve months. May counties and cities require licenses for businesses such as dog kennels, bingo games, poolrooms, mobile x-ray units, massage parlors, etc? It is unlikely that such applicants will know of the foregoing legal requirement. It is also unlikely that in a large county the health or police official in charge of the agency that issues such licenses will have personal knowledge concerning whether each applicant has also contributed over \$250.00.

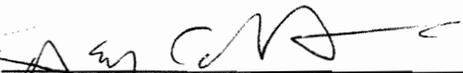
Therefore, we wish to know whether you believe the application forms could require the applicant to disclose any such contributions within the preceding twelve months.

a. If so, in view of the different meanings that could be implied from such a requirement, can you suggest appropriate language?

Thank you for your kind assistance. Please feel free to contact the undersigned should you have any questions.

Very truly yours,

ADRIAN KUYPER, COUNTY COUNSEL

By 
Terry C. Andrus, Deputy

TCA:rer

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