

State of California



Fair Political Practices Commission

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Technical Assistance • • Administration • • Executive/Legal • • Enforcement
(916) 322-5662 322-5660 322-5901 322-6441

July 10, 1985

Michael A. Oliver
Acting City Clerk
Civic Center
835 East 14th Street
San Leandro, CA 94577

Re: Our File No. A-85-137

Dear Mr. Oliver:

This is in response to your request for confirmation of the advice I provided to you on June 5, 1985, regarding the filing of "threshold" campaign statements by candidates and officeholders pursuant to the Political Reform Act (Government Code Sections 81000-91015).

Specifically, you asked whether the reference in Part II.B. of the 1985 Information Manual on Campaign Disclosure Provisions to contributions or independent expenditures of \$100 or more made to or on behalf of a controlled committee refers to the candidate's own controlled committee or to controlled committees of other candidates.

Government Code Section 84200(b), which specifies when "threshold" statements must be filed, provides that during any six-month period in which a candidate or officeholder is not being voted upon, threshold statements are required only if the candidate or officeholder receives or spends \$500 or more, and also makes a contribution or expenditure of \$100 or more to support or oppose another candidate, officeholder or a ballot measure. Therefore, if all expenditures made during the six-month period by the candidate or officeholder and his or her controlled committee are in connection with the candidate's or officeholder's own campaign activities, threshold statements are not required; only a semi-annual statement will be filed for that six-month period.

Enclosed are the 1985 Information Manuals you requested. Please contact me if you have further questions.

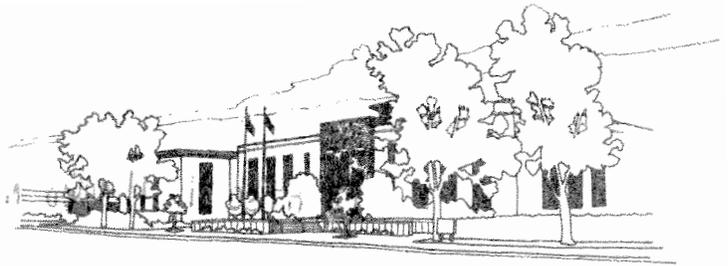
Sincerely,

A handwritten signature in cursive script that reads "Carla".

Carla Wardlow
Political Reform Consultant

Enclosures

City of San Leandro
Civic Center, 835 E. 14th Street
San Leandro, California 94577



Office of City Manager 415-577-3351

June 6, 1985

Ms. Carla Wardlow
Fair Political Practices Commission
1100 "K" Street
Sacramento, California 95814

Dear Ms. Wardlow:

I appreciate your assistance on the telephone the other day, regarding the question on under what circumstances officeholders and candidates running for office in 1985 are required to file "Threshold Statements" under current legislation.

I would greatly appreciate your statement regarding the applicability of current Fair Political Practices Commission (FPPC) regulations regarding the following. The subject is interpretation of Section B of the 1985 FPPC Information Manual (page 7). This section (B) defines the filing schedules for officeholders, candidates, and ballot measures not being voted upon in 1985, their controlled committees, and committees primarily formed to support or oppose such candidates or measures. The sub-section on "Semi-Annual Statements" is straightforward, as are the filing deadlines.

The section on "Threshold Statements" is the focus of the current question. The section defining the "Method for Calculating Threshold" states:

"All officeholders, candidates, controlled committees, and committees primarily formed to support or oppose an officeholder, candidate or ballot measure covered by this section must file a threshold statement whenever they make expenditures of \$500 or more or receive or make contributions of \$500 or more, AND they make a contribution of \$100 or more to, or make an independent expenditure of \$100 or more on behalf of, at least one other candidate, controlled committee or committee primarily formed to support or oppose a candidate or a ballot measure during the threshold period for such statement."

The question is whether the reference to "...controlled committee" or "committee primarily formed..." in the section following "AND" refers to the candidate's own controlled committee or whether it refers to the controlled committees of other candidates.

In addition to your response to this question, please provide ten 1985 Information Manuals prepared by the Fair Political Practices Commission so I can distribute them to the City Council members.

Sincerely,



Michael A. Oliver
Senior Administrative
Assistant and Acting
City Clerk

MAO:mt

cc: City Council
City Manager
City Attorney