



# California Fair Political Practices Commission

May 20, 1986

Steve Markoff, Chairman  
Association of Media Accuracy  
548 South Spring Street, Suite 227  
Los Angeles, CA 90013

Re: Your Request for Informal  
Assistance; Our File No.  
I-86-140

Dear Mr. Markoff:

You have written requesting Informal Assistance regarding the possible applicability of provisions of the Political Reform Act to your circumstances. You are the Chairman of the Association of Media Accuracy (AMA) and Mr. Maurice Weiner is listed as its President. AMA is designated in your literature as a "non-partisan, non-profit (501(c)(3)), public benefit corporation, without a government affiliation of any kind."

You initially sent an unsigned "draft" letter and then had your secretary phone me, at which time I advised your secretary, Mr. Kelley, that the Political Reform Act did not regulate who may have discussions with whom. However, your signed letter, which was sent April 25th, included additional facts (the enclosed "Introduction/ Overview") which indicate that following the proposed "discussions" you intend to publish "a relatively easy-to-read 'pro/con' view" of the issue: "Should Chief Justice Rose Bird (and others on the California Supreme Court) be confirmed to continue their service in the upcoming November 1986 election?"

These additional facts do raise some possibilities that your organization's overall activities may come within the purview of the Political Reform Act.

Your letter states the following facts:

1. Maury Weiner and I founded the Association of Media Accuracy (AMA) in October 1985. The AMA is a non-partisan 501(c)(3) company, whose role is to present both sides of various issues, including the upcoming November 1986 reconfirmation election of Chief Justice Rose Bird and the other justices.

2. Maury Weiner personally (on his own), and having nothing in any way, shape, or form to do with the AMA, is involved in organizing an independent committee intended to support all the current sitting justices in the upcoming reconfirmation election (regardless of their ideology).

3. A for-profit, California corporation I control (A-Mark Financial Corporation):

a. Contributed money to the "Committee to Conserve the Courts," and

b. Loaned money to the AMA to get the organization off the ground and operating.

4. Maury Weiner and/or I, acting in our AMA capacity, plan to have discussions with:

a. The Supreme Court justices, and/or

b. Groups (or their representatives) opposing the Supreme Court justices' reconfirmation, and/or

c. Groups (or their representatives) supporting the Supreme Court justices' reconfirmation.

On issues related to and/or not related to the upcoming reconfirmation election.

5. Due to the highly charged political atmosphere over the upcoming reconfirmation election, we want to be certain we can lawfully engage in any of the discussions we decide to have as set out in #4 above.

6. QUESTION: Based on the facts set out in #1, #2, and #3 above, are there any FPPC rules that would prohibit us (or the justices or groups or their representatives) from having the discussions we have outlined in #4 above or that would set "conditions" for such discussions?

Steve Markoff  
May 20, 1986  
Page 3

A copy of the enclosure to your signed letter is attached hereto and incorporated by reference.

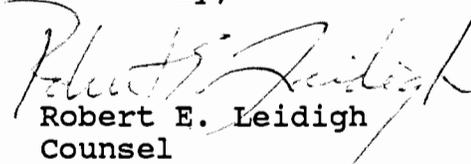
RESPONSE

As previously stated, the Political Reform Act (Government Code Sections 81000-91015, hereafter the "Act") does not regulate nor prohibit the discussions which you have inquired about having with the justices or other groups.

However, as previously explained, the Act does regulate the reporting of campaign contributions and expenditures. As you know, the justices in question are candidates. Consequently, expenditures made in support of their candidacies must be reported either as "independent expenditures" or as "non-monetary contributions". (See Government Code Sections 82015 and 82025 and regulations 2 Cal. Adm. Code Sections 18215 and 18225, copies enclosed. Specifically, your attention is directed to Sections 18215(b) and 18225(a),(b).) If your activities fall into these categories, then reporting requirements under the Act would be triggered. I pointed this possible issue out to Mr. Kelley in my conversations with him, although we did not discuss the specifics of the regulations over the telephone.

I trust this letter satisfactorily responds to your basic question. Should you have further questions, I may be reached at (916) 322-5901.

Sincerely,

  
Robert E. Leidigh  
Counsel  
Legal Division

REL:sm

cc: Jeanne Pritchard

# ASSOCIATION OF MEDIA ACCURACY

548 South Spring Street, Suite #227

Los Angeles, California 90013

(213) 624-2698

Steven C. Markoff  
CHAIRMAN

Maurice Weiner  
PRESIDENT

Cheryl Wilson  
SECRETARY TREASURER

---

## ASSOCIATION OF MEDIA ACCURACY

### An Introduction/Overview

---

1. The AMA is a non-partisan, non-profit (501c3), public benefit corporation, without a government affiliation of any kind, incorporated on October 11, 1985.
2. The purpose of the AMA is to research selected, current issues of public importance and to supply our findings in an easy-to-read pro/con format to public leaders (our customers).
3. The AMA believes that:
  - a. Most people care about their community, have common sense, and want to do what's right; and
  - b. There is so much data available on various (community) issues that it's often quite difficult and time-consuming to sort through it; and
  - c. The reader of a relatively easy-to-read "pro/con" view of an issue may more easily understand the issue and, being better informed, may make better decisions about the future.
4. The AMA is currently researching the following three issues:
  - a. Should Chief Justice Rose Bird (and others on the California Supreme Court) be confirmed to continue their service in the upcoming November 1986 election?
  - b. Who is ahead in the nuclear race -- the United States or the Soviet Union? What are the questions to be asked and the best approaches to try to make that determination?
  - c. Does California have an "immigration problem," and if so or not, what are the relevant issues and questions?

(The decisions of which issues to research are made by the directors and officers of the AMA after reviewing a lot of available data and after discussions with many people in the community.)
5. The AMA is privately funded, and although we would appreciate and would accept (unconditionally only) donations from any sources, we do not plan sustained fund-raising until 1987.

121885

ASSOCIATION OF MEDIA ACCURACY

548 South Spring Street, Suite #227  
Los Angeles, California 90013  
(213) 624-2698

APR 28 3 03 PM '86

Steven C. Markoff  
CHAIRMAN

Maurice Weiner  
PRESIDENT

Cheryl Wilson  
SECRETARY/TREASURER

April 25, 1986

Mr. Bob Leidigh, Esq.  
Legal Division  
FAIR POLITICAL PRACTICES COMMISSION  
428 "J" Street  
Suite 800  
Sacramento, CA

Dear Mr. Leidigh:

Enclosed please find:

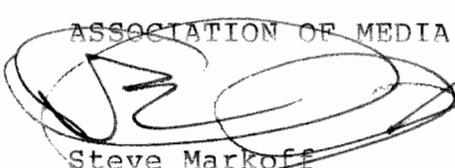
1. A signed version of our letter previously sent to you in draft form, and
2. A suggested "draft" reply from the FPPC, representing the type of response in a form that would probably best satisfy our request.

(Please excuse the liberty we have taken in the preparation of such a "suggested draft.") It is understood that any reply you might give us would be null and void should the representations in our April 8 letter be inaccurate.

Thank you very much for your time and assistance in clarifying this matter for us.

Best regards,

ASSOCIATION OF MEDIA ACCURACY



Steve Markoff  
Chairman

SM:msk  
Enclosures

Mr. Steve Markoff  
Chairman  
ASSOCIATION OF MEDIA ACCURACY  
9696 Wilshire Boulevard  
Third Floor  
Beverly Hills, CA 90212

Dear Mr. Markoff:

1. Pursuant to your letter of April 8, and based on the facts set out in #1, #2, and #3 of that letter, there are no FPPC rules that would prohibit you (or the justices or groups or their representatives) from having the discussions you outlined in #4 of that letter.
2. As I mentioned to your secretary, Michael Kelley, on the phone, the FPPC does not in any way regulate who may talk to whom. Our only regulations arise out of the Political Reform Act and concern only the reporting of contributions to political campaigns and those campaign expenditures.

I hope this clarification has helped you.

Sincerely,

FAIR POLITICAL PRACTICE COMMISSION

Bob Leidigh, Esq.

BL:msk

# ASSOCIATION OF MEDIA ACCURACY

548 South Spring Street, Suite #227  
Los Angeles, California 90013  
(213) 624-2698

April 8, 1986

Steven C. Markoff  
CHAIRMAN

Maurice Weiner  
PRESIDENT

Cheryl Wilson  
SECRETARY/TREASURER

Mr. Bob Leidigh, Esq.  
Legal Division  
FAIR POLITICAL PRACTICES COMMISSION  
428 "J" Street  
Suite 800  
Sacramento, CA

Dear Mr. Leidigh:

1. Maury Weiner and I founded the Association of Media Accuracy (AMA) in October 1985. The AMA is a non-partisan 501(c)(3) company, whose role is to present both sides of various issues, including the upcoming November 1986 reconfirmation election of Chief Justice Rose Bird and the other justices. (See the enclosed AMA fact sheet, dated 12/18/85.)
2. Maury Weiner personally (on his own), and having nothing in any way, shape, or form to do with the AMA, is involved in organizing an independent committee intended to support all the current sitting justices in the upcoming reconfirmation election (regardless of their ideology).
3. A for-profit, California corporation I control (A-Mark Financial Corporation):
  - a. Contributed money to the "Committee to Conserve the Courts," and
  - b. Loaned money to the AMA to get the organization off the ground and operating.
4. Maury Weiner and/or I, acting in our AMA capacity, plan to have discussions with:
  - a. The Supreme Court justices, and/or
  - b. Groups (or their representatives) opposing the Supreme Court justices' reconfirmation, and/or
  - c. Groups (or their representatives) supporting the Supreme Court justices' reconfirmation.On issues related to and/or not related to the upcoming reconfirmation election.
5. Due to the highly charged political atmosphere over the upcoming reconfirmation election, we want to be certain we can lawfully engage in any of the discussions we decide to have as set out in #4 above.
6. QUESTION: Based on the facts set out in #1, #2, and #3 above, are there any FPPC rules that would prohibit us (or the justices or groups or their representatives) from having the discussions we have outlined in #4 above or that would set "conditions" for such discussions?

We would appreciate a quick response, as we would like to begin the mentioned discussions within two weeks. If you have any questions or problems with this, please feel free to call either myself or my secretary, Michael Kelley, at (213) 550-8861.

I look forward to your response.

Very truly yours,

ASSOCIATION OF MEDIA ACCURACY

Steve Markoff  
Chairman

SM:msk

Enclosure

# ASSOCIATION OF MEDIA ACCURACY

548 South Spring Street, Suite #227

Los Angeles, California 90013

(213) 624-2698

Steven C. Markoff  
CHAIRMAN

Maurice Weiner  
PRESIDENT

Cheryl Wilson  
SECRETARY-TREASURER

---

## ASSOCIATION OF MEDIA ACCURACY

### An Introduction/Overview

---

1. The AMA is a non-partisan, non-profit (501c3), public benefit corporation, without a government affiliation of any kind, incorporated on October 11, 1985.
2. The purpose of the AMA is to research selected, current issues of public importance and to supply our findings in an easy-to-read pro/con format to public leaders (our customers).
3. The AMA believes that:
  - a. Most people care about their community, have common sense, and want to do what's right; and
  - b. There is so much data available on various (community) issues that it's often quite difficult and time-consuming to sort through it; and
  - c. The reader of a relatively easy-to-read "pro/con" view of an issue may more easily understand the issue and, being better informed, may make better decisions about the future.
4. The AMA is currently researching the following three issues:
  - a. Should Chief Justice Rose Bird (and others on the California Supreme Court) be confirmed to continue their service in the upcoming November 1986 election?
  - b. Who is ahead in the nuclear race -- the United States or the Soviet Union? What are the questions to be asked and the best approaches to try to make that determination?
  - c. Does California have an "immigration problem," and if so or not, what are the relevant issues and questions?

(The decisions of which issues to research are made by the directors and officers of the AMA after reviewing a lot of available data and after discussions with many people in the community.)
5. The AMA is privately funded, and although we would appreciate and would accept (unconditionally only) donations from any sources, we do not plan sustained fund-raising until 1987.

121885

ASSOCIATION OF MEDIA ACCURACY

348 South Spring Street, Suite #227  
Los Angeles, California 90013  
(213) 624-2698

F P P C  
APR 11 2 00 PM '86

Steven C. Markoff  
PRESIDENT

Maurice Weiner  
PRESIDENT

Cherry Wilson  
SECRETARY TREAS. REK

April 8, 1986

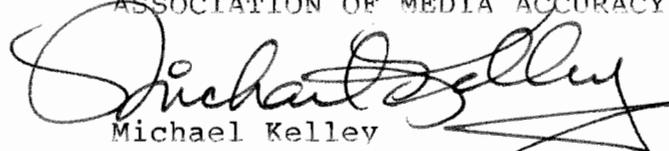
Mr. Bob Leidich  
Legal Division  
FAIR POLITICAL PRACTICES COMMISSION  
428 "J" Street  
Suite 800  
Sacramento, CA

Dear Mr. Leidich:

1. Enclosed is a draft of a letter Mr. Markoff proposes sending to you.
2. I'll give you a call in a few days to make sure we haven't missed anything so that, when we send you the finalized version of this letter (and assuming we get an affirmative answer), we can feel comfortable that none of the justices, groups, or their representatives would be compromised through such a meeting with representatives of our organization.

Very truly yours,

ASSOCIATION OF MEDIA ACCURACY

  
Michael Kelley  
Secretary to Steve Markoff

:MSK

Enclosure

# ASSOCIATION OF MEDIA ACCURACY

548 South Spring Street Suite #227

Los Angeles, California 90013

(213) 624-2698

Steven G. Markoff  
CHAIRMAN

April 8, 1986

Maurice Weiner  
SECRETARY

Cheryl Weiner  
TREASURER

Mr. Bob Leidigh, Esq.  
Legal Division  
FAIR POLITICAL PRACTICES COMMISSION  
428 "J" Street  
Suite 800  
Sacramento, CA

Dear Mr. Leidigh:

1. Maury Weiner and I founded the Association of Media Accuracy (AMA) in October 1985. The AMA is a non-partisan 501(c)(3) company, whose role is to present both sides of various issues, including the upcoming November 1986 reconfirmation election of Chief Justice Rose Bird and the other justices. (See the enclosed AMA fact sheet, dated 12/18/85.)
2. Maury Weiner personally (on his own), and having nothing in any way, shape, or form to do with the AMA, is involved in organizing an independent committee intended to support all the current sitting justices in the upcoming reconfirmation election (regardless of their ideology).
3. A for-profit, California corporation I control (A-Mark Financial Corporation):
  - a. Contributed money to the "Committee to Conserve the Courts," and
  - b. Loaned money to the AMA to get the organization off the ground and operating.
4. Maury Weiner and/or I, acting in our AMA capacity, plan to have discussions with:
  - a. The Supreme Court justices, and/or
  - b. Groups (or their representatives) opposing the Supreme Court justices' reconfirmation, and/or
  - c. Groups (or their representatives) supporting the Supreme Court justices' reconfirmation.On issues related to and/or not related to the upcoming reconfirmation election.
5. Due to the highly charged political atmosphere over the upcoming reconfirmation election, we want to be certain we can lawfully engage in any of the discussions we decide to have as set out in #4 above.
6. QUESTION: Based on the facts set out in #1, #2, and #3 above, are there any FPPC rules or other statutory authority that would prohibit us (or the justices or groups or their representatives) from having the discussions we have outlined in #4 above or that would set "conditions" for such discussions?

We would appreciate a quick response, as we would like to begin the mentioned discussions within two weeks.

I look forward to your response.

Very truly yours,

ASSOCIATION OF MEDIA ACCURACY

Steve Markoff  
Chairman

SM:msk

Enclosure



# California Fair Political Practices Commission

May 1, 1986

Steve Markoff  
Association of Media Accuracy  
548 South Spring Street, Suite #227  
Los Angeles, CA 90013

Re: 86-140

Dear Mr. Markoff:

Your letter requesting advice under the Political Reform Act has been received on April 28, 1986 by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact me directly at (916) 322-5901.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or unless more information is needed to answer your request, you should expect a response within 21 working days.

Very truly yours,

*Robert E. Leidigh*  
Robert E. Leidigh  
Counsel  
Legal Division

REL:plh