



California Fair Political Practices Commission

December 12, 1986

P. Jerold Walsh
Attorney at Law
P.O. Box 670
Upland, CA 91785

Re: Your Request for Advice
Our File No. A-86-286

Dear Mr. Walsh:

This is in reply to your letter dated September 30, 1986, and to confirm our telephone conversations of September 26, 1986 and November 25, 1986, concerning the campaign disclosure provisions of the Political Reform Act.^{1/}

FACTS

Your client wishes to make a contribution to a political committee. The purpose of the contribution is to influence votes on an initiative measure to be on the ballot of a local city election. The committee which is the recipient of the contribution is a committee which was formed for the purpose of supporting the campaign of a candidate. The committee has surplus funds which are now to be used to influence the outcome of the initiative campaign.

QUESTION

May such a committee receive contributions for the purpose indicated above and subsequently use the funds to influence an initiative?

CONCLUSION

There is nothing in the Political Reform Act which would prohibit the receipt and expenditure of funds by an existing committee to influence an initiative campaign. Of course, the Political Reform Act requires disclosure of all such receipts and expenditures.

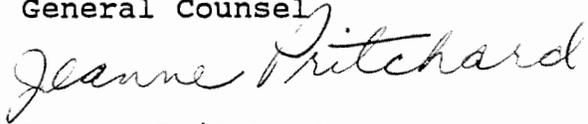
^{1/}Government Code Sections 81000-91015. All statutory references are to the Government Code, unless otherwise noted.

P. Jerold Walsh
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Please call me at (916) 322-5662 if you have any additional questions.

Sincerely,

Diane M. Griffiths
General Counsel



By: Jeanne Pritchard
Division Chief, Technical
Assistance and Analysis Division

DMG:JP:kmt

P. JEROLD WALSH
Attorney At Law
1156 North Mountain Avenue
P. O. Box 670
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(714) 946-7580

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September 30, 1986

California Fair Political Practices Commission
428 J Street, Suite 800
P. O. Box 807
Sacramento, CA 95804-0807

Attention: Ms. Jeanne Pritchard

Re:

Dear Ms. Pritchard:

I am writing this letter in order to confirm our telephone conversation of September 26, 1986. I would like your concurrence that I have properly interpreted the position of the Fair Political Practices Commission (FPPC) with respect to the facts which are included below.

My client desires to make a contribution to a political committee of the nature which I will describe. The contribution is to be made for the purpose of influencing voter response toward an initiative measure to be on the ballot of a local city election in November. The committee/entity which would be the recipient of the contribution is a committee which was formed in the past as a "Committee to Elect Mayor X", and the mayoral election which fostered the formation of that committee has been concluded. The committee apparently has some funds remaining in it and these funds are now intended to be used as a vehicle to influence to outcome of the initiative election.

For purposes of soliciting your opinion you may be assured there is no impropriety with respect to the dollar amount or the reporting requirements of my client's contribution, either from our side or from the committee's side. It is my understanding, after describing these facts to you, that it is your opinion there is nothing improper about such a committee being the recipient of contributions for these purposes and subsequently using the contributed funds to influence the initiative.

I have written this letter because I recognize that the facts I have laid out are probably rather unusual. I wanted to be sure that I had clearly communicated them to you over the phone and that you had had a chance to think through them. Your initial response on the telephone was that you

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saw no problem in the scenario which I have outlined. I would appreciate your confirmation in writing of this fact. If you do, on reflection, feel there is a problem, I would be very grateful if you would immediately call me collect and notify me of that so that my client does not take action based on our earlier telephone conversation. My direct line is (714) 946-7580.

Very truly yours,

A handwritten signature in cursive script, appearing to read "P. Jerold Walsh". The signature is written in dark ink and is positioned above the typed name.

P. Jerold Walsh

PJW:dms/998FP



California Fair Political Practices Commission

October 3, 1986

P. Jerold Walsh
Attorney at Law
P.O. Box 670
Upland, CA 91785

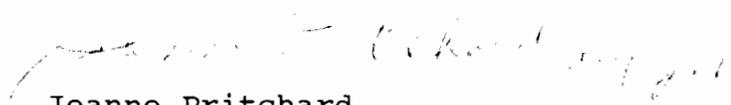
Re: 86-286

Dear Mr. Walsh:

Your letter requesting advice under the Political Reform Act was received on October 1, 1986 by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact me directly at (916) 322-5662.

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

Very truly yours,


Jeanne Pritchard
Chief
Technical Assistance and Analysis
Division

JP:plh