



# California Fair Political Practices Commission

December 4, 1986

Mr. Dennis John Gianatassio  
Direct Services  
121 Golden Gate Avenue  
San Francisco, CA 94102

RE: Your Request for Advice  
Our File No. A-86-290

Dear Mr. Gianatassio:

In your letter postmarked November 3, 1986, you requested advice concerning the campaign disclosure provisions of the Political Reform Act.<sup>1/</sup>

## FACTS

You are a candidate for elective office in San Francisco. Friends of yours are providing you with shelter, food and transportation. Their intention is to support you personally, not because of your status as a candidate.

## QUESTION

By providing you with shelter, food and transportation, are your friends making in-kind (non-monetary) contributions on behalf of your candidacy?

## CONCLUSION

The shelter, food and transportation provided to you are not considered expenditures for political purposes and need not be reported on your campaign disclosure statements.

## ANALYSIS

The term "contribution" is defined in Government Code Section 82015: "'Contribution' means a payment, a forgiveness of a loan, a payment of a loan by a third party, or an enforceable promise to make a payment except to the extent that full and adequate consideration is received unless it is clear from the surrounding circumstances that it is not made for political purposes...."

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<sup>1/</sup>Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated.

Mr. Gianatassio  
Page Two

Since the shelter, food and transportation provided to you was a personal gift rather than a campaign contribution, the value of the shelter, food and transportation need not be reported on your candidate and officeholder campaign statement (Form 430).

You stated in your letter that you enclosed a copy of your final pre-election statement, Form 430. However, the enclosure was not received with your letter.

Please contact me if I may be of further assistance.

Sincerely,

Diane M. Griffiths  
General Counsel



By Mary Ann Kvasager  
Political Reform Consultant

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DENNIS JOHN GIANATASSIO  
% DIRECT SERVICES  
121 GIBBEN GATE AVE.  
SAN FRANCISCO, CA 94102

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FAIR POLITICAL PRACTICES COMMISSION

% LEGAL DIVISION

ATT: DIANNE GRIFFITHS

428 J STREET

SACRAMENTO, CA. 95814

DEAR MS. GRIFFITHS,

I am enclosing this letter to you with my final pre-election statement as a summary statement regarding questions of non-monetary support for my campaign (as referred to in my previous letter of October 6, 1986) as well as other questions arising from the unique aspect of my candidacy. I am filing this letter together with my form 430 so that these questions may be open to public scrutiny, etc...

First, it should be clearly acknowledged that many friends have assisted me in my campaign in a very personal, informal manner including, at times, providing shelter, food, transportation, etc... This has been, as stated, support of me personally - and yet, I cannot separate it from my political campaign since the two are related.

\* please note  
I have contacted Mary Ann Kvasagar subsequent to this letter and discussed with him the appropriate follow-up following the election.

(2)

This support has been, in a very real way, invaluable, since it springs from a personal well-spring which extends to support of my candidacy as well. To divide the personal from the political is impractical. Still, I want to emphasize that I am enclosing this letter so that my record may be "open to the public." And, of course, I am willing to follow-up regarding these questions with you. (Please note that these questions also, to a much lesser extent, <sup>may</sup> apply to expenditures as well).

Because the campaign is in its final week, I would like to defer any unnecessary further elucidation of this matter until the election is over. Be assured that I am most willing to work with you regarding these matters. Finally, I would like to state that I have made an effort to be "conscientious" about these matters; I do not feel I have exercised <sup>(in any of my statements)</sup> fully all reasonable diligence, as stated in the verification, but I am prepared, if necessary, to provide more detailed information with your assistance.

Thank you for your time and consideration,

Jim John 

% DIRECT SERVICES  
121 GOLDEN GATE AVE.  
SAN FRANCISCO, CA. 94102  
October 6, 1986

FAIR POLITICAL PRACTICES COMMISSION  
% LEGAL DIVISION

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ATT: DIANNE GRIFFITHS  
28 J STREET  
SACRAMENTO, CA. 95814

Dear Ms. Griffiths,

I am writing to you as requested by staff members of the Fair Political Practices Commission in regards to questions about what constitutes a "political institution." Since it is my understanding that staff members have discussed my questions and conversations with you, I will not go into detail here. Please accept this letter as a "journal inquiry" (as requested by staff) especially with regard to a contribution of money received from my parents, and also regarding some questions regarding "non-monetary" support received. I will contact the Commission by phone as follow-up.

Respectfully,

John Grandtasso

cc: personal