



California Fair Political Practices Commission

March 22, 1988

Kirk Alan Pessner
Paralegal/Administrator
Political Reports Unit
Nielsen, Merksamer, Hodgson & Parrinello
650 California Street, Suite 2650
San Francisco, CA 94108

Re: Your Request for Advice
Our File No. I-88-103

Dear Kirk:

This is in reply to your letter dated March 2, 1988, confirming our telephone conversation concerning sponsored committees. (2 Cal. Code of Regs. Section 18419.)

Your letter accurately reflects our telephone conversation and the advice I provided you and, as you requested, I have signed and dated your letter. It is enclosed.

Pursuant to our telephone conversation of March 21, 1988, my confirmation of the advice reiterated in your letter does not constitute formal advice. The Commission can issue formal advice only to a person whose duties under the Political Reform Act are in question or to that person's authorized representative. (Section 18329(b), copy enclosed.) When an authorized representative asks for advice on behalf of a person whose duties are in question, the name and address of the person must be provided, as well as a specific statement that authorization has been made.

You have not provided the name of the person on whose behalf you are seeking advice. Therefore, my confirmation of the advice reiterated in your letter constitutes informal assistance pursuant to Regulation 18329(c).^{1/}

^{1/} Informal assistance does not provide the requestor with the immunity provided by an opinion or formal written advice. (Government Code Section 83114; 2 Cal. Code of Regs. Section 18329(c)(3).)

Kirk Alan Pessner
March 22, 1988
Page Two

If you have any questions, please contact me at (916)
322-5662.

Sincerely,

Diane M. Griffiths
General Counsel

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

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SACRAMENTO

770 L STREET, SUITE 800
SACRAMENTO, CALIFORNIA 95814
TELEPHONE (916) 446-6752

LAW OFFICES OF
NIELSEN, MESSAMER, HODGSON, PARRINELLO & MUELLER
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
650 CALIFORNIA STREET, SUITE 2650
SAN FRANCISCO, CALIFORNIA 94108
TELEPHONE (415) 989-6800

FILE NUMBER
6290.02

March 2, 1988

Ms. Jeanne Pritchard
Fair Political Practices Commission
Post Office Box 807
Sacramento, California 95814

Re: Regulation 18419-Sponsored Committees

Dear Jeanne:

This letter will memorialize our telephone conversation of February 25, 1988 regarding regulation 18419. In that conversation, I described a situation in which a business entity intends to contribute all or nearly all of the contributions to a recipient committee established pursuant to Government Code Section 82013(a) to support a ballot measure on the Kern County June 7, 1988 ballot.

I confirmed that this business entity, in addition to making all or nearly all of the contributions to this ballot measure committee, has identified itself as the sponsor in the name of the ballot measure committee (pursuant to Government Code 84106) and intends to have a responsible officer of the sponsor sign the campaign statement in addition to the signature of the campaign committee treasurer. This business entity has made no other campaign contributions nor does it intend to make campaign contributions other than those to this ballot committee.

You advised us that it appears as though the business entity is the sponsor of the committee and is itself not required to file as a committee under Government Code Section 82013(c) since it satisfies all the criteria of Regulation 18419(c).

If I have misstated any of the information or your advice to us, please do not hesitate to contact me. If you concur with the contents of this letter, please sign and date the

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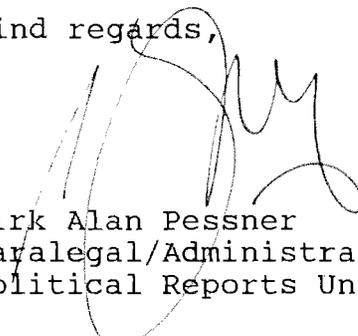
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March 2, 1988
Page 2

letter and return it to me in the enclosed envelope provided.
Thank you for your attention to this matter.

Kind regards,



Kirk Alan Pessner
Paralegal/Administrator
Political Reports Unit

KAP/tcm/h41
Enclosure

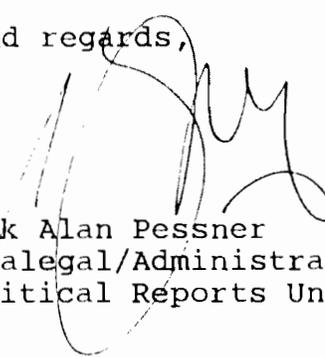
Jeanne Pritchard
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Date: 3 / 22 / 88

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Date: 3 / 22 / 88