



California Fair Political Practices Commission

JUNE 10, 1988
~~May 1988~~

CHANGED
DO
ORIGINAL

George Stameroff, Treasurer
Parnell for Assembly
11 San Rafael Ave.
San Anselmo, CA 94960-2119

RE: Your Request for Advice
Our File No. A-88-179

Dear Mr. Stameroff:

You have requested advice on behalf of Frank Parnell regarding the campaign provisions of the Political Reform Act of 1974.^{1/}

QUESTIONS

1) Was it appropriate for Frank Parnell, a candidate for state Assembly, to file the Form 470 on March 22, 1988?

2) Are Dr. Parnell and his controlled committee required to file a Form 490 by May 26, 1988?

CONCLUSIONS

1) If Dr. Parnell did not intend to receive or spend \$1,000 for the entire calendar year 1988, and he did not have a controlled committee by March 17, 1988, the Form 470 was the appropriate form to file on March 22, 1988.

2) Since Dr. Parnell subsequently created a controlled committee, the committee and Dr. Parnell were required to file a consolidated campaign statement (Form 490) by May 26, 1988, covering the period January 1, 1988 through May 21, 1988. I provided this information to you by telephone on May 23, 1988.

FACTS

On March 22, 1988, Frank Parnell, a candidate for the state Assembly, filed a Form 470 (Officeholder and Candidate Campaign Statement -- Short Form) with the Marin County Registrar. He also sent a Form 470 to the Secretary of State. On March 24, 1988, Dr. Parnell filed a Form 410, Statement of Organization, for "Parnell for Assembly."

^{1/}Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Code of Regulations Section 18000, et seq. All references to regulations are to Title 2, Division 6 of the California Code of Regulations.

Prior to March 17, 1988, Dr. Parnell had not received, nor had he spent, \$1,000 or more toward his campaign, excluding filing fees paid for with personal funds.

ANALYSIS

In addition to semi-annual filing requirements set forth in Section 84200, "during an even-numbered year, all elected state officers, all state candidates being voted upon on the first Tuesday after the first Monday in June or November, [and] their controlled committees ... shall file the preelection statements [according to the filing schedule] specified in Section 84200.7." (Section 84200.5(a).) (Emphasis added.)

A candidate who does not have a controlled committee and who "plans to receive contributions of less than \$1,000 and who plans to make expenditures of less than \$1,000 in a calendar year may file a short form campaign statement for that calendar year." (Regulation 18406.) The Commission has developed the Form 470 as the candidates' short form for reporting purposes. ("Information Manual on Campaign Disclosure Provisions of the Political Reform Act of 1974," page 108.)

If, after filing a Form 470, the candidate is required to file the long form (Form 490) for any reason, the period covered by the Form 490 will be January 1 through the closing date of the next regular campaign disclosure statement required to be filed by the candidate. ("Information Manual on Campaign Disclosure Provisions of the Political Reform Act," page 12.)

A candidate for the state Legislature must file his or her campaign statements at the following places:

- (1) The original and one copy with the Secretary of State.
- (2) Two copies with the clerk of the county with the largest number of registered voters in the district affected.
- (3) Two copies with the clerk of the county in which the candidate is domiciled.

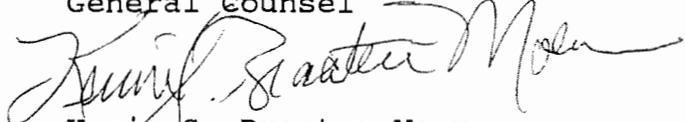
(Section 84215.)

Stameroff, George
Page Three

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

Sincerely,

Diane M. Griffiths
General Counsel

A handwritten signature in cursive script, appearing to read "Kevin S. Braaten-Moen". The signature is written in black ink and is positioned above the typed name.

By: Kevin S. Braaten-Moen
Political Reform Consultant

GEORGE STAMEROFF

CERTIFIED PUBLIC ACCOUNTANT
M.B.A. - TAXATION
A PROFESSIONAL CORPORATION

MAY 12 2 41 PM '88

May 5, 1988

(415) 459-5555

11 SAN RAFAEL AVE., SAN ANSELMO, CA 94960-2119

Diane Griffiths, General Counsel
Fair Political Practices Commission
428 J Street, Suite 800
P.O. Box 807
Sacramento, CA 95814

Dear Ms. Griffiths:

This letter is to request clarification of the filing requirements under the Political Reform Act which are applicable to Doctor Frank Parnell, a candidate for the -Ninth Assembly District. Specifically, I seek to determine if the filing requirements for the period of January 1 - March 17, 1988 were met with Doctor Parnell's filing of a form 470. The facts are summarized below:

- On March 22, 1988 Frank Parnell, M.D. filed a form 470 with the Marin County Registrar. He also sent a form 470 to the Secretary of State.

- On March 24, 1988 Frank Parnell, M.D. filed a form 410, Statement of Organization for "Parnell for Assembly."

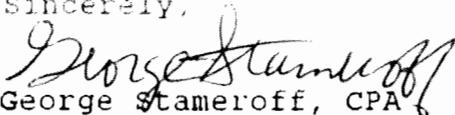
- Prior to and including March 17, 1988 Frank Parnell M.D. had not received or spent \$1,000.00 or more toward his campaign (excluding filing fees paid for with personal funds).

Copies of the above forms are enclosed for your information.

Given the above facts, it is my understanding that the form 470 was the appropriate form to file for the January 1 - March 17, 1988 reporting period. It is also my understanding that if campaign expenditures by Frank Parnell, M.D. and Parnell for Assembly exceed the amount of \$1,000.00 by the end of the next reporting period on May 21, 1988, that we will be required to file a form 490 for the period of January 1 - May 21, 1988 no later than May 26, 1988.

I would appreciate your written response to the above question of whether the form 470 was the correct form to use for the reporting period of January 1 - March 17, 1988. If you have any questions regarding this request, please feel free to contact me, George Stameroff, Campaign Treasurer, at (415) 459-5555.

Sincerely,


George Stameroff, CPA
Treasurer
Parnell for Assembly



FORM 470
1988

CANDIDATE AND OFFICEHOLDER
CAMPAIGN STATEMENT — SHORT FORM

(Government Code Section 84206)

For use by candidates and officeholders who do not have a controlled committee* and who will not receive \$1,000 or more in contributions and will not spend \$1,000 or more during the entire calendar year.

A OFFICIAL USE ONLY

Type or Print in Ink

Period Covered: Calendar Year 19 88

NAME OF CANDIDATE OR OFFICEHOLDER

Francis W. Parnell

OFFICE SOUGHT OR HELD (INCLUDE LOCATION AND DISTRICT NUMBER IF APPLICABLE)

Assembly 9th District

RESIDENTIAL ADDRESS NO AND STREET CITY STATE ZIP CODE AREA CODE PHONE NUMBER

38 Sir Francis Drake Boulevard, Ross, CA 94957 415-459-0771

BUSINESS ADDRESS NO AND STREET CITY STATE ZIP CODE AREA CODE BUSINESS PHONE NUMBER

599 Sir Francis Drake Blvd, Greenbrae, CA 94904 415-461-1036

DATE OF ELECTION (MO., DAY, YR.) (IF APPLICABLE)

June 7, 1988

LIST ALL COMMITTEES OF WHICH YOU HAVE KNOWLEDGE WHICH ARE PRIMARILY FORMED TO RECEIVE CONTRIBUTIONS OR MAKE EXPENDITURES ON BEHALF OF YOUR CANDIDACY

COMMITTEE NAME AND ID NUMBER	COMMITTEE ADDRESS	NAME OF TREASURER
Presently being formed.		

*Officeholders whose salary is less than \$100 per month and judges, who have a controlled committee, may use this form under certain circumstances. See the "Information Manual on Campaign Disclosure Provisions of the Political Reform Act," for further information.

VERIFICATION

I declare under penalty of perjury that to the best of my knowledge, during the calendar year, less than \$1,000 will be received and less than \$1,000 will be expended by myself and that I have used all reasonable diligence in preparing this statement.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on March 22, 1988
(DATE)

at Greenbrae, CA 94904

by Francis W. Parnell
(SIGNATURE OF CANDIDATE OR OFFICEHOLDER)



Form 410
1988

FILE AN ORIGINAL AND ONE COPY OF THIS FORM WITH:

Secretary of State
Political Reform Division
P.O. Box 1467
Sacramento, CA 95812 1467

AND ONE COPY WITH:

The city or county officer, if any, with whom the original copy of the disclosure statements

STATEMENT OF ORGANIZATION (RECIPIENT COMMITTEE)

(Government Code Section 84101, 84103)

IF AMENDMENT
ENTER ID NUMBER

(Type or Print in Ink)

FULL NAME OF COMMITTEE:

PARNELL FOR ASSEMBLY

STREET ADDRESS OF COMMITTEE:

(NO. P.O. BOX)

NO. AND STREET

CITY

STATE

ZIP CODE

COUNTY

38 SIR FRANCIS DRAKE BLVD ROSS CA 94957 MARIANA

MAILING ADDRESS (IF DIFFERENT)

NO. AND STREET (OR P.O. BOX)

CITY

STATE

ZIP CODE

P.O. BOX 608 ROSS CA 94957

DATE QUALIFIED AS COMMITTEE (MO., DAY, YR.)

3-24-88

AIRTEL CODE

PHONE NUMBER

A OFFICIAL USE ONLY

B OFFICIAL USE ONLY

415-461-1036

I TREASURER AND OTHER PRINCIPAL OFFICERS

POSITION	NAME AND ADDRESS AND MAILING ADDRESS, IF DIFFERENT	(AREA CODE)	BUSINESS PHONE NO.
TREASURER	GEORGE STAMEROFF	(415)	
	11 SAN RAFAEL AVE		459-5555
	SAN ANSELMO, CA 94960		

Attach additional information on appropriately labeled continuation sheets

II IS THIS A CONTROLLED COMMITTEE?

(A controlled committee is one which is controlled directly or indirectly by a candidate or a proponent of a state ballot measure or which acts jointly with a candidate, controlled committee or proponent of a state ballot measure in connection with the making of expenditures. A candidate or proponent of a state ballot measure controls a committee if he or she, his or her agent, or any other committee he or she controls, has a significant influence on the actions or decisions of the committee.)

YES (Complete the following and proceed to Part III) NO

NAME OF CONTROLLING CANDIDATE, NAME OF THE ELECTIVE OFFICE SOUGHT OR HELD AND DISTRICT NUMBER, IF ANY. IF THIS COMMITTEE IS CONTROLLED BY MORE THAN ONE CANDIDATE, THE NAME OF EACH CONTROLLING CANDIDATE MUST BE LISTED. IF THIS COMMITTEE IS CONTROLLED BY A STATE MEASURE PROPONENT, NAME OF THE STATE MEASURE PROPONENT MUST BE LISTED.

FRANCIS W. PARNELL, M.D.

CANDIDATE

NINTH ASSEMBLY DISTRICT

Attach additional information on appropriately labeled continuation sheets

III IS THIS COMMITTEE ACTING JOINTLY WITH OTHER COMMITTEES?

YES (Complete the following and proceed to Part V) NO

NAMES OF COMMITTEES WITH WHICH THIS COMMITTEE ACTS JOINTLY ALSO PROVIDE THE COMMITTEE'S IDENTIFICATION NUMBERS OR THE TREASURERS' NAMES AND PERMANENT STREET ADDRESSES

Attach additional information on appropriately labeled continuation sheets

YOU MUST COMPLETE THE VERIFICATION ON PAGE 2

IV IS THIS A SPONSORED COMMITTEE? (Refer to the instructions on the reverse side for definitions and rules regarding the name of a sponsored committee.)

- NO
- YES (Provide name and address of sponsor. If the committee has more than one sponsor, provide the name and address of each sponsor on an attachment. Also check one of the classifications below.)

Name of Sponsor: _____
 Address of Sponsor: _____

CLASSIFICATION OF SPONSORED COMMITTEE BY INDUSTRY GROUP OR AFFILIATION (Check one box):

- Agriculture
- Education
- Entertainment/Recreation
- Finance/Insurance
- Health
- Industrial/Manufacturing
- Labor
- Legal
- Merchandise/Retail
- Oil/Gas
- Public Employee
- Real Estate
- Trade
- Transportation
- Utilities
- Other: _____

V IF PRIMARILY FORMED TO SUPPORT OR OPPOSE SPECIFIC CANDIDATES OR MEASURES, LIST SPECIFIC CANDIDATES OR MEASURES SUPPORTED OR OPPOSED.

CANDIDATE'S NAME/MEASURE'S FULL TITLE INCLUDING BALLOT NUMBER OR LETTER	SUPPORT	OPPOSE	OFFICE SOUGHT OR HELD BY CANDIDATE OR MEASURE'S JURISDICTION (Include district number, city or county as applicable)

Attach additional information on appropriately labeled continuation sheets

VI COMMITTEE'S PRINCIPAL ACTIVITY IF NOT SUPPORTING OR OPPOSING SPECIFIC CANDIDATES OR MEASURES -- PLEASE CHECK BOX TO INDICATE THE COMMITTEE'S LEVEL OF ACTIVITY: CITY COUNTY STATE

Attach additional information on appropriately labeled continuation sheets

VII YOU MUST SPECIFY WHAT DISPOSITION WILL BE MADE OF SURPLUS FUNDS IN THE EVENT OF TERMINATION.

In accordance with Election Code Section 12400 et seq.

VERIFICATION

I have used all reasonable diligence in preparing this Statement. I have reviewed the Statement and to the best of knowledge the information contained herein is true and complete.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct

Executed on _____ at _____ by _____
(Date) (City and State) (Signature of Treasurer)

Executed on 3/24/88 at Ross, CA by [Signature]
(Date) (City and State) (Signature of Controlling Candidate, Officeholder or State Measure Proponent)



California Fair Political Practices Commission

May 13, 1988

George Stameroff
Certified Public Accountant
11 San Rafael Avenue
San Anselmo, CA 94960-2119

Re: 88-179

Dear Mr. Stameroff:

Your letter requesting advice under the Political Reform Act was received on May 12, 1988 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 if your request seeks formal written advice. If more information is needed, the person assigned to prepare a response to your request will contact you shortly to advise you as to the information needed. If your request is for informal assistance, we will answer it as quickly as we can. (See Commission Regulation 18329 (2 Cal. Code of Regs. Sec. 18329).)

You also should be aware that your letter and our response are public records which may be disclosed to the public upon receipt of a proper request for disclosure.

Very truly yours,

Jeanne Pritchard
(ed)

Jeanne Pritchard
Chief
Technical Assistance and Analysis
Division

JP:plh

GEORGE STAMEROFF

CERTIFIED PUBLIC ACCOUNTANT
M.B.A. — TAXATION
A PROFESSIONAL CORPORATION

MAY 12 2 41 PM '88

May 5, 1988

(415) 459-5555

11 SAN RAFAEL AVE., SAN ANSELMO, CA 94960-2119

Diane Griffiths, General Counsel
Fair Political Practices Commission
428 J Street, Suite 800
P.O. Box 807
Sacramento, CA 95814

Dear Ms. Griffiths:

This letter is to request clarification of the filing requirements under the Political Reform Act which are applicable to Doctor Frank Parnell, a candidate for the Ninth Assembly District. Specifically, I seek to determine if the filing requirements for the period of January 1 - March 17, 1988 were met with Doctor Parnell's filing of a form 470. The facts are summarized below:

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Sincerely,


George Stameroff, CPA
Treasurer
Parnell for Assembly

Enclosures



FORM 470
1988

CANDIDATE AND OFFICEHOLDER
CAMPAIGN STATEMENT — SHORT FORM

(Government Code Section 84206)

For use by candidates and officeholders who do not have a controlled committee* and who will not receive \$1,000 or more in contributions and will not spend \$1,000 or more during the entire calendar year.

A OFFICIAL USE ONLY

Type or Print in Ink

Period Covered: Calendar Year 19 88

NAME OF CANDIDATE OR OFFICEHOLDER

Francis W. Parnell

OFFICE SOUGHT OR HELD (INCLUDE LOCATION AND DISTRICT NUMBER IF APPLICABLE)

Assembly 9th District

RESIDENTIAL ADDRESS NO AND STREET CITY STATE ZIP CODE AREA CODE PHONE NUMBER
38 Sir Francis Drake Boulevard, Ross, CA 94957 415-459-0771

BUSINESS ADDRESS NO AND STREET CITY STATE ZIP CODE AREA CODE BUSINESS PHONE NUMBER
599 Sir Francis Drake Blvd, Greenbrae, CA 94904 415-461-1036

DATE OF ELECTION (MO., DAY, YR.) (IF APPLICABLE)

June 7, 1988

LIST ALL COMMITTEES OF WHICH YOU HAVE KNOWLEDGE WHICH ARE PRIMARILY FORMED TO RECEIVE CONTRIBUTIONS OR MAKE EXPENDITURES ON BEHALF OF YOUR CANDIDACY

COMMITTEE NAME AND ID NUMBER	COMMITTEE ADDRESS	NAME OF TREASURER
Presently being formed.		

*Officeholders whose salary is less than \$100 per month and judges, who have a controlled committee, may use this form under certain circumstances. See the "Information Manual on Campaign Disclosure Provisions of the Political Reform Act," for further information.

VERIFICATION

I declare under penalty of perjury that to the best of my knowledge, during the calendar year, less than \$1,000 will be received and less than \$1,000 will be expended by myself and that I have used all reasonable diligence in preparing this statement.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on March 22, 1988 at Greenbrae, CA 94904
(DATE) (CITY AND STATE)
by *Francis W. Parnell*
(SIGNATURE OF CANDIDATE OR OFFICEHOLDER)

For information required to be provided to you pursuant to the Information Practices Act of 1977, see "Information Manual on Campaign Disclosure Provisions of the Political Reform Act."



Form 410
1988

FILE AN ORIGINAL AND ONE
COPY OF THIS FORM WITH:

Secretary of State
Political Reform Division
P.O. Box 1467
Sacramento, CA 95812 1467

AND ONE
COPY OF THIS FORM WITH:

The city or county officer, if any,
with whom the committee must file its
original campaign disclosure
statements

STATEMENT OF ORGANIZATION (RECIPIENT COMMITTEE)

(Government Code Section 84101 84103)

IF AMENDMENT
ENTER ID NUMBER

(Type or Print in Ink)

FULL NAME OF COMMITTEE:

PARNELL FOR ASSEMBLY

STREET ADDRESS OF COMMITTEE:

38 SIR FRANCIS DRAKE BLVD ROSS CA 94957 COUNTY: MARKIN

MAILING ADDRESS (IF DIFFERENT):

P.O. Box 608 ROSS CA 94957

DATE QUALIFIED AS COMMITTEE (MO., DAY, YR.):

3-24-88

AREA CODE

415-461-1036

PHONE NUMBER

A OFFICIAL USE ONLY

B OFFICIAL USE ONLY

I TREASURER AND OTHER PRINCIPAL OFFICERS

POSITION	NAME AND ADDRESS AND MAILING ADDRESS, IF DIFFERENT	(AREA CODE)	BUSINESS PHONE NO.
TREASURER	<u>GEORGE STAMEROFF</u>	<u>(415)</u>	
	<u>11 SAN RAFAEL AVE</u>		<u>458-5555</u>
	<u>SAN ANSELMO, CA 94960</u>		

Attach additional information on appropriately labeled continuation sheets

II IS THIS A CONTROLLED COMMITTEE?

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YES (Complete the following and proceed to Part III) NO

NAME OF CONTROLLING CANDIDATE, NAME OF THE ELECTIVE OFFICE SOUGHT OR HELD AND DISTRICT NUMBER, IF ANY IF THIS COMMITTEE IS CONTROLLED BY MORE THAN ONE CANDIDATE, THE NAME OF EACH CONTROLLING CANDIDATE MUST BE LISTED IF THIS COMMITTEE IS CONTROLLED BY A STATE MEASURE PROPONENT, NAME OF THE STATE MEASURE PROPONENT MUST BE LISTED

FRANCIS W. PARNELL, M.D.

CANDIDATE

NINTH ASSEMBLY DISTRICT

Attach additional information on appropriately labeled continuation sheets

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YES (Complete the following and proceed to Part V) NO

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CLASSIFICATION OF SPONSORED COMMITTEE BY INDUSTRY GROUP OR AFFILIATION (Check one box):

- Agriculture Education Entertainment/Recreation Finance/Insurance Health
- Industrial/Manufacturing Labor Legal Merchandise/Retail Oil/Gas Public Employee
- Real Estate Trade Transportation Utilities
- Other: _____

V IF PRIMARILY FORMED TO SUPPORT OR OPPOSE SPECIFIC CANDIDATES OR MEASURES, LIST SPECIFIC CANDIDATES OR MEASURES SUPPORTED OR OPPOSED.

CANDIDATE'S NAME/MEASURE'S FULL TITLE INCLUDING BALLOT NUMBER OR LETTER	SUPPORT	OPPOSE	OFFICE SOUGHT OR HELD BY CANDIDATE OR MEASURE'S JURISDICTION (Include district number, city or county, as applicable)

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Attach additional information on appropriately labeled continuation sheets.

VII YOU MUST SPECIFY WHAT DISPOSITION WILL BE MADE OF SURPLUS FUNDS IN THE EVENT OF TERMINATION.

In accordance with Elections Code Section 12400 et seq.

VERIFICATION

I have used all reasonable diligence in preparing this Statement. I have reviewed the Statement and to the best of knowledge the information contained herein is true and complete.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on _____ at _____ by _____ (Signature of Treasurer)

Executed on 3/24/88 at Ross, CA by [Signature] (Signature of Controlling Candidate, Officeholder or State Measure Proposer)