



# California Fair Political Practices Commission

June 2, 1989

Charles E. Knutsen  
Democratic Party of the  
San Fernando Valley  
9140 Van Nuys Blvd., Suite 213  
Panorama City, CA 91402

RE: Your Request for Advice  
Our File No. A-89-117

Dear Mr. Knutsen:

You have requested advice on behalf of the Democratic Party of the San Fernando Valley (DPSFV) concerning the campaign provisions of the Political Reform Act.<sup>1</sup>

## QUESTION

May organizations or political committees contribute to DPSFV in excess of the contribution limitations established by Proposition 73 for the purpose of publishing a slate mailer which endorses Democratic candidates?

## CONCLUSION

Organizations and political committees are limited to contributing no more than \$2,500 in a fiscal year to DPSFV to support candidates for elective office. Because the slate mailers are produced "at the behest" of the candidates endorsed, DPSFV's payments to produce the slate mailers are contributions to those candidates endorsed on the slate mailer.

## FACTS

Your committee receives contributions from organizations and other political committees. Although your committee does not involve itself with campaigns, it does produce a slate mailer for the purpose of electing Democratic candidates to office. The slate mailer is "self-funded."

According to your telephone conversation with Carla Wardlow of the Commission on May 11, 1989, no candidates pay to be on the slate mailer and no committee or person makes payments to DPSFV at the behest of any candidate. In addition, no payments are received from any source for the purpose of having a specific candidate included in the slate mailer.

<sup>1</sup>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.

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Candidates are interviewed and then DPSVF decides who to endorse.

ANALYSIS

Section 82015 states that:

An expenditure made at the behest of a candidate, committee or elected officer is a contribution to the candidate, committee or elected officer unless full and adequate consideration is received for making the expenditure.

Regulation 18215 defines "made at the behest" as:

A payment made under the control or at the direction of, in cooperation, consultation, coordination, or concert with, or at the request or suggestion of a candidate, controlled committee, official committee of a political party, or organization formed or existing primarily for political purposes.

Since there is coordination between DPSFV and candidates concerning the production of the slate mailer, DPSFV's payments to produce the slate mailers are considered made at the behest of those candidates. (Rutberg Advice Letter, No. A-87-292, copy enclosed.)

The Act limits the amount a committee may accept from a person to \$2,500 in a fiscal year (July 1- June 30) to make contributions to candidates for elective office. (Section 85302.) Therefore, payments received by DPSFV for the purpose of producing slate mailers may not exceed \$2,500 per contributor in a fiscal year.

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

Sincerely,

Kathleen E. Donovan  
General Counsel

  
By: Kevin S. Braaten-Moen  
Political Reform Consultant



## DEMOCRATIC PARTY

OF THE SAN FERNANDO VALLEY

9140 Van Nuys Blvd., Suite 213 • Panorama City, California 91402 • (818) 893-9833

FPPC

FEB 21 8 26 AM '89

February 16, 1989

Fair Political Practices Commission  
Technical Assistance Office  
428 J Street  
Sacramento, CA 95804

ATTN: Kevin

Ms. Jeanne Pritchard:

Pursuant to our conversation this morning, I am requesting a written reply to my question regarding PAC contributions to fund a slatemailer distributed by our organization.

My question has to do with the amount of monies PACs are allowed to contribute. Is there a limit in our situation according to Propositions 68 & 73 or may organizations or PACs contribute, to us, monies in excess of the stated limits?

Our slatemailer is self-funded and a non-profit item. We do not, as an organization, become involved with campaigns. The sole purpose of our slatemailer is elect Democrats.

Although, I received a verbal answer from you today, my treasurer would like the information in writing.

I would appreciate an answer as soon as possible.

Sincerely,

*Charles E. Knutsen*

Charles E. Knutsen, Chair


**DEMOCRATIC PARTY**

OF THE SAN FERNANDO VALLEY

9140 Van Nuys Blvd., Suite 213 • Panorama City, California 91402 • (818) 893-8333

FEB 21 8 03 AM '89

February 16, 1989

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Sincerely,

Charles E. Knutsen, Chair



# California Fair Political Practices Commission

February 22, 1989

Charles E. Knutsen, Chair  
Democratic Party of the  
San Fernando Valley  
9140 Van Nuys Blvd., Suite 213  
Panorama City, CA 91402

Re: Letter No. 89-117

Dear Mr. Knutsen:

Your letter requesting advice under the Political Reform Act was received on February 21, 1989 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*  
Jeanne Pritchard  
Chief Technical Assistance  
and Analysis Division

JP:plh