



California Fair Political Practices Commission

March 21, 1989

The Honorable Ross Johnson
Assembly Minority Leader
State Capitol
Sacramento, CA 95814

Re: Your Request for Advice
Our File No. I-89-165

Dear Mr. Johnson:

You have requested confirmation of oral advice provided to you regarding the Political Reform Act (the "Act")^{1/}, as amended by Proposition 73. Because your request does not involve a specific factual situation, we are treating your request as one for informal assistance.^{2/}

With one point of clarification, this confirms that your letter accurately reflects the oral advice provided to you with respect to the appropriate uses of "restricted funds" under Regulation 18536.2. Your letter indicates that restricted funds provided to a broad based political committee may be used for purposes other than contributions for or against a candidate. The clarifying point is that restricted funds provided by a

^{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.

^{2/} 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).)

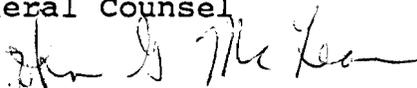
The Honorable Ross Johnson
March 21, 1989
Page 2

person^{3/} to a broad based political committee may be used for purposes "other than to support or oppose a candidacy for elective office." For example, the broad based political committee may use the restricted funds for payment of overhead expenses and expenses for voter registration and non-partisan get-out-the-vote drives. (Regulation 18536.2(c)(2).) It may not use the restricted funds to make an independent expenditure to expressly advocate the election or defeat of any candidate for state or local office. (Regulation 18536.2(b)(2).) A copy of your incoming letter is attached.

If you have any further questions, please contact me at (916) 322-5901.

Sincerely,

Diane M. Griffiths
General Counsel



By: John G. McLean
Counsel, Legal Division

DMG:JGM:ld

Enclosure

^{3/} As indicated in your letter, this advice does not apply to candidates or candidate controlled committees.



California Fair Political Practices Commission

March 16, 1989

Honorable Ross Johnson
Member of the Assembly
State Capitol
P.O. Box 942849
Sacramento, CA 94249-0001

Re: Letter No. 89-165

Dear Assemblyman Johnson:

We received your letter requesting confirmation of advice under the Political Reform Act on March 15, 1989. Your letter has been assigned to John McLean for response. If you have any questions, you may contact Mr. McLean directly at (916) 322-5901.

If the letter is appropriate for confirmation without further analysis, we will attempt to expedite our response. A confirming response will be released after it has gone through our approval process. If the letter is not appropriate for this treatment, the staff person assigned to prepare the response will contact you shortly to advise you. In such cases, the normal analysis, review and approval process will be followed.

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

Sincerely,

Diane M. Griffiths
Diane M. Griffiths
General Counsel

DMG:plh:confadv1

SACRAMENTO OFFICE

STATE CAPITOL
P.O. BOX 942849
SACRAMENTO, CA 94249-0001
(916) 445-7448

DISTRICT OFFICE

1501 NORTH HARBOR BOULEVARD
SUITE 201
FULLERTON, CA 92635
(714) 738-5853
(213) 697-0603

Assembly
California Legislature

FPC
8 43 AM '89

ROSS JOHNSON

ASSEMBLYMAN, SIXTY-FOURTH DISTRICT

ASSEMBLY REPUBLICAN LEADER



March 14, 1989

Mr. John McLean
Fair Political Practices Commission
428 J Street
Suite 800
Sacramento, CA 95814

Dear John:

The purpose of this letter is to ask for immediate written confirmation of oral advice you have given my office on the following question:

May a person (as defined by Proposition 73, person means an individual, proprietorship, firm, partnership, joint venture, syndicate, business trust, company, corporation, association, committee, and labor organization) make a contribution to an existing broad based political committee for purposes other than contributions for or against a candidate for public office using restricted funds as defined by commission regulation?

It is my understanding from your advice that all such persons other than candidates or candidates' controlled committees are able to use restricted funds for such contributions. In addition, I further understand that the contributions do not have to conform to any Proposition 73 contribution limits.

Thank you for your immediate attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Ross".

ROSS JOHNSON
Assembly Republican Leader

RJ:co