



California Fair Political Practices Commission

October 16, 1990

Barbara Clawson Wyckoff
605 E. Hazelwood Dr.
Lemoore, CA 93245

Re: Your Request for Advice
Our File No. A-89-269

Dear Ms. Wyckoff:

You have requested advice concerning the campaign provisions of the Political Reform Act.¹ We apologize for the delay in responding to your request.

QUESTION

Were you required to file a Statement of Organization (Form 410) and obtain an identification number when you formed the Committee to Reelect Wyckoff in the Fall of 1988?

CONCLUSION

Candidates were not required to file a Form 410 prior to January 1, 1989, even if they raised or spent \$1,000 in a calendar year for their election to office.

FACTS

In the Fall of 1988 you announced your candidacy for reelection to the Lemoore City Council. At that time, you filed a Form 410 and applied to the Secretary of State's office for a committee identification number. Since you did not receive notice from the Secretary of State's office of receipt of your application, you called their office in March of 1989. The Secretary of State's office indicated to you at that time that they had no record of receiving your application.

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.

Barbara Wyckoff
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ANALYSIS

Prior to January 1, 1989, a candidate was not required to file a Statement of Organization (Form 410), even if the candidate received contributions totaling \$1,000 in a calendar year. Such a candidate was required to file campaign disclosure statements under the Act (Section 84100-84309) whether or not he or she had formed a committee. (Mulholland Advice Letter, No. I-86-108, copy enclosed.) Due to passage of Proposition 73², which became effective January 1, 1989, candidates are required to file Form 410 if they raise or spend \$1,000 in a calendar year for campaign-related expenses. (1990 Information Manual A, Page 27.)

Since all candidates who receive \$1,000 or more in contributions in a calendar year are now required to file Form 410, if you received \$1,000 or more in 1989 or 1990, you were required to file the Statement of Organization (Form 410) within 10 days. A Form 410 is enclosed for your convenience.

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

Sincerely,

Scott Hallabrin
Acting General Counsel



BY: Kevin S. Braaten-Moen
Political Reform Consultant

Enclosures

² On September 25, 1990, the United States District Court, Eastern District of California, in the case of Service Employees International Union, et al. v. Fair Political Practices Commission (Case No. CIVS 89-0433 LKK-JFM), ruled that portions of Proposition 73 were unconstitutional. However, the portions of Proposition 73 discussed in this letter were unaffected by this decision.



California Fair Political Practices Commission

August 23, 1990

Barbara Clawson Wyckoff
605 E. Hazelwood Drive
Lemoore, CA 93245

Dear Ms. Wyckoff:

According to our records, it appears that you may not have received a response to your letter of March 31, 1989. Please find enclosed a copy of your letter and Jeanne Pritchard's letter of May 5, 1989.

At your convenience, please call me at (916) 322-5662 to confirm whether you received our response.

I apologize for any inconvenience caused and look forward to hearing from you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Hilda".

Hilda P. Perez
Technical Assistance
& Analysis Division

Enclosures

87-267

MAY 3 11 15 AM '89

May 1, 1989

FAIR POLITICAL PRACTICES COMMISSION
428 J Street, Suite 800
Sacramento, CA 95814

Gentlemen:

Enclosed is a copy of a letter I sent you on March 31, 1989. I have had no reply to date, and wanted to again ask for a written opinion regarding the question in my previous letter.

Thanking you for your prompt attention to this matter, I am,

Very truly yours,



Barbara Clawson Wyckoff
605 E. Hazelwood Drive
Lemoore, CA 93245

March 31, 1989

Fair Political Practices Commission
428 J Street, Suite 800
Sacramento, CA 95814

Gentlemen:

In the Fall of 1988 I announced my candidacy for reelection to the Lemoore City Council.

I understood at that time that I needed to form a campaign committee, and apply to the Secretary of State for a number for the committee. So, I did. A copy of said application is enclosed.

I never received notification from the Secretary of State as to what my committee's number was, and so I recently called them. They have no record of my application; apparently it was lost in the mail.

All of my campaign statements were filed under the name of my committee, and I always noted that the ID# had been applied for.

On Thursday, March 30, 1988, I called FPPC and spoke to a "Kevin" about this situation. He stated that it didn't matter that there was no record of the formation of my committee; that the requirement I was operating under didn't go into effect until 1/1/89. I asked if I could have this statement in writing, and he said yes if I made a written request therefor.

Would you please send me written confirmation that I have not done anything wrong in failing to obtain an identification number for the Committee to Reelect Wyckoff.

If you need additional information regarding this matter, please advise.

Very truly yours,

Barbara Clawson Wyckoff
605 E. Hazelwood Drive
Lemoore, CA 93245



California Fair Political Practices Commission

May 5, 1989

Barbara Clawson Wyckoff
605 E. Hazelwood Drive
Lemoore, CA 93245

Re: Letter No. 89-269

Dear Ms. Wyckoff:

Your letter requesting advice under the Political Reform Act was received on May 3, 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
Chief Technical Assistance
and Analysis Division

JP:plh

March 31, 1989

Fair Political Practices Commission
445 J Street, Suite 300
Sacramento, CA 95814

Gentlemen:

In the Fall of 1988 I ran and my candidacy for reelection to the Board of Directors.

I had a meeting with the Fair Political Practices Commission on Thursday, March 23, 1989, I called FPPC and spoke to David about the situation. He stated that it didn't matter what the Fair Political Practices Commission's my committee; that the request for the committee would not go into effect until 1/1/90. I asked if I could have this statement in writing, and he said yes if I made a written request therefor.

Would you please send me written confirmation that I have not done anything wrong in failing to obtain an identification number for the committee to Robert Wyckoff.

If you need additional information regarding this matter, please advise.

Very truly yours,

Barbara Clawson Wyckoff
605 E. Hazelwood Drive
Lemoore, CA 93245

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May 1, 1989

FAIR POLITICAL PRACTICES COMMISSION
425 J Street, Suite 200
Salem, OR 95814

Gentlemen:

Enclosed is a copy of a letter I sent you on March 11, 1989. I would like to see if an amended complaint can be filed in your court, covering the question of the

Very truly yours,

[Signature]
[Name]
[Title]
[Address]

