



California Fair Political Practices Commission

July 10, 1989

Richard Gene Ahern
Pro-Family Coalition
For Better Child Care
P.O. Box 8309
Fremont, CA 94537-8309

Re: Your Request for
Informal Assistance
Our File No. I-89-341

Dear Mr. Ahern:

This is to confirm my telephone advice to you regarding the campaign disclosure provisions of the Political Reform Act.¹

As I recall, you inquired whether or not affiliated business entities are required to aggregate their contributions to determine whether they are in compliance with the contribution limits under Proposition 73 and for campaign reporting purposes.

Recently adopted Regulations 18428 and 18531.5 provide guidance on this matter.² Regulation 18428 defines affiliated entity as:

... a person or group of persons whose campaign contributions or expenditures are in fact directed, and controlled by another.

If two business entities are in a parent-subsiary relationship, their contributions are presumed to be from one person for purposes of the contribution limits, unless the business entities act completely independently of one another. (Regulation 18531.5(b), copy enclosed.)

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 Regulations 18428 and 18531.5 were approved for adoption on June 6, 1989. They are pending review by the Office of Administrative Law.

If the Pro-Family Coalition for Better Child Care receives contributions from two business entities which are affiliated and whose campaign contributions or expenditures are directed and controlled by the same person or a majority of the same persons, the contributions must be aggregated for purposes of the contribution limits and reporting requirements. (Regulation 18531.5, copy enclosed.)

For your information, I have enclosed a copy of the Lumsdon Opinion (No. 75-205) and the Kahn Opinion (No. 75-185) which also address these issues.

You also inquired whether or not contributions of less than \$100 are required to be itemized.

If the cumulative amount of contributions (including loans) received from a contributor is \$100 or more during the calendar year, you must disclose the contributor's name, address and, if applicable, the contributor's occupation and the name of his or her employer on Schedule A of the Form 420. If however, the cumulative amount of contributions received from one contributor during the calendar year is less than \$100, you are required to provide only the total amount on line 2 of the summary portion of Schedule A. (Government Code Section 84211.)

If you have any further questions please feel free to call me at (916) 322-5662.

Sincerely,

Kathryn E. Donovan
General Counsel

Handwritten signature of Linda K. Moureaux in cursive script, with the initials "CW" written below the signature.

By: Linda K. Moureaux
Political Reform Consultant

KED:LKM:eab

Enclosures



Pro-Family Coalition For Better Child Care

P.O. Box 8309

Fremont, CA 94537-8309

(415) 490-9195

MAY 23, 1989

Coordinating Committee

Richard Ahern, Treasurer

Barbara Burstein
Public Schools Advocate

Carol Churma
Sunset Financial, Office Manager

Tom Curry, Administrator
Crestwood Convalescent Hospital

Larry Daugherty, Superintendent
Fremont Christian Schools

Howard DeWitt, Ph.D
Ohlone College, Prof. of History

Karen Drexhage
Public Schools Advocate

Mike Forney
Public Schools Advocate

Frank Gyax, Teacher
American High School
Real Estate Agent

Paul Kozachenko, Attorney

Pam Larsen, Teacher
Chadbourne Elementary School

Richard Larsen, Teacher
American High School

Judy LoVecchio
Public Schools Advocate

Linda Norrett, Parent

Sandy Perches, Pre-School Director
Christian Community Schools

Cheri Sabraw, Teacher
Mission San Jose High School

Michael Samson, Director
Live Oak Family Institute

JoAnn Stansberry, Parent

Signe Whittaker, Office Manager

Linda Moureaux
Political Reform Division
428 J St., SUITE 700
Sacramento, Ca 94814

Dear Ms. Moureaux,

Per our telephone conversation for disclosure purposes, you stated as long as contributions have an independent -entities per each business, the amount goes in the not itemized column.

I'm glad you had an opportunity to talk to Bob Reeder on just how we can expedite this matter.

Thank you for your kind attention.

Sincerely,

Richard Gene Ahern

MAY 31 1 20 PM '89

No On Measure B

89-341

Pro-Family Coalition For Better Child Care

P.O. Box 8309
Fremont, CA 94537-8309
(415) 490-9195



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MAY 23, 1989

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Sincerely,

Richard Gene Ahern

MAY 23 1989

No On Measure B



California Fair Political Practices Commission

June 1, 1989

Richard Gene Ahern
Pro-Family Coalition For
Better Child Care
P.O. Box 8309
Fremont, CA 94537-8309

Re: Letter No. 89-341

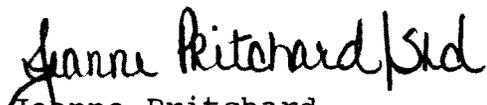
Dear Mr. Ahern:

Your letter requesting advice under the Political Reform Act was received on May 31, 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