



California Fair Political Practices Commission

August 28, 1989

Robert K. Stiens
Clinton Reilly Campaign
704 Sansome
San Francisco, CA 94111

Re: Your Request for Advice
Our File No. A-89-436

Dear Mr. Stiens:

We are in receipt of your letter of July 20, 1989 (copy enclosed) seeking written confirmation of the advice I provided to you in our recent telephone conversation. You have advised me that you are a volunteer with the Orange County Democratic Central Committee and have been authorized to seek this advice on behalf of the committee.

This is to confirm that your letter accurately reflects the advice I provided to you. If you have any further questions regarding this matter, please contact me at (916) 322-5901.

Sincerely,

Kathryn E. Donovan
General Counsel

A handwritten signature in cursive script that reads "Blanca M. Breeze".

By: Blanca M. Breeze
Counsel, Legal Division

KED:BMB:plh

Enclosure

ROBERT K. STIENS
225 S. NEWHOPE #323
SANTA ANA, CA 92704
714/531-9725

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JUL 24 8 59 AM '89

Blan Breeze
Fair Political Practices Commission
428 J St #800
Sacramento, CA 95814

July 20, 1989

Dear Ms. Breeze,

Thank you for answering my questions regarding the financing of a political poll by a County Central Committee, and Broad Based Political Action Committees.

The following is my understanding of our conversation. I would appreciate your confirmation and clarification as soon as possible.

1. CENTRAL COMMITTEE

A County Central Committee can pay the full cost of a poll from their overhead account if the results are not shown to any of the potential candidates.

If the results are shown to someone who is currently a candidate or has formed an exploratory committee, a portion of the cost of the poll must be reimbursed to the overhead account from the Central Committee's Political Action account. Additionally, the Party must count this as an in-kind contribution to the candidate, and the candidate and/or exploratory committee must report the cost as an in-kind contribution. The amount of the in-kind contribution counts against the \$5,000 limit a candidate can receive per fiscal year from a Broad Based PAC.

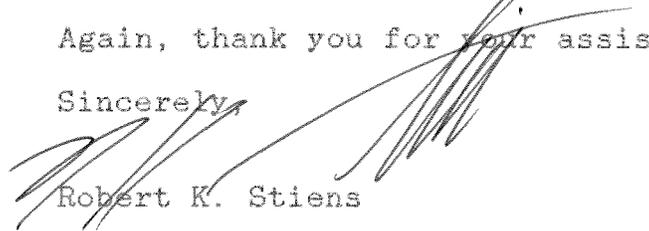
If a potential candidate who is shown the poll results becomes a candidate, or forms an exploratory committee, a portion of the cost of the poll must be reimbursed to the overhead account from the Central Committee's Political Action account. Additionally, the Party must count this as an in-kind contribution to the candidate, and the candidate and/or exploratory committee must report the cost as an in-kind contribution. The amount of the in-kind contribution counts against the \$5,000 limit a candidate can receive per fiscal year from a Broad Based PAC.

2. BROAD BASED POLITICAL ACTION COMMITTEE

A Broad Based Political Action Committee can pay the for the full cost of the poll with the same conditions regarding reporting and contribution limits for the PAC and candidate/potential candidate.

Again, thank you for your assistance.

Sincerely,



Robert K. Stiens



California Fair Political Practices Commission

July 25, 1989

Robert K. Stiens
225 S. Newhope #323
Santa Ana, CA 92704

Re: Letter No. 89-436

Dear Mr. Stiens:

We received your letter requesting confirmation of advice under the Political Reform Act on July 24, 1989. Your letter has been assigned to Blanca Breeze for response. If you have any questions, you may contact her 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,

A handwritten signature in cursive script that reads "Kathryn E. Donovan".

Kathryn E. Donovan
General Counsel

KED:plh:confadv1



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By: Blanca M. Breeze
Counsel, Legal Division

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Enclosure