



California Fair Political Practices Commission

December 27, 1989

Toni Roberts
Roberts and Associates
1700 L Street
Sacramento, CA 94814

Re: Your Request for Advice
Our File No. G-89-497

Dear Ms. Roberts:

On August 16, 1989, you requested advice concerning the provisions of Proposition 68 that were validated by the State Court of Appeal in Taxpayers to Limit Campaign Spending v. Fair Political Practices Commission (89 Daily Journal D.A.R. 9863) with respect to the existing provisions of the Political Reform Act (the "Act").^{1/} At that time we informed you that due to the Commission's determination to appeal the Appellate Court decision to the California Supreme Court, we were unable to advise you while the Commission's petition for review was pending with the Supreme Court. (Regulation 18329(b)(8)(F), copy enclosed.)

On December 7 the Commission was informed that the Supreme Court had accepted the Commission's petition for review. Since this action by the Supreme Court vacates the Appellate Court ruling, the Commission will continue to enforce only those provisions of Proposition 68 found valid in the Commission 1988 opinion In re Bell. (11 FPPC Ops. 1, copy enclosed.) In light of these new developments, your questions relative to the Appellate Court decision are now moot.

^{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.

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If you have any further questions regarding this matter,
please feel free to contact me at (916) 322-5901.

Sincerely,

Kathryn E. Donovan
General Counsel


By: John W. Wallace
Counsel, Legal Division

KED:JWW:plh

Enclosures

Roberts & Associates
Fundraising and
Special Events
Planning

FPPC

AUG 21 9 24 AM '89



August 16, 1989

Kathryn Donovan
Chief Counsel
Fair Political Practices Commission
P.O. Box 807
Sacramento, CA 95804-0807

RE: REQUEST FOR FORMAL WRITTEN ADVICE

Dear Ms. Donovan:

I am a professional fundraiser involved in raising funds for legislators as well as others. The recent Court of Appeal ruling concerning Proposition 68 has left me confused. On August 14, I sought the advice of your agency and spoke with Alice Hughes.

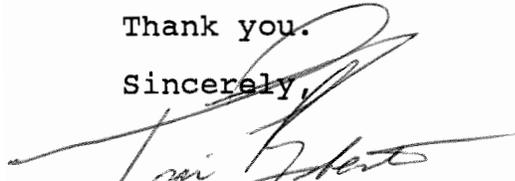
My questions are the following: 1. Is there any prohibition against the retention of my services by state legislators during the time period between October 1, 1989 and December 30, 1989 providing I do not engage in the actual solicitation of any campaign contributions? (Ms. Hughes advised that there is no such prohibition however, I would appreciate receiving this advice in writing). 2. During the October 1, 1989 and December 30, 1989 period is it illegal to send a fundraising solicitation for an event scheduled for 1990. For example, a fundraiser is scheduled to be held on January 15, 1990--can the invitation be mailed on December 15, 1989 to allow the customary 4 weeks for consideration and response? 3. Concerning the restrictions on campaign contributions from PACs and broad based groups limiting overall receipt of contributions to \$50,000 in the Assembly and \$75,000 in the Senate, is it correct that these limits are separately applicable to the primary and to the general election--or is it the case that the totals are applicable to both cumulatively?

1700 L
STREET
Sacramento, CA 95814
Phone (916) 441-1995

I look forward to your response at the soonest possible convenience. Please call if I need to provide additional information.

Thank you.

Sincerely,



Toni Roberts



California Fair Political Practices Commission

August 21, 1989

Toni Roberts
Roberts and Associates
1700 L Street
Sacramento, CA 95814

Re: Letter No. 89-497

Dear Ms. Roberts:

Your letter requesting advice under the Political Reform Act was received on August 21, 1989 by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact John W. Wallace an attorney in the Legal Division, directly at (916) 322-5901.

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 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,

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

Kathryn E. Donovan
General Counsel

KED:plh

M E M O R A N D U M

To: Advice Files

Date: September 14, 1989

From: FPPC, John W. Wallace

Subject: Advice Letters No. A-89-497 and No. A-89-476

On the morning of September 14, 1989, Toni Roberts of Roberts and Associates and Robert E. Leidigh of Olson, Connelly, Hagel and Fong were contacted by telephone with respect to their advice requests dealing with the implementation of Proposition 68. Both were informed that the Commission will not be providing advice on the contribution limitation provisions of Proposition 68 until the petition for review in Taxpayers to Limit Campaign Spending v. Fair Political Practices Commission (89 Daily Journal D.A.R. 9863) has been ruled on by the California Supreme Court. (Regulation 18329(b)(8)(F).) In addition, the requestors were informed that we would hold their letters and respond when appropriate.