



# California Fair Political Practices Commission

September 12, 1989

Daniel M. Jonas  
County Planning Commissioner  
1635 Santiago Avenue  
Napa, CA 94558

Re: Letter No. 89-528

Dear Mr. Jonas:

Your letter requesting advice under the Political Reform Act was received on September 8, 1989 by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact John McLean 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

# Memorandum

To : Advice File No. 89-<sup>528</sup>~~258~~

Date : September 22, 1989

From : FAIR POLITICAL PRACTICES COMMISSION  
John McLean

Subject: Advice Request No. 89-<sup>528</sup>~~258~~

Spoke to Mr. Jonas today. His wife's listing on the property has run out and the property owner has listed with another agent, so he no longer needs the advice. With respect to future decisions, I sent him the Remelmeyer (81-510) and Felts (85-310) letters indicating that a real estate agent does not have a source of "promised income" until there has been an offer made by a buyer.

JM/aa

# AFT College Guild

Local 1521, American Federation of Teachers, AFL-CIO / 617 West 7th Street / Suite 610 / Los Angeles, CA 90017 / (213) 629-1631

September 5, 1989

FPPC  
SEP 08 1989  
RECEIVED

FPPC  
SEP 08 1989  
RECEIVED

California Fair Political Practices Commission  
428 J. Street, Suite 800  
P.O. Box 807  
Sacramento, CA 95804-0807

To Whom It May Concern:

During the spring of 1989 the AFT College Guild, Local 1521, participated in the Los Angeles Community College District Trustee elections as an independent and contributing entity. We tried our best to determine the campaign law. We made phone calls to the FPPC, wrote letters and retained an attorney in order to attempt to clarify matters. We want to be sure that what we did was correct and follow or, if necessary, adjust procedures so as to be in conformity with the law.

Our Guild controlled COPE committee account, gave just under \$5,000 each in monetary and non-monetary contributions to two Trustee candidates. COPE contributions did not exceed \$5,000 per candidate and was reported on forms 420.

The Guild account also made about \$75,000 in independent non-monetary expenditures, i.e., we bought mailers for the same two Trustee candidates. These expenditures were reported 3/27/89 on form 461 for 1/1/89 - 3/25/89; 5/22/89 on form 461 for 3/26/89 - 5/20/89; 7/24/89 on form 461 for 5/21/89 - 6/30/89 and 5/24/89 on form 465 for 1/1/89 - 5/20/89.

Our independent expenditures were made with vendors. Prior to 1989 the Guild often would give all or part of a mailing cost to a vendor and would suggest that a Guild endorsed candidate might buy certain mailers or pay the rest of a mailer for which the guild had partly paid. We ran our own campaign and some of the candidate's campaigns.

This time because of Prop 73, we did not tell the candidates about our expenditures until after the reporting period. We told the vendors what we would do and what we wanted, i.e., an absentee mailer or a Democratic targeted mailer. If the vendor had other programs or mailers and we did not buy them, they then tried to sell them to other parties, including the candidates. We also bent over backwards not to know about the candidate's expenditures, if we were making an independent expenditure for part of a program.

Prior to discussing the campaign at COPE meetings or Guild executive board meetings, we stated we would not speak if any candidates or managers were present.

As far as we know, the Guild was acting independently. It surfaced late in the campaign that our Guild treasurer was perhaps making mailing purchases for one of the candidates. He is one member of the executive board, did not write any of the independent expenditure checks and, as far as is known, was not aware of the specific independent expenditures that were made nor did he request that the Guild make any specific independent expenditures.

September 5, 1989  
California Fair Political Practices Commission  
Page 2.

We think we acted within the law. In looking forward, we would like time for planning. If we again acted as indicated, would we be in conformity?

Please let us know so that we can modify our procedures for future elections and inform other unions at September meetings concerning pending elections.

Sincerely,

A handwritten signature in cursive script that reads "Arthur Forcier".

Arthur Forcier  
Political Education and  
Information Representative