



California Fair Political Practices Commission

October 12, 1989

Aldo Pineschi
Paul Kinney Productions
1990 3rd Street, Suite 800
Sacramento, CA 95814

Re: Your Request for Advice
Our File A-89-578

Dear Mr. Pineschi:

You have requested advice on behalf of San Francisco Supervisor Jim Gonzalez concerning the campaign provisions of the Political Reform Act.^{1/}

QUESTION

May Supervisor Gonzalez make contributions from his officeholder expense committee, in the amount of \$2500, to support Proposition D, a local initiative?

CONCLUSION

Supervisor Gonzalez may use campaign funds, including contributions received for officeholder expenses, to make contributions to a committee formed to support Proposition D. Contributions made in support of a ballot measure are not subject to any limits under the Act.

FACTS

You indicated to me in our telephone conversation of October 11, 1989, that you represent Supervisor Jim Gonzalez and that you are requesting advice in his behalf. You also stated that Supervisor Gonzalez would like to make a contribution from his officeholder expense committee to "Yes on Proposition D," a committee primarily formed to support Proposition D on the City and County of San Francisco's November ballot.

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.

ANALYSIS

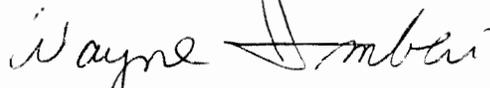
Proposition 73, which was passed by the voters at the 1988 state primary election, prohibits officeholders, candidates and their controlled committees from making contributions or loans from campaign funds to any other officeholder, candidate or controlled committee. (Section 85304.) However, officeholders and candidates are not prohibited from using campaign funds to make contributions to committees primarily formed to support or oppose ballot measures, so long as those committees do not use the funds to support or oppose other officeholders or candidates.

Proposition 73 also imposes a limit of \$2,500 per fiscal year on contributions made to recipient committees, including political committees, broad based committees and political parties, which make contributions to candidates for elective office. (Sections 85102 and 85302.) However, the Act does not impose limits on contributions made to committees which are primarily formed to support or oppose ballot measures and which do not make contributions to candidates for elective office.

If you have any further questions regarding this letter, please contact me at (916) 322-5662.

Sincerely,

Kathryn E. Donovan
General Counsel



By: Wayne P. Imberi
Political Reform Consultant

Paul Kinney Productions
Sacramento/Washington, DC
1990-1, 1991-1, 1992-1
Sacramento, CA 95814
447-8868

FPPC
Oct 5 9 42 AM '89

October 3, 1989

Fair Political Practices
attn: Wayne
428 J Street, Suite 800
P.O. Box 807
Sacramento, CA 95804-0807



Dear Wayne:

First of all, thank you very much for your help in answering my questions concerning the Supervisors of San Francisco and Proposition D.

As per our conversation of this afternoon, I now submit a written version of my previous question.

--Can the Supervisors of the City and County of San Francisco contribute money (in this case \$2,500 per Supervisor) from their "Friends of" Committee-this being their officeholder expense committee to Proposition D, the pay raise for the Supervisors issue?

Once I have received written verification from you, I will pass this information on to the Supervisors.

Again, thank you for your assistance, and please call me if you have any questions.

Cordially,

A handwritten signature in cursive script that reads "Aldo".

Aldo Pineschi
Paul Kinney Productions
447-8868

Paul Kinney Productions
Sacramento - Washington, D.C.
1900 3rd St., Suite 800
Sacramento, CA 95814
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Aldo Pineschi
Paul Kinney Productions
447-8868



California Fair Political Practices Commission

October 10, 1989

Aldo Pineschi
Paul Kinney Productions
1990 - 3rd Street, Suite 800
Sacramento, CA 95814

Re: Letter No. 89-578

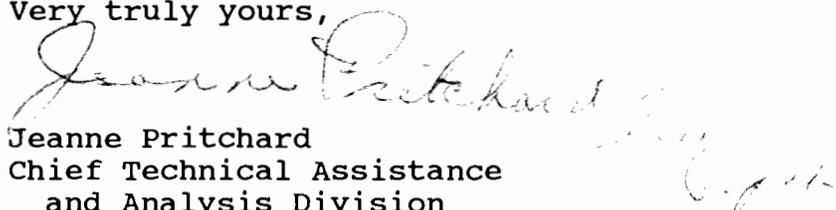
Dear Mr. Pineschi:

Your letter requesting advice under the Political Reform Act was received on October 5, 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