BEFORE THE FAIR POLITICAL PRACTICES COMMISSION

In the Matter of: Opinion Requested by: Elwood Lui, Associate Justice of the Court of Appeal, Second Appellate District and President, California Judges Association; Harlan K. Veal, Judge, Superior Court, County of San Mateo; and Robert P. Ahern, Judge, Superior Court of Santa Clara	No. 87-001 July 28, 1987 **SUPERSEDED IN PART** by campaign forms changes adopted by the Commission on 8-6-99. (Conclusions 1-3 are superseded.)

BY THE COMMISSION: We have been asked the following questions by the Honorable Elwood Lui, Associate Justice of the Court of Appeal, Second Appellate District and President, California Judges Association; the Honorable Harlan K. Veal, Judge, Superior Court, County of San Mateo; and the Honorable Robert P. Ahern, Judge, Superior Court, County of Santa Clara:[1]

QUESTIONS

1. What are the campaign filing obligations of a judge who, during 1986, made political contributions from personal funds to support or oppose a ballot measure?

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[1] Judge Veal also questions the constitutionality of requiring judges to file campaign statements which disclose the use of personal funds to make contributions. Section 3.5 of Article III of the California Constitution prohibits any administrative agency, including the Commission, from declaring a statute unconstitutional. It also prohibits administrative agencies from declaring a statute unenforceable or refusing to enforce a statute on the basis of it being unconstitutional unless an appellate court has made a determination that such statute is unconstitutional. Accordingly, Judge Veal's question concerning the constitutionality of the campaign disclosure statutes is not included in the questions presented in this opinion.

2. (a) What are the campaign filing obligations of a judge and a judge's spouse if, during 1986, the judge's spouse made political contributions to support or oppose a ballot measure or another candidate?

(b) Would the answer to (a) change if the judge's spouse used his or her separate property funds to make the political contributions?

3. If a judge has a controlled committee, what are the campaign filing obligations of the judge and the judge's controlled committee for 1986 if the judge made political contributions from personal funds to support or oppose a ballot measure during that year?

4. In 1983, 1984, and 1985, what were the campaign filing obligations of a judge who made political contributions from personal funds to support or oppose a ballot measure or another candidate?

CONCLUSIONS

1. A judge who, during 1986, made political contributions from personal funds must file campaign statements for that year. If the total amount of contributions made was less than $500, the judge may file the short form (Form 470). If the total amount of contributions made was $500 or more, the judge is required to file the Form 430 or 490.

2. (a) If a judge's spouse used community property funds to make political contributions in 1986, the judge must file campaign statements for that year.

(b) If a judge's spouse used his or her separate property funds to make political contributions in 1986, the judge would incur no campaign filing obligation. The judge's spouse would be required to file campaign statements disclosing the contributions only if he or she made contributions totaling $10,000 or more during the calendar year.

3. If a judge has a controlled committee which had no activity in 1986, but the judge made political contributions from personal funds in that year, only the judge is required to file a campaign statement. If the judge's contributions totaled less than $500, the judge may file the short form (Form 470). If the judge's contributions totaled $500 or more, the judge is required to file the Form 430.

If the judge's controlled committee made or received contributions or made expenditures, and, in addition, the judge made political contributions from personal funds, the judge and the controlled committee both have campaign filing obligations. The consolidated campaign statement (Form 490) may be used in this situation.

4. In 1985, a judge who made political contributions from personal funds was required to file campaign statements for that year. The answers to Questions 1, 2 and 3 apply to both 1985 and 1986.

In 1983 and 1984, a judge who made political contributions from personal funds had no campaign filing obligations if those contributions were unrelated to his or her own candidacy, and the judge had no other financial activity relating to his or her own candidacy.

FACTS

Each of the requestors, like many California judges, made political contributions during 1986 in opposition to a state initiative measure (Proposition 61). These contributions were made from personal funds and were unrelated to the requestors' election or reelection to judicial office. In previous years, they or their spouses may have used personal funds to make contributions to other ballot measures or candidates. These contributions also were unrelated to the requestors' election or reelection to judicial office.

ANALYSIS

The 1986 Campaign Disclosure Laws

Chapter 4 (commencing with Section 84100) of the Political Reform Act (the "Act")[2/] governs campaign disclosure for candidates, elected officers and political committees. In general, elected officers, candidates and recipient committees

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[2/] Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Administrative Code Section 18000, et seq. All references to regulations are to Title 2, Division 6 of the California Administrative Code.

are required to file semiannual campaign statements each year. (Section 84200.) The semiannual campaign statements are required whether or not the elected officer, candidate or committee is actively involved in an election. When an elected officer, candidate or committee is actively involved in an election campaign, additional campaign disclosure requirements apply. (Sections 84200.5, 84202.5, 84203 and 84204.)

Section 84200 imposes the semiannual filing obligation on elected officers, candidates and committees. Section 84200 provides, in pertinent part, as follows:

> (a) Except as provided in paragraphs (1), (2), and (3), elected officers, candidates, and committees pursuant to subdivision (a) of Section 82013 shall file semiannual statements each year no later than July 31 for the period ending June 30, and no later than January 31 for the period ending December 31.

Thus, the general rule is that semiannual campaign statements are required every year. There are two exceptions to this general rule which are relevant to this discussion.

The first exception is provided by Section 84200(a)(1):

> (1) A candidate who, during the past six months has filed a declaration pursuant to Section 84206 shall not be required to file a semiannual statement for that six-month period.

This provision states that a candidate or elected officer is not required to file a semiannual statement if, during the past six months, the candidate or elected officer has filed a statement declaring that he or she will receive less than $500 in contributions and will make expenditures totaling less than $500, during the calendar year. (See Section 84206.) This declaration is known as the "short form" (Form 470). If a candidate or elected officer files the short form, no additional campaign statements will be required for the calendar year, unless he or she subsequently raises or spends $500 or more for political purposes. (Section 84206; Regulation 18406.) Political committees may not use the short form; it is available only to candidates and officeholders. (Section 84206.)

The second exception to the semiannual filing obligation is contained in Section 84200(a)(2):

> (2) Elected officers whose salaries are less than one hundred dollars ($100) a month, judges, judicial candidates, and their controlled committees shall not file semiannual statements pursuant to this subdivision for any six-month period in which they have not made or received any contributions or made any expenditures.

This provision exempts judges, judicial candidates, and their controlled committees from the semiannual campaign filing requirements in any six-month period in which they have not made or received any contributions or made any expenditures. When Section 84200(a)(2) applies, no campaign statements whatsoever are required of the judges, judicial candidates, or their controlled committees. They are not even required to file a short form (Form 470) during a calendar year in which they do not make or receive any contributions or make any expenditures.

When an elected officer or candidate, including a judge, is required to file campaign statements other than a short form, the statements must itemize all "contributions" totaling $100 or more received by the filer, and all "expenditures" of $100 or more made by the filer, during the period covered by the statement.[3] A "contribution" is a payment made for political purposes, except to the extent full and adequate consideration is received. (Section 82015; Regulation 18215.) An "expenditure" also is a payment made for political purposes. (Section 82025.) Any payment used to make contributions is reportable as an "expenditure." (Regulation 18225(c).)

If the cumulative amount of contributions received from a person is $100 or more, the contributions must be itemized and the campaign statement must disclose specified information about that person. (Section 84211(f).) A "person" is defined as follows:

> "Person" means an individual, proprietorship, firm, partnership, joint venture, syndicate, business trust, company, corporation, association, committee, and any other

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[3] No itemization of contributions or expenditures is required on the short form. (See Form 470.)

> organization or group of persons acting in concert.
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> Section 82047. (Emphasis added.)

Therefore, for campaign reporting purposes, if two individuals, acting independently, each make a $50 contribution to the same candidate, the contributions are not required to be itemized on campaign statements. In contrast, if two individuals, acting in concert, each make a $50 contribution to the same candidate, the contributions are considered to be from one "person" (i.e. from one source) and must be itemized. Whether two or more persons are acting in concert when making political contributions depends on the particular facts of the situation. For example, if the contributions are made by several persons but from one source of funds, the persons are considered to be acting in concert. (See Lumsdon Opinion, 2 FPPC Ops. 140 (No. 75-205, Sept. 7, 1976); Kahn Opinion, 2 FPPC Ops. 151 (No. 75-185, Nov. 3, 1976).)

For purposes of this discussion, there is no dispute that the payments the judges have made to support or oppose a ballot measure or another candidate are "contributions," whether those payments were made from personal funds or campaign funds. The requestors do assert, however, that they are not obliged to file campaign statements when they have made contributions unrelated to their own candidacy, particularly when the contributions are made from personal funds and/or during periods when they are not running for office.

The Act's definition of "candidate" also is relevant. During the years 1983 to 1986, the definition remained unchanged. It is contained in Section 82007, which provides:

> "Candidate" means an individual who is listed on the ballot or who has qualified to have write-in votes on his or her behalf counted by election officials, for nomination for or election to any elective office, or who receives a contribution or makes an expenditure or gives his or her consent for any other person to receive a contribution or make an expenditure with a view to bringing about his or her nomination or election to any elective office, whether or not the specific elective office for which he or she will seek nomination or election is known at the time the contribution is received or the expenditure is made and whether or not he

> or she has announced his or her candidacy or filed a declaration of candidacy at such time. "Candidate" also includes any officeholder who is the subject of a recall election. An individual who becomes a candidate shall retain his or her status as a candidate until such time as that status is terminated pursuant to Section 84214. "Candidate" does not include any person within the meaning of Section 301(b) of the Federal Election Campaign Act of 1971.

Thus, the Act's definition of "candidate" is much broader than the ordinary meaning of "candidate." A candidate for purposes of the Act includes a person who receives contributions or makes expenditures in connection with any future election in which he or she may run for office, as well as a person who is listed on the ballot. (See Juvinall Opinion, 2 FPPC Ops. 110, 113 (No. 75-018-A, Aug. 3, 1976.) Once a person becomes a candidate within the meaning of the Act, he or she retains his or her status as a candidate until that status is terminated by filing a statement of termination pursuant to Section 84214. A statement of termination may be filed only if the candidate or committee will have no campaign activity which must be disclosed under the Act subsequent to the termination. (Section 84214; Regulation 18214.) Accordingly, all elected officeholders are "candidates," even during a nonelection year.

Question 1. Judges who, during 1986, used personal funds to make contributions unrelated to their own candidacy.

Section 84200(a)(2) exempts judges from the requirement of filing a semiannual campaign statement during "any six-month period in which they have not made or received any contributions or made any expenditures." (Emphasis added.) In other words, a judge must file a semiannual campaign statement for any six-month period in which he or she has made or received any contributions or made any expenditures. If a judge has received less than $500 in contributions during the calendar year, and makes expenditures totaling less than $500 during the calendar year, the judge may file the short form for the entire calendar year in lieu of filing any semiannual campaign statements. (Section 84200(a)(1).)

The requestors assert that judges have no obligation to file either semiannual campaign statements or a short form during any calendar year when they make contributions to other candidates or measures, but do not make or receive

contributions or make expenditures for their own election or reelection campaign. This argument is not based on the express language of the statutes. Instead, the requestors contend that the purpose of campaign disclosure under the Act is to require candidates seeking election or reelection to report their own campaign receipts and expenditures and that this purpose would not be served by requiring an elected officeholder to report contributions made to other candidates during years in which the elected officeholder is not seeking election or reelection.

The statutes do not support this distinction between a candidate's or elected officeholder's receipts and expenditures for his or her own campaign and those made to support other campaigns. The general rule applicable to all elected officeholders is that they must file campaign statements each year. The only exemption for judges is in Section 84200(a)(2). Section 84200(a)(2) exempts judges from filing campaign statements only if they have made or received no contributions and made no expenditures. The statute does not provide that the contributions or expenditures must be in connection with the judge's own candidacy in order for the filing obligation to apply. Instead, the statute states that a judge who makes "any contribution" incurs a campaign filing obligation.

When a semiannual statement is required of a candidate or elected officer, including a judge, all contributions received and all expenditures made must be disclosed. (Section 84211.) Contributions made to another candidate or committee must be reported as expenditures on the campaign statement, although unrelated to the filer's candidacy. (Section 84211(j)(5); Regulation 18225(c).) Thus, the campaign statements include information about contributions to another candidate or committee, although unrelated to the filer's own candidacy.

A candidate or elected officeholder cannot avoid campaign disclosure obligations by using his or her personal funds to make payments for political purposes. (See Buchanan Opinion 5 FPPC Ops. 14 (No. 78-013, May 1, 1979).) Such a distinction between the use of "personal funds" for political purposes and the use of "campaign funds" for political purposes would frustrate the full and truthful disclosure of receipts and expenditures in election campaigns. (See Section 81002(a).) If the use of personal funds in election campaigns were not required to be disclosed, candidates and officeholders could arrange their campaign expenditures so as to avoid virtually all disclosure. Therefore, we advise candidates and officeholders who wish to use personal funds for political

purposes to deposit the funds into a campaign account before spending them. (A Guide for Candidates and Treasurers (1986), p. 32.) The same advice applies to candidates or elected officeholders who make contributions to another candidate or committee from personal funds. (A Guide for Candidates and Treasurers (1986), p. 41.) The payments must be disclosed on the campaign statements even if the personal funds are not first deposited into a campaign account. (A Guide for Candidates and Treasurers (1986), p. 33.)

Thus, Section 84200(a)(2) provides judges with only a limited exemption from campaign disclosure. If the judge makes or receives no payments for political purposes, no campaign filing is required. However, Section 84200(a)(2) is an exception to the general rule that candidates and elected officers must file semiannual campaign statements. Because it is an exception to a general rule, it should be narrowly construed. (See Estate of Banerjee (1978) 21 Cal. 3d 527, 540.)

Accordingly, if the judge made or received any payments for political purposes during 1986, he or she must file either the semiannual statements (Form 430 or 490) for the periods during which the payments were made or received, or the short form (Form 470) for the entire calendar year. The short form is available only to judges who received less than $500 in contributions during 1986 and made expenditures totaling less than $500 during 1986. Contributions made to other candidates or ballot measure committees must be included in computing the $500 threshold, whether the contributions were made from a campaign account or from the judge's personal funds. If a judge is required to file a semiannual campaign statement (Form 430 or 490), that statement must itemize all contributions of $100 or more made to other candidates and committees, whether the contributions were made from a campaign account or from the judge's personal funds. (Section 84211(j).)[4]

Question 2. Judges whose spouses used personal funds to make contributions to other candidates or committees during 1986.

The answer to the second question depends upon whether contributions made by a judge's spouse are considered to be made by the judge. In this regard, the Lumsdon Opinion, 2 FPPC Ops. 140 (No. 75-205, Sept. 7, 1976) and the Kahn Opinion,

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[4] Judges who were required to file two semiannual campaign statements for 1986, but did not file any, may file one amended statement covering the entire calendar year. (See Section 84205.)

2 FPPC Ops. 151 (No. 75-185, Nov. 3, 1976) are relevant. Lumsdon and Kahn concern campaign reporting by persons who qualify as "major donor" committees (Section 82013(c)) by making a significant amount of contributions during a calendar year. While the current opinion does not concern major donor committees, the basic rule set forth in Lumsdon and Kahn governs the disclosure of contributions by two or more persons.

Lumsdon and Kahn provide that contributions made by several different affiliated persons or entities are considered to be from a single source if there is evidence of coordination or joint action among the persons in making the contributions. (See Regulation 18428.) In other words, if two or more affiliated persons coordinate or act jointly in making contributions, the total amount of the contributions is attributed to all of the persons involved.

Applying this rule to contributions made by husbands and wives, if there is evidence that a couple coordinated or acted jointly in making a contribution, both husband and wife are considered to be the source of the contribution. Evidence of coordination or joint action exists when community property funds are used to make the contribution, since those funds are subject to the control of both spouses. However, if separate property funds are used, and there is no other evidence of coordination or joint action, the contribution is attributed only to the spouse whose funds were used. (See A Guide for Candidates and Treasurers (1986), p. 37.)

Therefore, if a judge's spouse used community property funds to make a contribution to another candidate or committee, the contribution is considered to be from both the judge and the judge's spouse. In this situation, contributions made by the judge's spouse would have the same effect as if they had been made directly by the judge. The judge would be required to file either a semiannual campaign statement (Form 430 or 490) or a short form (Form 470) for the period during which the contributions were made. If the semiannual statement (Form 430 or 490) is required, the judge must report the contributions as "expenditures" on the statement. (Section 84211(j).)

In contrast, if the judge's spouse used his or her own separate property funds to make a contribution to another candidate or committee, the contribution is not considered to be from the judge. Accordingly, the judge would incur no campaign filing obligation as a result of the spouse's contribution. Unless the judge's spouse makes contributions totaling $10,000 or more to state or local candidates during

the calendar year, he or she would incur no campaign filing obligation under the Act. (Sections 82013(c) and 84200(b).)

Question 3. Judges with controlled committees.

This question is very similar to Question 1, except that the judge in question has a controlled committee. As discussed in Question 1, the general requirement is that elected officers and their controlled committees must file semiannual campaign statements. (Section 84200(a).) However, the exception in Section 84200(a)(2) exempts judges and their controlled committees from the semiannual filing requirement if they have not made or received any contributions and have not made any expenditures.

Judges and their controlled committees are generally advised to file consolidated statements (Form 490) if a filing obligation exists. (Section 84209.) The filing of a consolidated statement is not mandatory; separate campaign statements may be filed by a judge and his or her controlled committee. The consolidated statement generally is a less burdensome task, however.

Under the facts presented, the judge made contributions to another candidate or committee by using personal funds. We are asked to assume that the judge's controlled committee was not involved in making the contributions. Accordingly, as discussed in regard to Question 1, the judge must file either a semiannual campaign statement or a short form as a result of making the contributions. Because the judge's controlled committee has not made or received any contributions or made any expenditures, it has no filing obligations. (Section 84200(a)(2).)

Judge Ahern has requested specific instructions as to the form a judge should use if he or she has a controlled committee which had no activity during 1986, but the judge used personal funds to make less than $500 in contributions to other candidates or committees. If the judge's controlled committee made or received no contributions and made no expenditures in 1986, it has no filing obligation; however, the judge has a filing obligation by virtue of making contributions to other candidates or committees. (Section 84200(a)(2).) The judge has received less than $500 in contributions and made less than $500 in expenditures. Therefore, the judge is eligible to file a short form (Form 470) for 1986.

Judge Ahern has noted that the instructions on the short form (Form 470) state that the form is "for use by candidates and officeholders who do not have a controlled committee and who will not receive $500 or more and will not spend $500 or more during the entire calendar year." He asserts that the short form (Form 470) is not available for his use, and the lack of an appropriate form for his situation buttresses his position that he has no filing obligation for 1986.

Judge Ahern is correct in stating that the instructions on the short form (Form 470) indicate that it is not available to candidates or officeholders who have controlled committees. In most cases, the instructions accurately state the requirements of the Act. (See Section 84206; Regulation 18406.) It is also true that candidates and officeholders, other than those specified in Section 84200(a)(2), who have controlled committees cannot fulfill their filing obligations by filing the short form (Form 470). However, as explained below, it appears that the instructions on the short form (Form 470) are in error insofar as they advise candidates and officeholders who come within the provisions of Section 84200(a)(2) that the short form cannot be used if the candidate or officeholder has a controlled committee.

In general, a candidate's or officeholder's controlled committee is required to file semiannual campaign statements every year, whether or not it has activity to report. (Section 84200(a).) Therefore, candidates or officeholders with controlled committees are advised to file a consolidated statement with their controlled committee (Form 490). The only controlled committees which are exempt from the semiannual filing obligation are the controlled committees of judges, judicial candidates and elected officers whose salaries are less than $100 per month. The exemption applies only during periods when the controlled committee has not made or received any contributions and has not made any expenditures. (Section 84200(a)(2).) During any period when the controlled committee is exempt from filing a semiannual campaign statement, the judge, judicial candidate or elected officer who is eligible to use the short form (Form 470) should be permitted to do so, notwithstanding the instructions on the form. The error in the short form instructions does not obviate the statutory provisions that require the campaign statements to be filed.

Accordingly, the short form (Form 470) is the appropriate form for a judge to use in 1986 if the judge had a controlled committee with no activity during the entire year,

and the judge used personal funds to make less than $500 in contributions to other candidates or committees. For future years, the instructions on the short form (Form 470) should be modified to accurately reflect the type of candidate or officeholder who may use the form.

Question 4. Judges' campaign filing obligations in prior years.

The last question concerns the campaign disclosure obligations of judges in years prior to 1986. For purposes of this opinion, the question is limited to 1983, 1984 and 1985 because the Commission is currently empowered to commence an investigation or action against a judge for violations of the campaign disclosure provisions of the Act only if the violations occurred during the years 1983 to 1986, inclusive. (Section 91011.)

The campaign disclosure statutes, particularly Section 84200, have been amended frequently. In 1983 and 1984 Section 84200(a) exempted a judge from filing campaign statements "unless he or she is a candidate or committee which makes or receives contributions or makes expenditures." (Section 84200, as amended by Ch. 1069, Stats. 1982.) Effective January 1, 1985, Section 84200(a) was amended to exempt a judge from filing campaign statements "unless the judge or his or her controlled committee makes or receives contributions or makes expenditures." (Section 84200, as amended by Ch. 1398, Stats. 1984, copy attached as Exhibit 9.) The current language of Section 84200(a), which became effective January 1, 1986, exempts judges from filing campaign statements only if "they have not made or received any contributions or made any expenditures." (Section 84200, as added by Ch. 1456, Stats. 1985.)

The language of Section 84200(a) in 1985 and the language in 1986 is quite similar. Therefore, the filing obligations of judges and their controlled committees in those two years are the same. The effect of a judge's use of personal funds to make contributions to other candidates and committees is the same for 1985 as for 1986.

Therefore, in accordance with the answers to the preceding questions, a judge who used personal funds in 1985 to make contributions to other candidates or committees is obligated to file campaign disclosure statements for that year. If the judge did not receive $500 or more in contributions and did not spend $500 or more for political purposes during the entire year, the judge may file the short form (Form 470). However, if the judge received or spent $500

or more for political purposes during 1985, the judge should have filed one or more semiannual statements for 1985 (Form 430 or 490). At this time, more than a year after the 1985 semiannual statements should have been filed, judges who failed to file those statements may file one amended statement covering the entire year in lieu of the two statements ordinarily required.[5]

When the language of Section 84200(a) as it existed in 1983 and 1984 is compared to the language in 1985 and 1986, significant differences appear. In 1983 and 1984, a judge was exempt from the campaign filing requirements unless he or she was a candidate or committee which made or received contributions or made expenditures. In 1985 and 1986, the reference to candidacy was deleted, and the exemption from campaign filing became applicable only if the judge did not make or receive contributions or make expenditures. The differences in the statutory language in 1983 and 1984, as compared to 1985 and 1986, tend to support the requestors' claim that in 1983 and 1984 they had no campaign filing obligations unless they made or received payments in connection with their own candidacy.

As a general rule, in 1983 through 1986, the term "candidate" included an elected officeholder, whether or not the officeholder was actively involved in an election campaign. (Section 82007.) However, if all judges in 1983 and 1984 were considered "candidates," then Section 84200(a) made little sense insofar as it exempted judges from campaign filing unless they were "candidates." A more logical interpretation of Section 84200(a) is that, in 1983 and 1984, it distinguished between judges who received or made payments in connection with their own candidacies and those who did not.

The difference between the statutory language as it read in 1983 and 1984, when compared to 1985 and 1986, also evidences a legislative intent to change the campaign filing obligations of judges. It is a general rule of statutory construction that legislative amendments are presumed to change the law. (See Longshore v. County of Ventura (1979) 25 Cal. 3d 14, 26; Subsequent Injuries Fund v. Industrial All. Com. (1963) 59 Cal. 2d 842, 844.) This presumption supports a different

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[5] Pursuant to Section 84205, the Commission may by written advice permit candidates and committees to file campaign statements combining required statements and reports.

interpretation of Section 84200 in 1983 and 1984, as compared to 1985 and 1986, insofar as the judges' campaign disclosure obligations are concerned.

Accordingly, it appears that judges who had no activity regarding their own campaigns in 1983 and 1984, but simply used personal funds to make contributions to other candidates or committees, had no obligation to file campaign statements.[6] This fact may well explain why many judges were not aware of their duty to file under current law.

Approved by the Commission on July 28, 1987. Concurring: Chairman Larson, Commissioners Fenimore, Lee, Montgomery and Roden.

John H. Larson
Chairman

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[6] This conclusion assumes that the contributions made by any particular judge did not total $5,000 or more for either 1983 or 1984. A judge who made contributions totaling $5,000 or more in either calendar year would have qualified as a "major donor" committee and would have been subject to the campaign disclosure laws for that year. (Section 82013(c), as amended by Ch. 289, Stats. 1980; Section 84200, as amended by Ch. 898, Stats. 1983.)