

David Pitman, Chief, Political
Reform Division, Secretary of
State's Office

Aug. 18, 1977

~~DA~~ 307
MA 77-357

Technical Assistance and Analysis Division

Advice concerning filing requirements

This memorandum is to confirm my advice to you and Kevin Monroe on August 8, 1977 concerning the filing requirements of Government Code Sections 84204.1 and 84206.

You stated that two legislators and their controlled committees who filed consolidated campaign statements in connection with the April/May 1977 Los Angeles municipal elections did not file off-year campaign statements in July 1977 with your office. Since Section 84206 provides that every candidate and committee that receives contributions or makes expenditures during the specified periods must file an off-year statement "unless the . . . committee or elected officer is required to file campaign statements in connection with any election or elections held with the periods," you asked whether the legislators and their committees are exempt.

I advised that the legislators and their committees are required to file off-year statements under Section 84206. Section 84204.1 provides that a committee must file an abbreviated statement in connection with an election if 1) the election is not held on the same day as a statewide primary or general election; 2) the committee is not controlled by one of the candidates in the election; 3) the primary purpose of the committee is not related to that particular election; and 4) the committee raises or spends \$250 or more in connection with the election. Under the facts you have given us, it appears that the two legislators and their controlled committees should have filed abbreviated statements in connection with the Los Angeles municipal elections. Section 84204.1 also requires that the information contained in the abbreviated statement be repeated in any subsequent statement filed. As to the period covered by the subsequent statement, Section 82046 provides that the beginning date of the period is the day after the closing date of the most recent statement which was required to be filed and states specifically that reference to the "most recent statement" does not mean any abbreviated statement required by Section 84204.1

We are aware that some committees who should be filing abbreviated statements are instead filing complete statements. We do not

consider this to be a material violation of the Act since full reporting occurs in either case. But if a committee that should have filed an abbreviated statement files a complete statement, it is still required to comply with Section 84206 and file an off-year statement for that period.

Since our staff only recently clarified the filing requirements of Section 84204.1, we recommend that in the present instance the legislators and their committees not be assessed late filing penalties under Section 91013

Nan Emmerson
Special Compliance
Representative

NE/gt

Memorandum

To : Mickey Bennett
Executive Director
Fair Political Practices Commission

Date: June 17, 1977

F P P C
JUN 21 4 09 PM '77

17307

From : **Secretary of State**

Subject: Lobbyist Activity Authorization - Form 61A

Attached is a copy of the existing Form 61A of which I have a very limited supply at this time. Before I reorder more forms, I would like to add the information as noted on the attached.

The name and phone number would be of great help to us in that we collect this information for public dissemination.

As I recall, from Bob Stern's remark of some time ago, the reason there is no verification on the existing form is only through oversight. If a verification is desired on this form, please have it drafted and returned to me so that I may order the forms not later than the 23rd of June.

WILLIAM N. DURLEY
Assistant to the Secretary of State
Elections and Political Reform



DAVID B. PITMAN, Manager
Political Reform Division

DBP:tf

Attachment



Form 61A
LOBBYIST

LOBBYIST ACTIVITY AUTHORIZATION

(GOVERNMENT CODE SECTION 86101)

I hereby authorize _____
(NAME OF LOBBYIST)

_____ to engage in the activities of a
(ADDRESS)

LOBBYIST as defined in Title 9, Chapter 2, Section 82039 of the California Government Code on behalf of

(NAME OF EMPLOYER)

(ADDRESS)

for _____
(PERIOD OF AUTHORIZATION, IF KNOWN)

VERIFICATION:

Executed on _____
(DATE)

at _____
(CITY AND STATE)

by _____
(SIGNATURE)

NAME _____
(TYPE OR PRINT)

Title _____
(RELATIONSHIP TO EMPLOYER)

PHONE NUMBER _____