

January 10, 1978

8543
A-78-01-023

Mr. James P. Greene
Pacific Lighting Corporation
P.O. Box 60043, Terminal Annex
Los Angeles, California 90060

Dear Mr. Greene:

In your letter of December 13, 1977, you ask whether amendments to Government Code Section 82013 by Chapter 1213 of the 1977 Statutes, effective January 1, 1978, render unnecessary the filing of a semi-annual campaign statement for the last half of 1977. You note that under the prior language of 82013 you were a Committee in 1977 but under the new language you would not have been.

The filing obligation in Section 84206, requiring semi-annual statements, is incurred by reason of financial activity during the specified periods. During the last six months of 1977 you were a Committee under the terms of 82013 then in effect. During the same period you had financial activity. Therefore, 84206 requires you to report for the six month period, all of which is in 1977. The fact that the report is not due to be submitted until 1978 does not affect your obligation to report the 1977 activity under the law in effect in 1977.

Sincerely yours,

John D. Giansello
Political Analyst
Technical Assistance and
Analysis Division

PACIFIC LIGHTING CORPORATION

78023

James P. Greene
Attorney



F P P C
DEC 19 12 28 PM '77

810 South Flower Street
Los Angeles, California 90017
Telephone (213) 689-3341

Mailing Address

P.O. Box 60043
Terminal Annex
Los Angeles, California 90060

December 13, 1977

Executive Director
Fair Political Practices Commission
1100 K. Street Building
Sacramento, California

Re: Request for Written Advice
(Cal. Gov. Code § 83114(b))

Pursuant to the provisions of California Government Code Section 83114(b) and 2 California Administrative Code § 18329, I hereby request the Commission's advice on the question presented herein.

This request is hereby presented on behalf of Southern California Gas Company (the "Company"), a California corporation.

During calendar year 1977 the Company has not made any contributions or expenditures which are reportable under the provisions of the Political Reform Act of 1974, except that it has provided certain administrative support to a committee which is a "separate segregated fund" (as that term is used at 2 U.S.C. § 441b) "political committee" (as that term is used at 2 U.S.C. § 431) and which is "affiliated" (as that term is used at 2 U.S.C. § 433 and 11 C.F.R. § 102.2(b)) with the Company. For your information the affiliated committee which receives the Company's administrative support has in the past, and will continue to report the value of that support as a contribution.

During 1977 the Company, solely as a result of the activity described above, became a committee as defined by Government Code Section 82013(b). Therefore it filed a semi-annual campaign statement for the period January 1, 1977 through June 30, 1977 during July, 1977.

083
Executive Director
December 13, 1977
Page 2

Subsequent to the filing of the above-described semi-annual campaign statement, the California Legislature enacted AB 1730 (Chapter No. 1213, 1977-1978 Regular Session). My understanding of that legislation is that it amended the definition of "committee" at Government Code Section 82013 so that a person only making "in kind contributions" must make \$5000 of such contributions per year, rather than \$500 as Section 82013(b) currently provides, in order to be a "committee" and therefore be obligated to file campaign statements. Furthermore, I understand that Chapter No. 1213 will be effective on January 1, 1978.

It is currently anticipated that the value of the administrative support the Company is providing the affiliated separate segregated fund political committee will be somewhere between \$500 and \$5,000 for calendar year 1977. Thus, under the present definition of "committee" it is required to file campaign statements but under the definition which will be effective on January 1, 1978 it would not be required to file the statements.

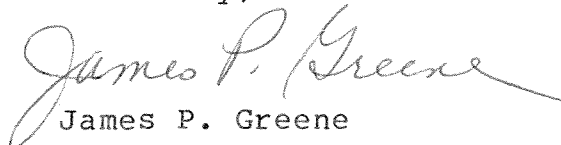
According to Government Code Section 84206 the next semi-annual statement due shall cover the period of July 1 through December 31, a period of time in which the existing definition of "committee" is applicable. However, that statement may be filed not later than January 31, 1978, after Chapter 1213 becomes effective.

In view of the above, the Company requests the Commission's advice as to whether it is required to file a semi-annual statement for the period July 1, 1977 - December 31, 1977, assuming that it is unable to file that statement until sometime in January, 1978.

If you have any questions concerning this request, please do not hesitate to contact me.

Thank you very much for your assistance.

Sincerely,


James P. Greene

JPG:cjm