

12245
79-014

79-014

December 19, 1979

Mr. Dan McCorquodale
Supervisor, Third District
Office of the Board of Supervisors
County of Santa Clara
70 West Hedding Street
San Jose, California 95110

Dear Supervisor McCorquodale:

The items you have forwarded are communications that expressly advocate the passage or defeat of a clearly identified ballot measure (see 2 Cal. Admin. Code Section 18225(c)) and so amount to expenditures under the Political Reform Act.

If these expenditures were made at the behest of a committee or candidate, the maker would not have a reporting obligation unless his or her total contributions and expenditures made at the behest of candidates or committees amounted to \$5,000 in a calendar year (see Government Code Section 82013(c)).

If, on the other hand, the expenditures were not made at the behest of a candidate or committee, they would be independent expenditures. Five hundred dollars in independent expenditures is sufficient to require a committee to file disclosure reports (see Government Code Section 82013(b)).

Neither committees which are committees by virtue of the independent expenditures they have made or which are committees by virtue of contributions made to or at the behest of candidates and committees are required to "register." Registration (the filing of a Statement of Organization) is required only of Recipient Committees (see Government Code Section 84101). It would be unusual, though not impossible, for a profit-making corporation to be a Recipient Committee.

Both the Southern Pacific Company and the Pacific Lighting Corporation have, however, filed reports in the past. If they filed in connection with the November 6, 1979 special statewide

Mr. Dan McCorquodale

-2-

December 19, 1979

election, their reports should be on file with the Political Reform Division of the Secretary of State's office in Sacramento (916/322-4880) and with the Registrar of Voters of the City and County of San Francisco. Bear in mind that post-election abbreviated statements filed in connection with the November 6, 1979 election are not due until January 10, 1980, and semi-annual statements for the last half of 1979 are not due until January 31, 1980.

I hope this information is helpful to you. If you desire additional assistance, you may call me at 916/322-5662.

Sincerely,

JOHN GIANSELLO
Staff Services Analyst

8225
18225
22225

79-014

December 19, 1979

Mr. Dan McCorquodale
Supervisor, Third District
Office of the Board of Supervisors
County of Santa Clara
70 West Hedding Street
San Jose, California 95110

Dear Supervisor McCorquodale:

The items you have forwarded are communications that expressly advocate the passage or defeat of a clearly identified ballot measure (see 2 Cal. Admin. Code Section 18225(c)) and so amount to expenditures under the Political Reform Act.

If these expenditures were made at the behest of a committee or candidate, the maker would not have a reporting obligation unless his or her total contributions and expenditures made at the behest of candidates or committees amounted to \$5,000 in a calendar year (see Government Code Section 82013(c)).

If, on the other hand, the expenditures were not made at the behest of a candidate or committee, they would be independent expenditures. Five hundred dollars in independent expenditures is sufficient to require a committee to file disclosure reports (see Government Code Section 82013(b)).

Neither committees which are committees by virtue of the independent expenditures they have made or which are committees by virtue of contributions made to or at the behest of candidates and committees are required to "register." Registration (the filing of a Statement of Organization) is required only of Recipient Committees (see Government Code Section 84101). It would be unusual, though not impossible, for a profit-making corporation to be a Recipient Committee.

Both the Southern Pacific Company and the Pacific Lighting Corporation have, however, filed reports in the past. If they filed in connection with the November 6, 1979 special statewide

Mr. Dan McCorquodale

-2-

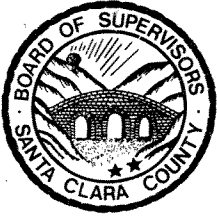
December 19, 1979

election, their reports should be on file with the Political Reform Division of the Secretary of State's office in Sacramento (916/322-4880) and with the Registrar of Voters of the City and County of San Francisco. Bear in mind that post-election abbreviated statements filed in connection with the November 6, 1979 election are not due until January 10, 1980, and semi-annual statements for the last half of 1979 are not due until January 31, 1980.

I hope this information is helpful to you. If you desire additional assistance, you may call me at 916/322-5662.

Sincerely,

JOHN GIANSELLO
Staff Services Analyst



Dan McCorquodale
Supervisor, Third District

Executive Assistant: Peter Szego

County of Santa Clara
Office of the Board of Supervisors

70 W. Hedding Street, San Jose, CA 95110, Telephone (408) 299-4116

December 6, 1979

DEC 7 12 PM '79

Fair Political Practices Commission
1100 K Street
Sacramento, CA 95814

Dear Commissioners:

I am enclosing copies of letters sent by two corporations to their stockholders for the purpose of recommending a pro or con position with regard to statewide measures voted upon at the recent November election. It seems virtually certain that each of these mailings will have exceeded \$500 in cost and that, therefore, these corporations and others following similar practices are required to register as "Expenditure Committees." I would like to know if they have done so and if they have filed appropriate reports.

Cordially,

A handwritten signature in cursive script that reads "Dan McCorquodale".

Dan McCorquodale
Supervisor, Third District

DM/kb

Enclosures

Southern Pacific Company

Southern Pacific Building, One Market Plaza, San Francisco, California 94105

B. F. BIAGGINI
CHAIRMAN

A SPECIAL MESSAGE THAT CAN AFFECT YOUR POCKET BOOK...

While most election talk today is about the candidates running for 1980, I want to remind my fellow Californians that we have an important election coming up in just a few days, on Tuesday, November 6, 1979. In my judgement, it is essential to our interests as individual taxpayers and as stockholders or employees of Southern Pacific that we help to give State Proposition 4 an impressive Yes vote at that election.

Proposition 4 would limit any increase in state, county and local spending. In other words, it would finish the job begun in 1978 with passage of Proposition 13.

The issue is clear and simple. We learned, after Proposition 13, that state and local governments had socked away billions of surplus tax dollars they never should have collected in the first place. Proposition 4 will require the prompt return of surplus taxes by reducing future tax rates and user fees.

While recent polls have shown voters favor Proposition 4 by a two to one margin, voters could assume that Proposition 4 will win easily and so may be content to let others see to it. This is a very risky assumption. Just a rainy election day, for example, can combine with a mood of apathy to cause the defeat of measures and candidates the people favor. Last minute, emotional appeals by politicians, wrongly claiming Proposition 4 would end needed services, might bring the same result.

If you agree with me in backing Proposition 4, please don't be overconfident about it. Be sure to go to the polls on November 6 and vote Yes on 4, and urge your family and friends to do the same.

Sincerely,
B. F. Biaggini

PACIFIC LIGHTING CORPORATION

Paul A. Miller
Chairman of the Board



810 South Flower Street
Los Angeles, California 90017
Telephone (213) 689-3520

Mailing Address

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

October 26, 1979

To Our California Shareholders:

The statewide election on November 6 will include a ballot measure dealing with loan interest rates. This is Proposition 2, and I urge you to vote YES. I do so because California's antiquated, 45-year-old interest limitation on business loans results in California businesses competing at a disadvantage for funds from lending institutions.

In putting a ceiling on interest rates, California's current law is so worded that lenders tend to avoid California and, instead, make their money available to businesses in other states. The result has been that California businesses have been restricted in financing expanded activities, and thousands of new jobs have been lost. It is very important to Pacific Lighting's future that this measure be passed, since our new gas supply projects will require substantial financing and some of the major lending institutions will not make money available without a change in California law.

Proposition 2 is endorsed by labor, business, civic and governmental leaders who have studied the issue and recognize the need.

Thank you for your consideration of this request and I urge your support.

Sincerely,

Paul A. Miller