



California Fair Political Practices Commission

April 5, 1988

G. Lewis Chartrand, Jr.
Nielsen, Merksamer, et. al.
770 L Street, Suite 800
Sacramento, CA 95814

RE: Your Request for Advice
Our File No. A-88-126

Dear Mr. Chartrand:

You have requested advice regarding the campaign provisions of the Political Reform Act of 1974.^{1/}

QUESTION

Is the name "Citizens For No-Fault, Sponsored by the California Insurers" an appropriate name for an insurance industry-sponsored committee supporting the proposed "No-Fault Insurance" initiative?

CONCLUSION

The above-mentioned name meets the identification requirements for sponsored committees under the Act at this time.

However, please note that if the measure qualifies for the ballot, the committee must include the statement, "a committee for Proposition ____" in all references to the committee required by law. The committee must begin including the statement with its name within 30 days after the Secretary of State announces the ballot number for the measure.

In addition, the committee's statement of organization (Form 410) would have to be amended to indicate that the committee is supporting the passage of the measure, rather than its qualification, and to reflect the committee's new name.

^{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.

FACTS

The California insurance industry intends to form a committee to support the proposed "No-Fault Insurance" initiative. A majority of the contributions for this committee will come from the insurance industry. Some funds will be solicited from the general public.

ANALYSIS

Section 84106 requires a committee to include the name of its sponsor in the name of the committee. In addition, Section 84107 requires that within 30 days of the designation of the numerical order of propositions appearing on the ballot, any committee which has as its principal activity the support of a ballot measure, shall include the statement, "a committee for Proposition ____, " in any reference to the committee required by law.

Section 84103 requires that whenever there is a change in any of the information contained in the statement of organization an amendment shall be filed within 10 days to reflect the change. If the measure qualifies for the ballot, the nature of the committee's activities will change from supporting the qualification of the measure to supporting the passage of the measure. In addition, the committee's name will be changed to include a statement that the committee supports the measure and to include the ballot number assigned to the measure. These changes will trigger the requirement set out in Section 84103 to amend the committee's statement of organization.

If you have any further questions, please call me at (916) 322-5662.

Sincerely,

Diane M. Griffiths
General Counsel



By: Kevin S. Braaten-Moen
Political Reform Consultant

LAW OFFICES OF
NIELSEN, MERKSAMER,
HODGSON, PARRINELLO & MUELLER
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
770 L STREET, SUITE 800
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TELEPHONE (916) 446-6752

SAN FRANCISCO
650 CALIFORNIA STREET, SUITE 2650
SAN FRANCISCO CALIFORNIA 94108
TELEPHONE (415) 989-6800

F P F
MAR 25 1 56 PM '88
FILE NUMBER

March 16, 1988

6289.01

Mr. Kevin Moen
Technical Advice Unit
Fair Political Practices Commission
428 "J" Street, Suite 800
P.O. Box 807
Sacramento, CA 95831

Re: "Citizens For No-Fault, Sponsored by
the California Insurers"

Dear Kevin:

This office represents the Insurance Industry Initiative Campaign Committee. I am writing to confirm our telephone conversation of March 11, 1988 in which I asked whether the proposed name is appropriate under Title 2 Cal. Admin. Code section 18419(b)(1).

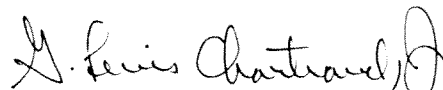
I explained that the majority of the contributions will come from insurance companies doing business in California. Some of these companies are incorporated in California, and some are incorporated in other states. All of the companies do business in the state of California. In addition, the Committee expects to raise some of its funds from donations from the general public.

After discussing the issue with your supervisor, you concluded that the above referenced name complied with relevant regulations and statutes.

Please sign and return a copy of this letter if the above information is consistent with your understanding of the conversation.

Thank you for your assistance in this matter.

Sincerely,



G. Lewis Chartrand, Jr.

GLC:bg

Kevin Moen, Technical Assistance Unit
Fair Political Practices Commission

Date

88-126

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Fair Political Practices Commission
428 "J" Street, Suite 800
P.O. Box 807
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Thank you for your assistance in this matter.

Sincerely,


G. Lewis Chartrand, Jr.

GLC:bg

Kevin Moen, Technical Assistance Unit
Fair Political Practices Commission
Date



California Fair Political Practices Commission

March 28, 1988

G. Lewis Chartrand, Jr.
Nielsen, Merksamer, Hodgson,
Parrinello & Mueller
770 L Street, Suite 800
Sacramento, CA 95814

Re: 88-126

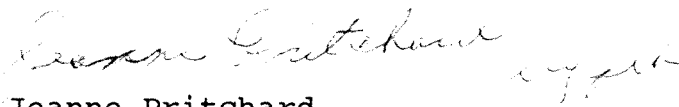
Dear Mr. Chartrand:

Your letter requesting advice under the Political Reform Act was received on March 25, 1988 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