



California Fair Political Practices Commission

July 13, 1988

Lois Wellington, President
Retired Public Employees' Association
of California
401 S Street
Sacramento, CA 95814

Re: Your Request for Advice
Our File No. A-88-243

Dear Ms. Wellington:

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

QUESTION

You have asked whether the Retired Public Employees Association of California ("the Association") may contribute various in-kind and administrative services to its sponsored recipient committee, the Legislative Defense Organization ("the Committee"), and whether the Association must disclose such contributions.

CONCLUSION

Nothing in the Act prohibits an organization from contributing administrative and other services to its sponsored recipient committee. The organization may be required to file reports disclosing the contributions.

ANALYSIS

Entities and organizations which sponsor committees formed to support or oppose candidates or measures being voted upon in

^{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.

state or local elections currently may provide unlimited funds and other services, including employee time, office space, etc., to their sponsored committees.^{2/} Regulation 18419 (copy enclosed) states that sponsoring organizations are not required to file separate campaign disclosure reports as long as all of the following criteria are satisfied:

(1) The sponsor does not make or receive a sufficient amount of contributions or independent expenditures, other than those in support of its sponsored committee, to satisfy the thresholds set forth in Government Code Section 82013. A sponsoring organization makes contributions and expenditures in support of its sponsored committee when it provides the committee with member contributions, money from its treasury, supplies or administrative services;

(2) The sponsored committee reports all contributions and expenditures made in support of the committee by the sponsor, its intermediate units, and the members of such entities. With respect to a member contribution which is channeled through the sponsor or an intermediate unit, the member is the contributor;

(3) The sponsored committee reports as an intermediary the sponsor...if the sponsor...directly or indirectly provides the committee with \$100 or more in member contributions regardless of whether any member for whom the sponsor...acts contributed \$100 or more; and

(4) A responsible officer of the sponsor, as well as the treasurer of the sponsored committee, verifies the committee's campaign statement pursuant to Government Code Section 81004.

Regulation 18419(c).

If the above criteria are not satisfied and a sponsoring organization is required to file campaign disclosure reports, it must disclose contributions it makes to the sponsored committee, including supplies or administrative services. (Regulation 18419(d).)

^{2/}State Propositions 68 and 73 were passed in the June 1988 election. The provisions of the new laws may affect sponsored committees. The Commission is in the process of interpreting the provisions of the new laws. I have placed your name on our mailing list to receive information as it becomes available.

Lois Wellington
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Please also note that subsection (b) of Regulation 18419 states that a sponsored committee must include the name of the sponsor in the name of the committee. If your committee is registered under the name "Legislative Defense Organization," you will need to amend your statement of organization (Form 410) to include the name of the Association.

I hope the foregoing has answered your questions. Please do not hesitate to contact me at (916) 322-5662 if you need further assistance.

Sincerely,

Diane M. Griffiths
General Counsel

Carla Wardlow

By Carla Wardlow
Political Reform Consultant

Enclosure



RETIRED PUBLIC EMPLOYEES' ASSOCIATION OF CALIFORNIA
401 "S" Street, Sacramento, Ca. 95814 (916) 441-7732

JUN 27 1 40 PM '88

June 24, 1988

Fair Political Practices Commission
428 J Street
Sacramento, CA 95814

Attention: Alice Hughes, Staff Services Analyst

Dear Mrs. Hughes:

The Retired Public Employees' Association of California has a separate arm, "Legislative Defense Organization", a sponsored recipient committee.

Recently, several questions have been raised regarding the relationship between the sponsor RPEA and LDO. We hope you will be able to supply answers in order to clarify this relationship.

1. Can the sponsor contribute RPEA employee clerical time to LDO?
2. Can sponsor furnish in kind services - - for example, office space, telephone, copier, etc?
3. Must such clerical time and/or services be reported to the Secretary of State by the sponsor?
4. Can sponsor, hire and pay an employee specifically for service to LDO? If so, must it be so reported to the Secretary of State?

Our Board of Directors meet on July 21, 1988; I would sincerely appreciate anything you can do to furnish the above information prior to July 15, 1988.

Cordially,

Lois Wellington
President
Cordially,



California Fair Political Practices Commission

June 29, 1988

Lois Wellington, President
Retired Public Employees
Association of California
401 "S" Street
Sacramento, CA 95814

Re: 88-243

Dear Ms. Wellington:

Your letter requesting advice under the Political Reform Act was received on June 27, 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 by plh
Jeanne Pritchard
Chief
Technical Assistance and Analysis
Division

JP:plh



RETIRED PUBLIC EMPLOYEES' ASSOCIATION OF CALIFORNIA
401 "S" Street, Sacramento, Ca. 95814 (916) 441-7732

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June 24, 1988

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