



California Fair Political Practices Commission

August 4, 1988

Greg Taber
Inland Democrat
1501 7th St., Suite E
Riverside, CA 92507

RE: Your Request for Advice
Our File No. A-88-285

Dear Mr. Taber:

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

QUESTION

What type of recipient committee is your organization and what are your filing requirements?

CONCLUSION

Your organization qualifies as a state general purpose recipient committee and must follow the filing schedule set forth in the enclosed Information Manual on Campaign Disclosure Provisions of the Political Reform Act (page 19) for state general purpose recipient committees.

FACTS

After receiving \$1,000 in contributions for publishing the Inland Democrat newsletter, you filed the statement of organization (form 410). The newsletter, in addition to providing a calendar of events of interest to Democrats in the Riverside/San Bernardino counties area, publishes the names, addresses and phone numbers of Democrats running for state and local public offices, expressly advocating their election.

ANALYSIS

Section 82013(a) defines a recipient committee as any person or combination of persons who directly or indirectly receives contributions totaling \$1,000 or more in a calendar year.

^{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.

Section 82027.5 defines a general purpose recipient committee as a committee which is formed or exists primarily to support or oppose more than one candidate or ballot measure. Section 82027.5 (b) further defines a "state" general purpose recipient committee as a committee to support or oppose candidates or measures voted on in a state election, or in more than one county.

Since the Inland Democrat exists to disseminate information pertaining to Democrats and to support various Democratic candidates being voted on in the 1988 state general election, your organization qualifies as a state general purpose committee.

State general purpose recipient committees must file semi-annual statements for each half of the year, WHETHER OR NOT they have received any contributions or made any expenditures during the six-month period covered by the statement. Semi-annual statements are due on July 31, and January 31, with closing dates of June 30 and December 31, respectively. (See the enclosed manual, page 19.)

In addition, state general purpose recipient committees may be required to file up to four pre-election statements during an even-numbered year depending upon the level of their activity. A pre-election statement must be filed whenever the committee makes contributions or independent expenditures totaling \$500 or more during the period covered by the pre-election statements. (Please review Part IV, page 32 of the enclosed manual for information on additional special reports.)

As we discussed on the telephone on July 25, 1988, if you publish any articles concerning or endorsements of a candidate or committee at the candidate's or committee's request or in coordination with the candidate or committee, you must report the cost of publishing the article or endorsement as an in-kind contribution^{2/} to that candidate or committee. In addition, the candidate or committee on whose behalf the contribution is made must be informed of the fair market value of the contribution. As we discussed, one method for determining the

^{2/}Section 82015 defines contribution as a payment for political purposes which is made to or "at the behest of" a candidate or committee. Regulation 18215 provides that a payment is made at the behest of a candidate or committee if it is made under the control or at the direction of, in cooperation, consultation, coordination, or concert with, or at the request or suggestion of a candidate, controlled committee, official committee of a political party, or organization formed or existing primarily for political purposes.

Taber, Greg
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amount of the in-kind contribution is to calculate the percentage of the mailing space dedicated to promoting the candidate or committee and multiply that amount by the total costs involved in publishing and sending the entire publication, e.g. 10% x \$1,000 = \$100.

If you have additional questions, please contact me at (916) 322-5662.

Sincerely,

Diane M. Griffiths
General Counsel

A handwritten signature in black ink, appearing to read "Kevin S. Braaten-Moen". The signature is fluid and cursive, with a long horizontal stroke at the end.

By:

Kevin S. Braaten-Moen
Political Reform Consultant

JUL 20 1 07 PM '88

July 18, 1988

Dianne Griffiths
General Counsel
F.P.P.C.
428 J Street, Ste. 800
Sacramento, California 95814

Dear Ms. Griffiths,

I am writing in response to the conversation we had on Friday, July 15, 1988. As you know, I am the treasurer for an organization called the Inland Democrat Newsletter. Thinking that we qualified as a recipient committee; I filed a form 410 with the F.P.P.C. after we raised \$1,000.00 this year. Apparently, the F.P.P.C. staff is not quite sure where our organization fits in, and you requested I send a letter to you outlining our publication, it's funding and it's operation.

We have published six editions at approximately monthly intervals. Our service area is the California Democratic Party's region 15, which is comprised of approximately Riverside and San Bernardino Counties. Our mailing list is comprised of the membership of local Democratic Clubs, plus any other Democrats who are interested in receiving it. We mail it out free of charge, although we do have a voluntary subscription for individuals.

We publish events of local Democratic Clubs, Committees, and Candidates, along with ways to contact these groups. We also try to allow a forum for the representatives of the region at the state party level to communicate with the club members, and allow a forum for the club members to express their concerns about internal party affairs up the line to the state party representatives, through letters to the editor.

Our funding comes from a variety of sources. We receive contributions from incumbants, candidates, party central committees, party assembly districts, party clubs and individuals. We acknowledge all contributions in the newsletter, either with a business card reprinted or the mention of the contributors name.

Of course, in the October issue we will be urging our readers to vote for all Democratic candidates; we took no position, however, during the Primary Election.

Our expenses are limited to printing and mailing costs. All labor required to write, "typeset" and administrate the newsletter is volunteer. We make no contributions to other committees or candidates.

Please let me know, by phone if possible what kind of committee you think we are and just what our filing requirements are. I can be reached at (714) 683-8744. Let me know if there is any other information you require. I have enclosed the February and May issues for your review.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Taber", with a horizontal line above the name.

Greg Taber
Inland Democrat Newsletter