



California Fair Political Practices Commission

November 8, 1988

Honorable Robert Presley
Senator, Thirty-sixth District
3600 Lime Street, Suite 111
Riverside, CA 92501

Re: Your Request for Assistance
Our File No. I-88-426

Dear Senator Presley:

We have received your letter requesting an opinion concerning the rights of political candidates to distribute campaign material in mobilehome parks. We are unable to assist you in this matter because the subject is outside of the Commission's jurisdiction.

The Commission is charged with the administration and enforcement of the Political Reform Act. (Government Code Sections 81000-91015.) The Political Reform Act requires candidates to report campaign contributions and to provide appropriate identification on campaign mailings. It does not otherwise regulate distribution of campaign material. Because your question is not addressed by the Political Reform Act, we cannot provide the opinion you have requested.

Sincerely,

Diane M. Griffiths
General Counsel

A handwritten signature in cursive script that reads "Kathryn E. Donovan".

By: Kathryn E. Donovan
Counsel, Legal Division

DMG:KED:plh

SACRAMENTO ADDRESS

STATE CAPITOL
95814
(916) 445-9781

DISTRICT OFFICES
3600 LIME STREET
SUITE 111
RIVERSIDE, CA 92501
(714) 782-4111

72-811 HIGHWAY 111
SUITE 201
PALM DESERT, CA 92260
(619) 340-4488

FPPC California State Senate

OCT 21 1 25 PM '88



STATE SENATOR
ROBERT PRESLEY

THIRTY-SIXTH SENATORIAL DISTRICT
CHAIRMAN
SENATE COMMITTEE ON APPROPRIATIONS

COMMITTEES

APPROPRIATIONS (CHAIRMAN)
NATURAL RESOURCES AND
WILDLIFE
JUDICIARY
AGRICULTURE AND WATER
RESOURCES

JOINT COMMITTEES

PRISON CONSTRUCTION AND
OPERATIONS (CHAIRMAN)
LEGISLATIVE AUDIT
LEGISLATIVE ETHICS
REVISION OF THE PENAL CODE

SELECT COMMITTEES

CHILDREN AND YOUTH (CHAIRMAN)
MOBILEHOMES
PACIFIC RIM (VICE CHAIRMAN)
BUSINESS DEVELOPMENT
FAIRS & RURAL ISSUES
PLANNING FOR CALIFORNIA'S
GROWTH
SOLID & HAZARDOUS WASTE

October 19, 1988

John Larson, Chairman
Fair Political Practices Commission
428 J Street, Suite 800
P.O. Box 807
Sacramento, California 95804


Dear Mr. Larson:

Please find enclosed information I received from my constituent, Donald E. Ash, concerning his right as a political candidate to distribute campaign material in mobilehome parks.

I would appreciate receiving an opinion from the Fair Political Practices Commission concerning this point of law. Please forward your response to me at my Riverside district office.

Thank you for your attention in this matter.

Sincerely,


ROBERT PRESLEY
State Senator

cc: Donald E. Ash
1131 Mill Street
Lake Elsinore, California 92330

RP:lb

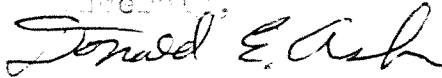
1101 Hill St.
Reno, Nevada, N. 89500
October 3, 1960

Senator Robert Wesley
5th Senate District
3800 Hill St.
Riverside, Ca. 92501

Dear Senator Wesley:

Enclosed please find copies of a letter I sent to the office of the Attorney General and their cavalier response indicating a complete lack of consideration or concern to address a fundamental problem in a democracy.

As a campaigner yourself, I hope you can be of assistance in working to rectify this as it would seem to be an essential and crucial right of a candidate running for public office. That is, to be able to freely reach all people during an election campaign.

Sincerely,

Donald E. Ash

Enclosures: 2

JOHN K. VAN DE KAMP
Attorney General

State of California
DEPARTMENT OF JUSTICE



July 27, 1988

P.O. BOX 944255
SACRAMENTO 94244 2550
Public Inquiry Unit: (916) 322-3360

Toll Free—California Only:
800-952-5225

Donald E. Ash
1131 Mill St.
Lake Elsinore, CA 92330

Dear Mr. Ash:

Your letter of July 10, 1988 requests an opinion from the Attorney General's Office. We regret that we will be unable to provide the opinion you request.

Government Code section 12519 authorizes the Attorney General to provide opinions only to designated public officers on questions of law relating to their respective offices. It is for this reason that we must respectfully decline your request.

Very truly yours,

JOHN K. VAN DE KAMP
Attorney General

Robert M. Raymer
ROBERT M. RAYMER, Analyst
Public Inquiry Unit

RMR:ccc

1131 Mill St.
Lake Elsinore, Ca. 92330
July 10, 1988

Office of the Attorney General
1515 K St. Suite 511
Sacramento, Ca. 95814

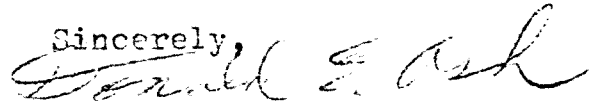
Sir:

In a recent campaign for public office I was not allowed to distribute my campaign flyers to the residences in several mobile home parks in this city. Despite my protests that this was both undemocratic and probably illegal, I was told by the managers that this was private property, and, therefore, I was restricted from entering the park for this purpose.

Of course, every house in this community is private property so that under that type of pernicious reasoning, candidates for public offices could be restricted from distributing campaign material to any house. Such an idea I think is foreign and not acceptable in a free democratic society.

I feel my civil liberty to freely campaign for a public office were infringed upon by these parks and I would ask the opinion of the Attorney General's office of this state for an opinion on this issue.

Sincerely,



Donald B. Ash

Memorandum

To : Kathy Donovan

Date : October 25, 1988

From : **Fair Political Practices Commission**
John H. Larson, Chairman *JHL*

Subject : Letter received from Senator Presley

Attached hereto is a letter received from Senator Presley asking that we respond to him regarding a question on distribution of campaign materials in mobile home parks.

I don't think this is within our jurisdiction and can be disposed of with a rather quick letter.



California Fair Political Practices Commission

November 8, 1988

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Senator, Thirty-sixth District
3600 Lime Street, Suite 111
Riverside, CA 92501

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General Counsel

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Counsel, Legal Division

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5000 California State Senate

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Oct 21 1 25 PM '88



STATE SENATOR
ROBERT PRESLEY
THIRTY-SIXTH SENATORIAL DISTRICT
CHAIRMAN
SENATE COMMITTEE ON APPROPRIATIONS

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State Senator

cc: Donald E. Ash
1131 Mill Street
Lake Elsinore, California 92330

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Edward E. Ash
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JOHN K. VAN DE KAMP
Attorney General

State of California
DEPARTMENT OF JUSTICE



July 27, 1988

P.O. BOX 944255
SACRAMENTO 94214 2550
Public Inquiry Unit (916) 322-3360

Toll Free—California Only
800-952-5225

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1131 Mill St.
Lake Elsinore, CA 92330

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ROBERT M. RAYMER, Analyst
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Lake Elsinore, Ca. 92530
July 10, 1988

Office of the Attorney General
1515 K St. Suite 511
Sacramento, Ca. 95814

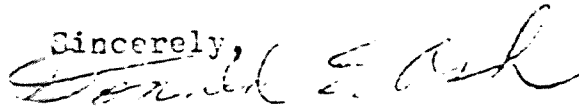
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Sincerely,



Donald D. Ash



California Fair Political Practices Commission

November 8, 1988

Roland Bowns, Chief Counsel
Legal Office
California State Lottery
600 North 10th Street
Sacramento, CA 95814

Re: 88-427

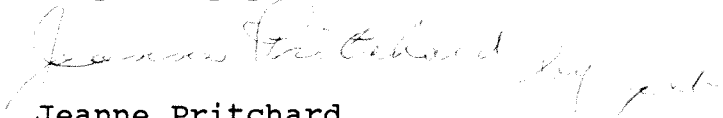
Dear Mr. Bowns:

Your letter requesting advice under the Political Reform Act was received on November 4, 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

CALIFORNIA STATE LOTTERY

600 North 10th Street
Sacramento, CA 95814

FPPC
Nov 4 2 51 PM '88

88-427

November 1, 1988

Diane Griffiths
Chief Counsel
Fair Political Practices Commission
428 J Street, Suite 800
Sacramento, CA 95814

Dear Ms. Griffiths:

The California State Lottery has received an invitation from KFOY Radio Station to send two Lottery representatives to a KFOY-sponsored event. This offer includes air transportation provided by KFOY and an opportunity to meet other KFOY clients at this event.

Regarding the reporting requirements for designated employees who may be subject to disclosure, and after reviewing the 1987/88 Manual for Statements of Economic Interests for Designated Employees Form 730, we are of the determination that if the California State Lottery accepts the invitation to attend the event, and KFOY provides air transportation, the designated employees would not be required to report these as gifts or income

It is also our understanding that the employees chosen to represent the Lottery at this event should not claim per diem for meals provided at no cost to the employee.

Before accepting this invitation, we would appreciate your legal opinion regarding the disclosure requirements as outlined above.

Sincerely,



Roland Bowns
Chief Counsel
Legal Office

RKB:peg