



# California Fair Political Practices Commission

June 2, 1989

Roger Sanders  
Executive Director  
San Francisco County  
Democratic Party  
100 McAllister Street  
San Francisco, CA 94102

Re: Your Request for Advice  
Our File No. A-89-193

Dear Mr. Sanders:

You have requested advice regarding campaign disclosure requirements under the Political Reform Act (the "Act").<sup>1</sup>

## QUESTION

Are Democratic clubs which are officially chartered by the San Francisco County Democratic Central Committee required to fulfill the identification and disclosure provisions for slate mailer organizations when the clubs send slate mailers?

## CONCLUSION

If a Democratic club receives payments totaling \$500 or more in a calendar year from any source for the purpose of having a specific candidate or specific candidates included in the slate mailer, the club will qualify as a slate mailer organization and must comply with the identification and disclosure provisions for slate mailer organizations. However, if the club pays for a slate mailer from general fundraising activity, it would not be considered a slate mailer organization.

## FACTS

The San Francisco County Democratic Party Central Committee charters official Democratic clubs ("clubs"). These clubs may send slate mailers which support or oppose four or more candidates or measures.

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<sup>1</sup>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.

Roger Sanders  
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ANALYSIS

A slate mailer organization is an organization which is involved in the production of one or more slate mailers,<sup>2</sup> exercises control over the selection of the candidates and measures to be supported or opposed in the slate mailers, and receives or is promised \$500 or more in a calendar year for the production of one or more slate mailers. (Sections 82048.4(a) and 82048.3.) Notwithstanding the above, an official committee of any political party is not a slate mailer organization. (Section 82048.4(b)(2).)

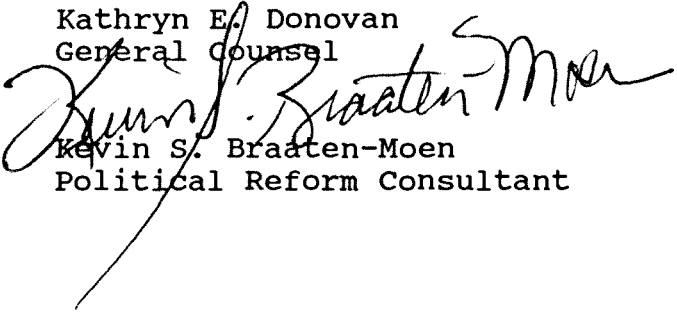
The Commission has determined that "Democratic clubs are not official committees of the Democratic Party because they are not part of the state central committee and the county central committees that make up the official structure of the Democratic Party in California." (In re Willmarth (1976), 2 FPPC Opinions 130, copy enclosed.) Therefore, a Democratic club could qualify as a slate mailer organization if it receives payments totaling \$500 or more from or on behalf of candidates who wish to be included in a slate mailer. In that event, the club would be required to comply with the disclosure and disclaimer requirements for slate mailer organizations contained in Sections 84108, 84218-84220, and 84305.5.

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

Sincerely,

Kathryn E. Donovan  
General Counsel

By:

  
Kevin S. Braaten-Moen  
Political Reform Consultant

Enclosure

<sup>2</sup>A "slate mailer means a mass mailing which supports or opposes a total of four or more candidates or ballot measures. (Section 82048.3.)

# SAN FRANCISCO COUNTY DEMOCRATIC PARTY

100 McAllister Street, Suite 350  
San Francisco 94102  
(415) 626-1161

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TO LEGAL

## THE COUNTY CENTRAL COMMITTEE OFFICERS

March 29, 1989

Carole Migden  
*Chair*

Lulu Carter  
*1st Vice Chair*

Tony Kilroy  
*2nd Vice Chair*

Alicia Wang  
*3rd Vice Chair*

Steve Krefting  
*Treasurer*

Leslie Katz  
*Recording Secretary*

Simeon White  
*Corresponding Secretary*

John H. Larson, Chair  
Fair Political Practices Commission  
428 J Street #800  
Sacramento, CA 95814


Dear Mr. Larson:

Are disclaimers required on slate mailers that are produced by Democratic Clubs that are officially chartered by the San Francisco County Democratic Central Committee?

## MEMBERS 16th ASSEMBLY DISTRICT

- Adrian Bermudez, Jr.
- Kimiko Burton
- Leslie Katz
- Steve Krefting
- Marilyn Miller
- Connie O'Connor
- Ruth Picon
- Jim Wachob
- Alicia Wang
- Simeon White

Sincerely,



Roger Sanders  
Executive Director

## MEMBERS 17th ASSEMBLY DISTRICT

- Susan Bierman
- Lulu Carter
- Ellen Chaitin
- Greg Day
- Catherine Dodd
- Terence Hallinan
- Agar Jaicks
- Tony Kilroy
- Carole Migden
- Victor Seeto

## MEMBERS 19th ASSEMBLY DISTRICT

- Bob Geary
- Michael Hardeman
- Alexa Smith
- Arlo Hale Smith

## EX-OFFICIO MEMBERS

- Hon. Barbara Boxer
- Hon. Willie Brown, Jr.
- Hon. John Burton
- Hon. Conway Collis
- Hon. Milton Marks
- Hon. Leo T. McCarthy
- Hon. Lou Papan
- Hon. Nancy Pelosi
- Hon. Jackie Speier



# California Fair Political Practices Commission

April 4, 1989

Roger Sanders  
Executive Director  
San Francisco County Democratic Party  
100 McAllister Street, Suite 350  
San Francisco, CA 94102

Re: Letter No. 89-193

Dear Mr. Sanders:

Your letter requesting advice under the Political Reform Act was received on March 31, 1989 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*  
Jeanne Pritchard  
Chief Technical Assistance  
and Analysis Division

JP:plh