



FAIR POLITICAL PRACTICES COMMISSION

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February 21, 2002

Lance H. Olson
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555 Capitol Mall, Suite 1425
Sacramento, CA 95814-4602

**Re: Your Request for Advice
Our File No. A-02-029**

Dear Mr. Olson:

This is in response to your letter requesting advice on behalf of the California Conservation Campaign, a recipient committee, regarding whether the committee qualifies as a general purpose or primarily formed committee under the Political Reform Act (the "Act").¹

QUESTION

Is the California Conservation Campaign a general purpose committee or a primarily formed ballot measure committee?

CONCLUSION

Under the specific circumstances provided by your letter, it appears that the California Conservation Campaign may register as a general purpose committee.

FACTS

The California Conservation Campaign (CCC), a California state recipient committee, is sponsored by The Conservation Campaign, a 501(c)(4) organization. The committee qualified on December 3, 2001, and was formed neither to support any one ballot measure, nor for multiple ballot measures appearing on a single ballot. The committee's long range goals are to support state and local ballot measures in California which preserve and protect the environment.

¹ Government Code sections 81000 – 91014. Commission regulations appear at Title 2, sections 18109 - 18997, of the California Code of Regulations.

The Conservation Campaign (TCC) 2000 Annual Report enclosed with your letter identifies ballot measure campaigns throughout the United States as receiving support. Although TCC has identified only Proposition 40 for support on the March 2002 ballot, three other state measures have been identified for TCC's support in qualifying the measures for the November 2002 state ballot. As such, CCC has not specifically solicited contributions to support Proposition 40. In fact, contributions are solicited to support a broad agenda of the Committee.

ANALYSIS

The Act defines a recipient committee in Section 82013(a) as "any person or combination of persons who directly or indirectly ... [r]eceive contributions totaling one thousand dollars (\$1,000) or more in a calendar year." A contribution is, in part, any payment that is made for political purposes. (Section 82015(a).) Since you stated that CCC solicits funds in order to support certain ballot measures, CCC clearly meets the definition of a recipient committee.

A primarily formed committee is defined as:

- "... a committee pursuant to subdivision (a) of Section 82013 which is formed or exists primarily to support or oppose any of the following:
- (a) A single candidate.
 - (b) A single measure.
 - (c) A group of specific candidates being voted upon in the same city, county, or multicounty election.
 - (d) Two or more measures being voted upon in the same city, county, multicounty, or state election." (Section 82047.5.)

You state that CCC does not exist to support any one ballot measure, but intends to support land conservation measures over time in various jurisdictions. It appears, then, that CCC would not qualify as a primarily formed committee.

A general purpose committee is defined as:

- "... any committee pursuant to subdivision (a) of Section 82013 which is formed or exists primarily to support or oppose more than one candidate or ballot measure, except as provided in Section 82047.5." (Section 82027.5.)

It appears from CCC's literature enclosed with your letter that CCC has not solicited funds to support or oppose any particular ballot measure, but solicits funds "to mobilize

public support for land conservation measures in the state of California...." Therefore, CCC should register and file reports as a general purpose committee.

If you have any additional questions, please feel free to call me at 916/322-5660.

Sincerely,

Luisa Menchaca
General Counsel



By: Kevin S. Moen, PhD
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