



# California Fair Political Practices Commission

September 19, 1989

Jeffrey P. Stark, Treasurer  
Pete Stark Re-Election Committee  
P.O. Box 5303  
Oakland, CA 94605

Re: Your Request for Advice  
Our File No. A-89-470

Dear Mr. Stark:

You have requested advice concerning the campaign provisions of the Political Reform Act of 1974.<sup>1</sup>

## QUESTION

What limits are imposed on a federal candidate's committee when it contributes to a California state or local candidate, a union political action committee, a county central committee, a political club, or a state party organization?

## CONCLUSION

A federal candidate's committee is limited to contributions totaling no more than \$1,000 per fiscal year to any candidate or candidate's committee, or a federal candidate's committee is limited to contributions totaling \$2,500 to any other committee if that money will be used to make contributions to candidates.

## FACTS

The Pete Stark Re-Election Committee is a federal committee for to support Mr. Stark's re-election to federal office.

## ANALYSIS

Proposition 73 imposes different limits on the amount of contributions candidates may receive from "persons" and from recipient committees, as defined by Section 82013(a). (Sections 85301-85030, 85305.) These limits are based on a fiscal year (July 1 - June 30). (Section 85102(a).) Even though the Pete Stark Re-Election Committee may receive contributions to support a candidacy, because it is a federal officeholder's committee with obligations to file its federal disclosure statement in California, it is not required to file as a California recipient committee even if it participates in California elections.

<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.

Jeffrey P. Stark  
Page Two

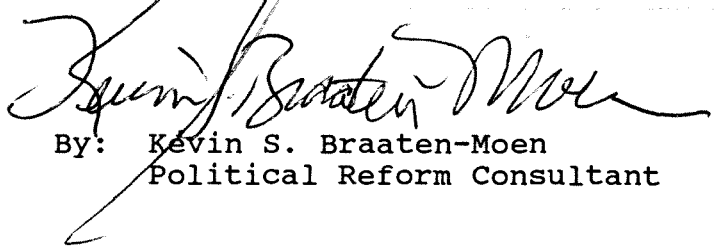
(Redding Advice Letter, No. A-81-034, copy enclosed.) However, it may qualify as a major donor committee or independent expenditure committee depending upon its activities. (Memo No. M-82-179, copy enclosed.)

Federal candidates' committees are not "recipient committees" under California law. They are considered "persons" for purposes of determining their contribution limits under Proposition 73. Therefore, the Pete Stark Re-Election Committee may contribute no more than \$1,000 per candidate (including any committee controlled by the candidate) within any fiscal year. It may contribute no more than \$2,500 to any one political committee, including union PACs, county central committees, political clubs or any state party organization if that money will be used to make contributions to candidates. (Sections 85301, 85302, 85305.)

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

Sincerely,

Kathryn E. Donovan  
General Counsel



By: Kevin S. Braaten-Moen  
Political Reform Consultant

Enclosures

**congressman**

**PETE STARK**

**Democrat**

FPPC  
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August 10, 1989

State of California Fair Political Practices Commission  
428 J Street, Suite 800  
Sacramento, CA 95814  
(916) 322-5901

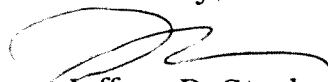
To Whom It May Concern:

The Pete Stark Re-Election Committee often receives requests for contributions from local and state candidates. In view of Propositions 73 and 68, I would like a written clarification of any current regulations covering contributions by a federal candidate or federal candidate's authorized committee concerning the following entities:

- A state or local candidate
- A state or local candidate's authorized committee
- A union or union PAC
- A county central committee
- A political club
- A state party organization (i.e. -Assembly district committee or Caucus).

I would especially be interested in information concerning contribution limits. Thank you for your assistance in this matter.

Sincerely,

  
Jeffrey P. Stark  
Treasurer

JPS:dbS

cc: FEC



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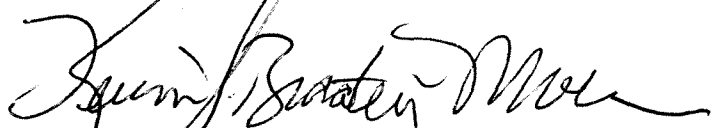
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Sincerely,

  
Jeffrey P. Stark  
Treasurer

JPS:dbs

cc: FEC



# California Fair Political Practices Commission

August 21, 1989

Jeffrey P. Stark  
Treasurer  
Pete Stark Re-Election Committee  
P.O. Box 5303  
Oakland, CA 94605

Re: Letter No. 89-470

Dear Mr. Stark:

Your letter requesting advice under the Political Reform Act was received on August 14, 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