



FAIR POLITICAL PRACTICES COMMISSION

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April 9, 1999

Cary Davidson
Reed & Davidson
520 South Grand Avenue, Suite 700
Los Angeles, California 90071-2645

**Re: Your Request for Advice
Our File No. I-99-079**

Dear Mr. Davidson:

This letter is in response to your request for informal assistance regarding the provisions of the Political Reform Act (the "Act").¹ You request general information as treasurer of several political committees, some of which pay professional signature gatherers to circulate initiative, referenda and/or recall petitions in California.

QUESTION

In light of the recent Supreme Court case *Buckley v. American Constitutional Law Foundation, Inc.*, what is the Commission's policy with regard to requiring disclosure on campaign statements of the names, addresses, and compensation of petition circulators?

CONCLUSION

The Commission is prohibited by Article III, §3.5 of the California Constitution from declaring a state statute unconstitutional or unenforceable, until an appellate court has reviewed the statute in question and has determined it to be unconstitutional or unenforceable. Until Section 84211(r) of the Act is amended by legislation or invalidated by an appellate court, you should continue to disclose the name, address, and amount paid to individual petition circulators. Staff plans to recommend that the Commission pursue legislation deleting this requirement of the Act in the near future.

¹ Government Code sections 81000 - 91014. Commission regulations appear at title 2, sections 18109 - 18995, of the California Code of Regulations. Informal assistance does not provide the requestor with the immunity provided by formal written advice. (Section 83114; Regulation 18329(c).)

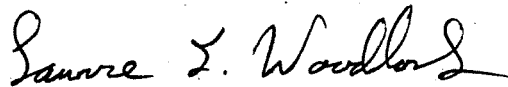
ANALYSIS

The question you raise was recently addressed in the *Miller* Advice letter, No. I-99-014. We enclose a copy of that Advice Letter for your review, in lieu of duplicating its analysis.

If you have any other questions on this matter, please contact me at (916) 322-5660.

Sincerely,

Steven G. Churchwell
General Counsel

A handwritten signature in black ink, appearing to read "Lawrence T. Woodlock". The signature is written in a cursive, flowing style.

By: Lawrence T. Woodlock
Staff Counsel, Legal Division

SGC:LTW:tls