



Office of the City Clerk
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By Cristobal Rocha at 2:19 pm, Jun 30, 2025

REQUEST ADVISORY OPINION FORM

City of Albuquerque
Board of Ethics & Campaign Practices

**All request forms must be submitted by email to cityclerk@cabq.gov
The Office of the City Clerk does not accept paper submissions.**

1. Complainant's Information			
Last Name Tittmann	First Name Miguel		
Mailing Address PO Box 25602	City Albuquerque	State NM	Zip Code 87125
Daytime Phone Number (include area code) 505-220-3598	Email Address tittmann244@gmail.com		

2. Please briefly explain the nature of the real or potential conflict with which you are requesting an advisory opinion

Dear Members of the Board of Ethics and Campaign Practices,

I am writing on behalf of the Measure Finance Committee -ABQ FirePAC, to seek further clarification regarding the disclaimer requirements outlined in Advisory Opinion # AV 02-2025 and described in Part 18(8)(2), specifically to 'Secondary Donors.' Part 18(8)(2) of the 2025 Rules for the Election Code and the Open and Ethical Election Code of the City Charter requires that "campaign materials produced for Independent Expenditures, Coordinated Expenditures, or Measure Finance Committees" must disclose the top five donors to the party issuing the campaign materials. In addition, such entities must disclose "Secondary Donor[s]" as follows: If any of the top five donors is a committee, organization, or other entity the disclaimer must also disclose the name of the top two donors of \$1,000 or more to that committee.

3. Please provide all material facts regarding the real or potential conflict.

Request for Clarification Regarding Advisory Opinion #AV 02-2025 and Part 18(8)(2) of the 2025 Rules for Election Code

Part 1: Disclosure of Top Five Donors

It is understood that Advisory Opinion #AV 02-2025 requires Multi-Funded Committees (MFCs) to disclose the top five donors to the party issuing the campaign materials. In our case, compliance with this requirement is straightforward, as we, the Labor Union, are the sole donor contributing toward campaign materials. Therefore, our organization is identified as the top donor, fulfilling this requirement without ambiguity.

Part 2: Clarification on Secondary Donor Disclosure

The opinion also stipulates that entities must disclose Secondary Donors. However, clarification is required regarding whether membership dues qualify as donations for secondary donor disclosure purposes. We do not consider our membership dues - which are uniformly paid by all members to support the operating costs of our organization - as donations. Accordingly, we do not believe it necessary or appropriate to disclose individual members' names under this rule. Additionally, membership dues are not 'deposited' or 'collected' from each member individually; rather they are pulled from their payroll and deposited into our general operating account by the City of Albuquerque & Bernalillo County. All accounting shows deposits made by these two entities, not by individual members. Lastly, membership dues are a set amount, and no member contributes more than any other member. Further, the only additional entities that could potentially be classified as Secondary Donors would be those contributing to our benefits program account, such as the "Survivors Fund" (offsetting unexpected medical bills due to serious illnesses or injuries) and the Membership Assistance Program (behavioral health support). The primary contributors to these funds are the City of Albuquerque and Bernalillo County. However, disclosing these entities as Secondary Donors in campaign materials seems contradictory to the spirit and intention of the stated rule. Such disclosure could confuse the public or misrepresent the nature of their contributions, as these funds are unrelated to political campaigns and are guided by Collective Bargaining Agreements as well as our Constitution & Bylaws.

Additional space for details from #3. Attach documentation of the material facts listed in #2 to this form and mark each separate document with a separate exhibit number.

Part 3: Request for Clarification

We respectfully request clarification on the interpretation and application of the rule regarding Secondary Donor disclosure. Specifically, we seek to understand:

- Whether our organization's membership dues, paid uniformly by all members, and deposited by the City of Albuquerque & Bernalillo County should be considered donations requiring disclosure under this rule.
- If so, would this disclosure be based on the actual "donor... that gives, donates or presents" the funds; the person or entity that makes the deposit (ie. City of Albuquerque)?
- Whether the funding to non-political benefits programs with separate accounts (some of which are governed by Collective Bargaining Agreements), such as the Survivors Fund and Membership Assistance Program, should be classified as Secondary Donors for campaign material disclosure purposes.
- How to address the potential confusion that could arise from identifying our organization's two employers, the City of Albuquerque and Bernalillo County, as Secondary Donors in campaign materials.

We appreciate your guidance in resolving these questions to ensure compliance with the election code while maintaining transparency and integrity in our campaign efforts.