

January 27, 1988

Mark Kempton
928 - 45th Street
Sacramento, CA 95819

Re: Your Request for Advice
Our File No I-87-328

Dear Mr. Kempton:

You have requested advice concerning the permissible use of surplus campaign funds.

The Fair Political Practices Commission interprets and enforces the Political Reform Act of 1974. (Government Code Sections 81000-91015, copy enclosed.) The Political Reform Act does not address the permissible uses of campaign funds. However, enclosed for your information is a copy of California Elections Code Section 12400, et seq. The California Attorney General interprets the Elections Code. If you have questions concerning Elections Code Section 12400, et seq., please call Ted Prim, Deputy Attorney General, at (916) 324-5481.

If you have any questions about this letter, you may call me at (916) 322-5662.

Sincerely,

Diane M. Griffiths
General Counsel

By Jeanne Pritchard
Division Chief
Technical Assistance and
Analysis Division

DEC 29 3 09 PM '87

December 25, 1987

Fair Political Practices Commission
Sacramento, California

Gentlemen:

Years ago I was the Treasurer for "Randy Burton for SMUD". According to bank records (see enclosed) the campaign has a balance of \$39.27. The bank is charging \$1.00 per month to service this inactive account because the balance is less than \$200.00.

What must I do with this balance to be within the law? While the balance is very small, I don't want to get the system upset by breaking one of the many complex rules that exist today.

I see these as some of the options:

1. return the funds to the candidate;
2. contribute the amount to a charity;
3. let the bank service charge the account out of existence; and
4. give the money to the state (ugh).

Please advise as soon as possible what I can do legally.

Sincerely;

Mark Kempton

Mark Kempton
928 45th St.
Sacramento, California 95819



JMK TEP CW DAH JO
LJR DIS ROP NJN MAB
MPM DAC OJ CLZ
LSK

DEC 21 1987

December 16, 1987

Randy Burton for SMUD
Campaign Committee
C/O Mark Kempton
555 Capitol Mall Ste 1235
Sacramento CA 95814

Re: Account # 282361

Dear Mr. Kempton:

The enclosed letter regarding verification of your Tax Identification number is being returned for your signature. The hand written note that was placed at the top of the letter indicates that you are under the impression that the account has been closed. According to our records the account has a current balance of \$39.27. The type of account these funds are in has a \$1.00 per month service charge if the balance is under \$200.00.

Please come into our office to bring the balance up to \$200.00 or to close the account since it has been inactive for some time. If you have any questions, please contact us at 923-4501.

Sincerely yours,

A handwritten signature in cursive script that reads "Judy Ann Randall".

JUDY ANN RANDALL
Sales Representative



California Fair Political Practices Commission

December 31, 1987

Mark Kempton
928 - 45th Street
Sacramento, CA 95819

Re: 87-328

Dear Mr. Kempton:

Your letter requesting advice under the Political Reform Act was received on December 29, 1987 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. Adm. Code 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