



California Fair Political Practices Commission

July 15, 1988

Mr. Dave Ross
R&L Consulting Group
10670 Treena Street, Suite 210
San Diego, CA 92131

RE: Your Request for Advice
Our File No. A-88-225

Dear Mr. Ross:

You have requested advice on behalf of Mark Loscher, San Marcos City Councilmember. The advice you seek is under the campaign disclosure provisions of the Political Reform Act (the "Act").^{1/} Your letter indicates that you are authorized by Mr. Loscher to request advice on his behalf.

FACTS

Mark Loscher is a San Marcos City Councilman. He loaned his controlled committee approximately \$7,000, part of which was still outstanding at the time he terminated his committee.

QUESTION

May the committee be reactivated to report a repayment of the outstanding loan owed to Mr. Loscher?

CONCLUSION

The committee may repay the outstanding loan.

^{1/}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.

Mr. Dave Ross
Page 2

Mr. Loscher and the committee must file a semi-annual campaign statement (Form 490) reporting the repayment and any other campaign activity incurred during the period covered by the semi-annual statement.

ANALYSIS

Officeholders whose salary is \$100 or more per month are required to file semi-annual campaign statements. (Section 84200.) Any additional activity incurred by an officeholder's terminated committee will require that committee to file campaign disclosure statements. A semi-annual statement will be triggered by the terminated committee when the committee makes a payment to reduce its outstanding debts. (1988 "Information Manual on Campaign Disclosure Provisions of the Political Reform Act," Page 95.)

Please do not hesitate to contact me at 916/322-5662 if you have additional questions concerning this matter.

Sincerely,

Diane M. Griffiths
General Counsel



By: Mary Ann Kvasager
Political Reform Consultant

DMG:MAK:kt

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June 14, 1988

10670 TREENA STREET
SUITE 210
SAN DIEGO, CA 92131
(619) 586-7993

Fair Political Practices Commission
P.O. Box 807
Sacramento, CA 95804-0807

To Whom It May Concern:

In a recent phone conversation with an FPPC staffer, it was confirmed that an individual who had closed a recipient committee with a stated deficit, could reopen the same committee in an attempt to repay any creditors.

This particular situation involves San Marcos City Councilman Mark Loscher, who loaned his recipient committee, Committee for Objective Government, approximately \$7,000, part of which was not repaid. The committee was closed showing a deficit, which Mr. Loscher had not planned to recover.

Mr. Loscher has requested that I write this letter as his campaign representative. He would like a written reply, stating that he may reopen his committee if the above stated circumstances apply.

Please address all correspondence to me at the address listed above. If you should have any questions, I may be reached in the same office.

Thank you for your consideration.

Sincerely,
R & L Consulting Group, Inc.

A handwritten signature in black ink, appearing to read 'Dave Ross', written over the typed name below.

Dave Ross

DR/ap



California Fair Political Practices Commission

June 17, 1988

Dave Ross
R & L Consulting Group
10670 Treena Street, Suite 210
San Diego, CA 92131

Re: 88-225

Dear Mr. Ross:

Your letter requesting advice under the Political Reform Act was received on June 16, 1988 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,

A handwritten signature in cursive script, appearing to read "Jeanne Pritchard", is written over the typed name.

Jeanne Pritchard
Chief
Technical Assistance and Analysis
Division

JP:plh

JUN 15 8 12 AM '88



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June 14, 1988

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Dave Ross

DR/ap