



California Fair Political Practices Commission

May 15, 1991

Paul Herman
c/o Supervisor Carole Migden
Room 235
City Hall
San Francisco, CA 94102

Re: Your Request for Advice
Our File No. A-91-238

Dear Mr. Herman:

On behalf of San Francisco Supervisor Carole Migden, you have requested confirmation of telephone advice provided under the campaign provisions of the Political Reform Act.¹

Your letter, dated April 19, 1991, accurately reflects the advice provided in our telephone conversation, as follows:

The Carole Migden for Supervisor 1991 committee has an outstanding campaign loan owed to the candidate. In order to raise funds for officeholder expenses within the restrictions of a local contribution limitation ordinance, Ms. Migden is establishing a separate committee entitled Friends of Carole Migden. In order to meet the state requirement for having one bank account per election (Section 85201), Ms. Migden would like to transfer her debt to the Friends committee and terminate the Carole Migden for Supervisor 1991 committee. Under the Act, transfers of debt may be made between an officeholder's own accounts for the same office. A candidate may not transfer debt incurred while running for one office to a committee established to run for another office.

In reporting the transfer of the outstanding loan, the Friends committee should show the outstanding loan amount in column A, line 2 of the Summary Page of the Form 490. A notation should be made referring the reader to Schedule B (Loans Received). On Schedule B, Part 1, a note should indicate a

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.

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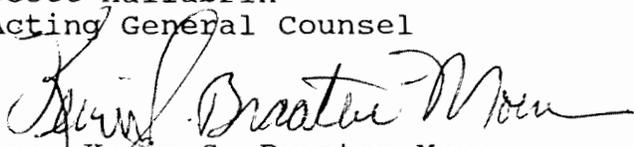
transfer of an outstanding loan was made from the Carole Migden for Supervisor 1991 committee. However, do not reflect the transfer in the summary section at the bottom of Schedule B. The Carole Migden for Supervisor committee should include a note for column C, line 2 of the Summary Page of its Form 490 that the loan has been transferred to the new committee. Do not show a loan repayment, as this will inaccurately adjust the amount of the committee's cash on hand.

A copy of your letter is enclosed for your convenience.

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

Sincerely,

Scott Hallabrin
Acting General Counsel



by: Kevin S. Braaten-Moen
Political Reform Consultant

Enclosure



April 19, 1991

APR 23 1991

Mr. Kevin Braaten-Moen
Fair Political Practices Commission
428 J Street, Suite 800
Sacramento, CA 95804-0807

Dear Mr. Braaten-Moen:

I am seeking written confirmation of advice you gave me on the telephone on April 19, 1991.

You told me that I could transfer campaign debt from our "Carole Migden for Supervisor 1991" (ID#892226) bank account to our "Friends of Carole Migden" officeholder account. The only outstanding debt is owed to the Supervisor herself.

When I transfer the debt, I will report the transfer as an outstanding loan and campaign debt from another account.

I would appreciate any additional information you might be able to provide to guide us in the transfer.

Thank you for your prompt attention to this matter.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Paul".

Paul Herman
Legislative Assistant

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cc: Donald Disler, Esq.
Randy Riddle, Deputy City Attorney
George Beckwith, Assistant District Attorney