

# State of California



## Fair Political Practices Commission

P.O. BOX 807 • SACRAMENTO, 95804 • • • 1100 K STREET BUILDING, SACRAMENTO, 95814

Technical Assistance  
(916) 322-5662

• • Administration • •  
322-5660

• • Executive/Legal • •  
322-5901

• • Enforcement • •  
322-6441

• • Statements of Economic Interest  
322-6444

February 19, 1985

Effie McDermott  
166 Leeward Avenue  
Pismo Beach, CA 93449

Re: Your Request for Advice  
Our No. A-85-015

Dear Ms. McDermott:

You have written requesting our advice based upon the following facts.

### FACTS

In 1982, I ran for an office and had to loan my committee funds. When I closed out the reports, the balance of the personal loan reverted to a contribution due to inability of the committee to repay same.

In 1984, I again ran for the same office and filed again as a committee with a new number. The 1984 campaign closed with a surplus in the account.

### QUESTION

Can the 1984 Committee make a contribution to the 1982 Committee and repay part of the unpaid loan?

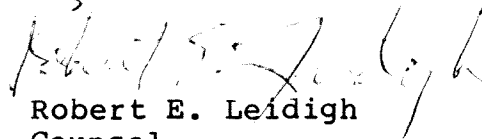
### ANSWER

If the 1982 Committee terminated and closed its books, showing no remaining obligations, then there is no committee to which the 1984 Committee may contribute. See Government Code Section 84214 and Commission regulation 2 Cal. Adm. Code Section 18404. However, if you showed the loan as an outstanding obligation in the 1982 Committee's final statement, a contribution may be made to the 1982 Committee for the purpose of repaying the debt. Of course, a report must be filed. As to whether the loan may otherwise be paid off from the 1984

Effie McDermott  
February 19, 1985  
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Committee, we suggest you consult with the Attorney General's Office as that agency, not ours, oversees the "personal use" law in Elections Code Sections 12400, et seq

Sincerely,

A handwritten signature in dark ink, appearing to read "Robert E. Leidigh", is written over the typed name.

Robert E. Leidigh  
Counsel  
Legal Division

REL:plh

January 16, 1985

Fair Political Practices Commission  
State of California  
1100 Kay Street  
Sacramento, CA 95814

F P P C  
JAN 18 1 57 PM '85

Gentlemen:

Please answer this question for me:

In 1982, I ran for an office and had to loan my committee funds. When I closed out the reports, the balance of the personal loan reverted to a contribution due to inability of the committee to repay same.

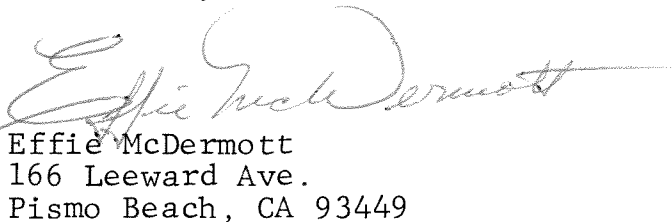
In 1984, I again ran for the same office and filed again as a committee with a new number. The 1984 campaign closed with a surplus in the account.

Question:

Can the 1984 Committee make a contribution to the 1982 Committee and repay part of the unpaid loan?

Thank you for your assistance.

Yours truly,



Effie McDermott  
166 Leeward Ave.  
Pismo Beach, CA 93449

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January 29, 1985

Effie McDermott  
166 Leeward Avenue  
Pismo Beach, CA 93449

Re: A-85-015

Dear Ms. McDermott:

Your letter requesting advice under the Political Reform Act has been referred to Robert E. Leidigh, an attorney in the Legal Division of the Fair Political Practices Commission. If you have any questions about your advice request, you may contact this attorney directly at (916) 322-5901.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or unless more information is needed to answer your request, you should expect a response within 21 working days.

Very truly yours,

A handwritten signature in cursive script, reading "Barbara A. Milman".  
Barbara A. Milman  
General Counsel

BAM:nwm