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July 22, 1976

A-76-310

Mr. Roger Gama
Administrative Assistant
West End Office
1053 W. 5th Street
Ontario, California 91762

Dear Mr. Gama:

Please forgive the delay in responding to your letter of May 7, 1976 concerning intermediaries and company donations. The staff has discussed the questions you posed at some length and has arrived at the following conclusions.

If a check is made payable to an agent of a candidate or committee rather than the intended donee and the check is endorsed payable to the intended recipient, the agent need not be disclosed as an intermediary. An intermediary situation only may occur when an individual is acting on behalf of a donor and not when acting as an agent for a candidate or committee.

In response to your second question, the company title, address and amount appearing on a check may be accepted as the contributor unless the recipient has knowledge that the contributor is other than the one represented on the check.

If I can be of any further assistance, do not hesitate to let me know.

Very truly yours,

Fayina Siciliano-Kuchins
Technical Assistance Program
Coordinator

ESK:ew

cc: Jeanne F. ↙



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VICE CHAIRMAN
REVENUE AND TAXATION COMMITTEE

May 7, 1976

Mr. Rich Eichman
Fair Political Practices Commission
1100 K Street
Sacramento, CA 95814

Dear Mr. Eichman:

I recently discussed with you some items relating to campaign statements which were unclear. Specifically, the category of intermediary and the reporting of "company" donations.

I was informed that if a contribution to a candidate is given to an individual other than intended recipient and this check is not held more than five days, is properly endorsed by the individual and submitted to the candidate, the individual receiving this contribution need not be listed as an intermediary by the candidate.

The second question pertains to company checks. It is difficult to determine whether some of these are corporations, sole proprietorships or partnerships. Since it would be extremely difficult to trace the information, the report should list the contributor by title appearing on the check, address and amount.

I would like confirmation on these points or your comments on proper reporting if they differ from the statements above.

Thank you,

Roger Gama
Administrative Assistant

*5-24-76
Will write a
journal opinion
request re - intermediaries
Grim*

*6-14-76
NO response
to my knowledge
re representative
opinion -
Grim*

*discussed with
someone else*

discussed with me