

State of California



Fair Political Practices Commission

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

February 18, 1977

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W. A. McCormick, Controller
The Republican Central Committee
of Los Angeles County
619 South New Hampshire Avenue
Los Angeles, CA 90005

Dear Mr. McCormick:

Kenneth Finney has asked me to respond to your letters of November 24, 1976. Although this office has no record of receiving the November correspondence, we have received your subsequent letter dated January 25, 1977, and the enclosed copies of your earlier letters.

With regard to your question concerning the receipt of funds from the Republican National Committee, the \$30,000 payment was a late contribution and should have been disclosed as such. Furthermore, the contribution should have been disclosed on the postelection statement filed by the Republican Central Committee.

You also asked whether dues payments of \$1,000 or more that are received by several committees after the closing date of the last preelection statement are "late contributions." As Mr. Finney indicated in a telephone conversation on November 23, 1976, the Political Reform Act does not distinguish between types of contributions when it imposes reporting requirements applicable to late contributions. Consequently, if the dues payments described above are "contributions" within the meaning of Government Code Section 82015, they are late contributions and you must comply with the requirements of Section 84214. In addition, you should have reported receipt of the dues payments on the postelection statements filed by each of the committees in question.

As you are aware, you have violated the disclosure provisions of the Political Reform Act by failing to report the contribution from the Republican National Committee and certain dues

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receipts as "late contributions." However, under the circumstances as outlined by you in your letters and telephone conversations with Mr. Finney, it is doubtful that the Commission will initiate an enforcement proceeding so long as the committees' postelection statements fully and accurately disclose receipt of these contributions. If the postelection statements do not make such disclosure, you should amend them immediately.

I hope this information will be of assistance.

Sincerely,

Natalie E. West
Staff Counsel
Legal Division

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THE REPUBLICAN

Central Committee of Los Angeles County

J. WILLIAM OROZCO
CHAIRMAN

619 SOUTH NEW HAMPSHIRE AVENUE
LOS ANGELES, CALIFORNIA 90005

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24 November 1976

Kenneth Finney, Legal Staff
Fair Political Practices Commission
Post Office Box 807
Sacramento, Ca., 95804

Dear Mr. Finney,

On November 1 the Republican Central Committee of Los Angeles County, ID# 742145, received \$ 30,000 from the Republican National Committee. The check from the Republican National Committee was dated October 26 and the description on the bottom of the check was "Transfer Out".

Because the Republican Central Committee of Los Angeles County is not a reporting committee with the Federal Election Commission and because the funds received were our share of net proceeds of the Republican National Committee's October 7 fund raiser in Beverly Hills, I called on November 2 and received a callback on November 4 from Rodney Smith of the Republican National Committee. He advised me that the RNC's terminology would stand. I had previously contacted the Federal Election Commission on November 3 and asked the legal staff to make a determination whether we should make a report of the receipt even when we had not been subject to reporting under the Act.

On November 9 the Federal Election Commission advised me that this committee would not be required to make a report. However, it was too late to qualify under Proposition Nine for reporting within 48 hours. Would you please clarify this matter for the future?

In the past and for the present, the Republican Central Committee of Los Angeles County asks that the Republican State Central Committee, the Republican National Committee, or any other committee not headquartered in Los Angeles County, share its net proceeds with this committee when holding a fund raiser within the county. We can not anticipate the amount because each is based upon a percentage of net proceeds.

We appreciate your prompt reply to this inquiry.

Sincerely,


W.A. McCormick, Controller

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THE REPUBLICAN

Central Committee of Los Angeles County

J. WILLIAM OROZCO
CHAIRMAN

381-6981
619 SOUTH NEW HAMPSHIRE AVENUE
LOS ANGELES, CALIFORNIA 90005

24 November 1976

Kenneth Finney, Legal Staff
Fair Political Practices Commission
Post Office Box 807
Sacramento, Ca., 95804

Dear Mr. Finney,

May I, on behalf of the Republican Central Committee of Los Angeles County and of the Committee to Elect State and Local Candidates, of which I am controller, and the Lincoln Clubs of Los Angeles County, of which I am treasurer, ask for a clarification of the reporting rules of \$1,000 or more contributions received during the days immediately prior to an election?

Both the Republican Central Committee and the Committee to Elect State and Local Candidates have Republican Statesmen memberships received by them throughout the year. We have \$5,000 memberships and \$3,000 memberships. If the person or the organization chooses to pay quarterly or semi-annually, the amount received will exceed \$1,000 but has nothing to do with the election. Must such a payment be reported within the required 48 hours?

Similarly, the Lincoln Clubs of Los Angeles County has \$1,000 per year memberships which we can not anticipate when the member will send in his money. Do these fall within the 48 hour reporting requirement?

Sincerely,

W.A. McCormick

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