



# California Fair Political Practices Commission

October 24, 1988

Robert A. Philipp  
5950 Imperial Highway, Unit 27  
South Gate, CA 90280

Re: Our File No. I-88-399

Dear Mr. Philipp:

You have requested advice concerning the legality of returning surplus campaign funds to identifiable contributors or using the funds to reimburse persons who made nonmonetary contributions to your campaign. Your letter concerns application of Elections Code Sections 12400-12404, a subject outside the jurisdiction of the Fair Political Practices Commission. Your question is more appropriately addressed to the Attorney General's Office. Therefore, we have forwarded your letter to Assistant Attorney General N. Eugene Hill for a response. A copy of our letter to Mr. Hill is enclosed.

Sincerely,

Diane M. Griffiths  
General Counsel

A handwritten signature in cursive script that reads "Kathryn E. Donovan".

By: Kathryn E. Donovan  
Counsel, Legal Division

DMG:KED:plh

Enclosure

SEP 28 1988

September 28, 1988

Fair Political Practices Commission  
428 "J" Street, Suite 800  
Sacramento, CA 95814

Re: Formal Written Advice Request.

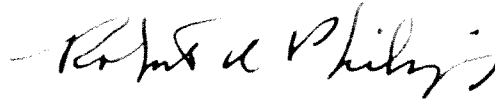
Dear Commissioners:

Following my election to the South Gate City Council (April 12, 1988), my Controlled Committee finds itself with a surplus of campaign contributions. The Committee would like to know if these surplus funds can be given back to various identifiable contributors and/or can these funds be used to reimburse "inkind" contributors?

Additionally, during the campaign my Corporation (wholly owned by me) made both cash and inkind contributions to the Controlled Committee. Now the question -- can the Committee reimburse my Corporation for its contributions to the tune of 100% of the surplus funds remaining in the Committee's bank account?

In light of the spending limitations of Prop. 73, the Committee would like to resolve this issue as quickly as possible.

Sincerely,



ROBERT A. PHILIPP  
5950 Imperial Highway, Unit 27  
South Gate, CA 90280

RAP:hs



# California Fair Political Practices Commission

October 24, 1988

N. Eugene Hill  
Assistant Attorney General  
1515 K Street, Suite 511  
P.O. Box 944255  
Sacramento, CA 94244-2550

Dear Mr. Hill:

We are referring to you a letter from Mr. Robert A. Philipp concerning disposition of his surplus campaign funds. We have informed Mr. Philipp that his questions are outside the scope of the Political Reform Act and are more appropriately addressed to the Attorney General's Office.

Thank you for your assistance.

Sincerely,

Diane M. Griffiths  
General Counsel

By: Kathryn E. Donovan  
Counsel, Legal Division

DMG:KED:plh

Enclosure