



California Fair Political Practices Commission

March 2, 1989

Patrick Carroll Shea
Lillick & McHose
101 West Broadway, 18th Floor
San Diego, CA 92101

Re: Your Request for Advice
Our File No. A-89-105

Dear Mr. Shea:

You have requested advice concerning the duties of San Diego County Supervisor Susan Golding under the campaign provisions of the Political Reform Act (the "Act").^{1/} This letter confirms that your letter dated February 9, 1989, accurately summarizes the telephone advice I provided to you on that date.

Please contact me at (916) 322-5901 if you have any further questions regarding this matter.

Sincerely,

Diane M. Griffiths
General Counsel

Kathryn E. Donovan
By: Kathryn E. Donovan
Counsel, Legal Division

DMG:KED:plh

^{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.

LILLICK & MCHOSE
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
ATTORNEYS AT LAW
101 WEST BROADWAY, 18TH FLOOR
SAN DIEGO, CALIFORNIA 92101
TELEPHONE (619) 234-5000

725 SOUTH F GUERCA STREET
LOS ANGELES, CALIF. 90017
TELEPHONE (213) 488-7100

IRA S. LILLICK (619) 234-1967
CABLES "LILLICKMCHOSE"
INTERNATIONAL TELEX-552755
TELECOPIER (619) 236-1995

February 13, 1989

DIRECT DIAL NO.
(619) 544-3177

Kathryn E. Donovan, Esq.
Fair Political Practices Commission
P.O. Box 807
Sacramento, California 95804

Re: Citizens for Susan Golding
1984 Campaign Deficiencies/Funds on Deposit From
1988 Campaign
Effect of Proposition 73
Our File No. GOL12-001

Dear Ms. Donovan:

Thank you for speaking with me last week regarding the above matter.

Enclosed you will find a copy of my letter to my client, San Diego County Supervisor Susan Golding regarding same.

At your convenience, I would appreciate receiving from you confirmation of this advice.

The purpose of this correspondence is merely to avoid any controversy and possible embarrassment to Ms. Golding in a subsequent campaign as a result of the actions intended to be taken respecting use of the 1988 surplus for the 1984 deficit.

Please feel free to call me with any questions you have regarding the above.

Sincerely,

LILLICK & MCHOSE

By: Patrick Carroll Shea
Professional Corporation

By: 
Patrick Carroll Shea

PCS:bc
dictated but not read

LILLICK & MCHOSE
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IRA S. LILLICK (1875-1967)
CABLES "LILLICKMCHOSE"
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TELECOPIER (619) 238-1995

February 9, 1989

DIRECT DIAL NO.

Honorable Susan Golding
San Diego County Board of Supervisors
1600 Pacific Coast Highway
Room 335
San Diego, California 92101

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Re: Citizens for Susan Golding
1984 Campaign Deficiencies/Funds on Deposit from
1988 Campaign
Effect of Proposition 73
Our File No. GOL12-001

Dear Susan:

You have asked me to advise you regarding the ability of your campaign committee, Citizens for Susan Golding, to use contributions raised in the successful primary election of 1988 to pay off the deficit of the 1984 campaign. This question has surfaced as a result of the enactment of last year's Proposition 73 which restricts the use of campaign contributions to the specific campaign identified to the contributor at the time the contribution is made.

The enactment of Proposition 73 provided for an effective date of January 1, 1989. From and after that date, contributions made to an individual running for a particular office may only be used by that individual in connection with the campaign for the designated office and may not be transferred to other candidates, nor used for campaigns other than that announced at the time the contribution was made. You have a surplus of campaign contributions from your successful 1988 primary campaign victory and you would like to use those funds to pay off the debt incurred by your committee in connection with the 1984 campaign. Since this transfer would occur in February of 1989, you are concerned about the effect of Proposition 73 on the transfer.

The Fair Political Practices Commission, through Attorney Kathryn E. Donovan, has confirmed that the effective date of Proposition 73 restricts only the use of those contributions received on and after January 1, 1989. Therefore, according to the FPPC, you may use the 1988 surplus to pay off the 1984 deficit, provided the funds in the surplus account were solicited and received in accordance with then applicable County ordinances respecting campaign contributions to persons running for a supervisor's office.

Honorable Susan Golding
February 9, 1989
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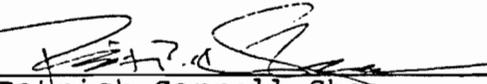
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As always, I send my best wishes.

Sincerely,

LILLICK & MCHOSE

PATRICK CARROLL SHEA
A Professional Corporation

By: 
Patrick Carroll Shea

PCS:w1
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