



California
Fair Political
Practices Commission

SUPERSEDED

March 14, 1989

Honorable Curt Pringle
Assemblyman, Seventy-Second District
State Capitol
P.O. Box 942849
Sacramento, CA 94249-0001

Re: Your Request for Advice
Our File No. A-89-155

Dear Assemblyman Pringle:

You have requested confirmation of advice under the Political Reform Act (the "Act").^{1/} As I informed you in our telephone conversation of March 10, 1989, we have reviewed your request and we confirm that you may raise contributions in excess of the limits set forth in Sections 85301, 85302, 85303 and 85305 to defend against the recall effort. For purposes of these statutes, we consider the recall campaign to be a campaign to support or oppose a ballot measure, and thus exempt from the contribution limits. (See Section 82043.)

To raise funds to oppose the recall effort, you are required to establish a committee that is separate from your other controlled committees. No funds collected by this committee may be used for your other election campaign or officeholder expenses. I also advised you that your name is required to be included in the name of this committee. (Section 84106.)

Finally, I informed you that we cannot confirm your understanding about the use of funds raised by other candidates, political committees and political parties prior to January 1, 1989 to support or oppose the recall campaign against you. I advised you that Regulation 18536.2 (copy enclosed) expressly prohibits other candidates, political committees and political parties from using any funds raised prior to January 1, 1989 to

^{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.

Honorable Curt Pringle
March 14, 1989
Page 2

support or oppose the recall effort against you. (Regulation
18536.2(b)(3) and (c)(1).)

If you have any questions, please contact me at
(916) 322-5901.

Sincerely,

Diane M. Griffiths
General Counsel

Kathryn E. Donovan

By: Kathryn E. Donovan
Counsel, Legal Division

DMG:KED:plh

Enclosure

Assembly California Legislature

CURT PRINGLE
ASSEMBLYMAN, SEVENTY-SECOND DISTRICT

March 9, 1989

Mr. John Larson
Chairman
Fair Political Practices Commission
428 J Street, Suite 800
Sacramento, CA 95814

Dear Mr. Larson:

I would greatly appreciate confirmation from you regarding Proposition 73 and its effect on recall elections.

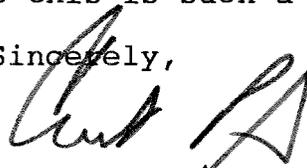
It is my understanding that the FPPC is advising proponents and opponents (specifically an elected official who is the subject of the recall) that the Proposition 73 contribution limits do not apply to recall elections. Thus, both proponents and opponents are able to raise funds in unlimited amounts.

It is my further understanding that the elected official who is the object of a recall campaign is able to simultaneously raise funds in unlimited amounts for the recall election and also raise funds under Proposition 73 contribution limits for his re-election campaign, provided he has filed his 501 Statement of Intent. Moreover, the contributions an elected official receives for a recall campaign would not be cumulated. I am faced with an announced recall and, at least, one \$10,000 contribution has been donated to that recall effort. On the basis of the foregoing, I understand that: (1) I can now begin to raise the unlimited funds to defend myself in the recall campaign; (2) Restricted and 1988 funds from a candidate, political committee, and/or political party may be contributed to me as well as the proponent and opponents of the recall campaign.

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Thank you for your assistance. I would appreciate hearing from you as soon as possible since this is such a pressing matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Curt Pringle". The signature is stylized and written in a cursive-like font.

CURT PRINGLE

cc: Assemblyman Ross Johnson