



California Fair Political Practices Commission

April 14, 1989

Judith Sproul Davis
Nielsen, Merksamer, Hodgson,
Parrinello & Mueller
770 L Street, Suite 800
Sacramento, CA 95814

Re: Your Request for Informal Assistance
Our File No. I-89-203

Dear Ms. Davis:

We have received your letter of April 5, 1989 seeking written confirmation of the advice I provided in our telephone conversation of March 30, 1989. This is to confirm that your letter accurately reflects that advice.

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

Sincerely,

Diane M. Griffiths
General Counsel

A handwritten signature in cursive script that reads "John G. McLean".

By: John G. McLean
Counsel, Legal Division

DMG:JGM:ld

LAW OFFICES OF
NIELSEN, MERKSAMER,
HODGSON, PARRINELLO & MUELLER
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

SAN FRANCISCO
650 CALIFORNIA STREET, SUITE 2650
SAN FRANCISCO, CALIFORNIA 94108
TELEPHONE (415) 989-6800

770 L STREET, SUITE 800
SACRAMENTO, CALIFORNIA 95814
TELEPHONE (916) 446-6752

APR 6 1989

FILE NUMBER

5066.02

April 5, 1989

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

Re: Advice Regarding Contributions From PAC
Restricted Funds to the Project 90 Committee
For Debt Reduction

Dear John:

This is to confirm my understanding of the advice you rendered during our telephone conversation on March 30, 1989. I called you because several of our political action committee clients have been informed that "restricted" funds could be used to contribute to the "Project 90" committee for purposes of retiring that committee's debt to a bank. A copy of your letter to Assembly Minority Leader Ross Johnson (dated March 23, 1989) was provided as authority for this.

During our conversation, you stated that although your letter to Mr. Johnson was not fact-specific, you had advised him that a non-controlled PAC could contribute from restricted funds to the Project 90 committee so that Project 90 could pay off a bank loan it took out to repay the Assembly Republican PAC ("AR-PAC"). You advised me that, generally, if one non-controlled committee could use restricted funds for a purpose permitted by 2 Cal. Code of Regs. section 18536.2, that committee could contribute restricted funds to another non-controlled committee for a similarly permitted purpose. In other words, if PAC A could use its restricted funds to retire a debt incurred prior to January 1, 1989, then PAC A can contribute restricted funds to PAC B to retire PAC B's pre-1989 debt provided the contributions are within the applicable contribution limit.

If this letter correctly reflects the information and advice conveyed during our conversation, could you please sign, date, and return the copy enclosed and return it to me in the envelope provided. If any of the understandings recited are

Mr. John McLean, Counsel
April 5, 1989
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incorrect, please advise me of that at your earliest convenience.
I would appreciate a written follow-up in that event as well.

Thank you, John, for your assistance in this matter.

Very truly yours,



JUDITH SPROUL DAVIS

JSD:ss
Enclosure
cc: Cathy Taylor

John McLean

Date



California Fair Political Practices Commission

April 12, 1989

Judith Sproul Davis
Nielsen, Merksamer, Hodgson,
Parrinello & Mueller
770 L Street, Suite 800
Sacramento, CA 95814

Re: Letter No. 89-203

Dear Ms. Davis:

Your letter requesting advice under the Political Reform Act was received on April 6, 1989 by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact John McLean an attorney in the Legal Division, directly at (916) 322-5901.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or more information is needed, you should expect a response within 21 working days if your request seeks formal written advice. If more information is needed, the person assigned to prepare a response to your request will contact you shortly to advise you as to information needed. If your request is for informal assistance, we will answer it as quickly as we can. (See Commission Regulation 18329 (2 Cal. Code of Regs. Sec. 18329).)

You also should be aware that your letter and our response are public records which may be disclosed to the public upon receipt of a proper request for disclosure.

Very truly yours,

Diane M. Griffiths
Diane M. Griffiths
General Counsel

DMG:plh