



California Fair Political Practices Commission

June 2, 1989

Betsy Starbuck
Friends of Larry Walker
P.O. Box 968
Chino, CA 91708-0968

Re: Your Request for Advice
Our File No. A-89-266

Dear Ms. Starbuck:

You have requested confirmation of telephone advice concerning the campaign provisions of the Political Reform Act of 1974.1/

You asked about use of campaign funds received and use of assets purchased prior to January 1, 1989.

My telephone advice was provided prior to the May 15, 1989 ruling in Service Employees International Union v. Fair Political Practices Commission, U.S. District Court, Eastern Dist. of California, No. CIVS-89-0433 LKK-JFM. In that case, the court granted a preliminary injunction limiting enforcement of certain provisions of Proposition 73. This ruling provides that campaign funds received by a candidate prior to January 1, 1989 may be used in connection with the candidate's future election, so long as the contributions which make up the funds were within the contribution limitations of Proposition 73 at the time they were received, or are brought into compliance with the limitations. (For example, \$1,000 of a contribution from an individual may be carried over for use after January 1, 1989.)

With regard to office equipment and other assets, if Friends of Larry Walker intends to use assets purchased after June 8, 1988, the assets must be re-purchased with money received within the contribution limitations of Proposition 73. Assets purchased prior to June 8, 1988, may be allocated for use in connection with a future campaign, and are not required to be re-purchased.

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.

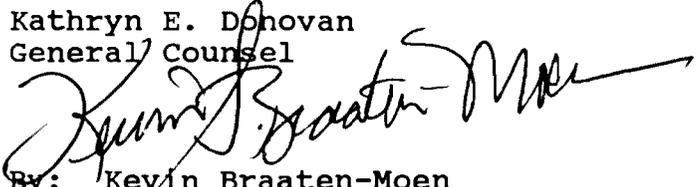
Betsy Starbuck
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With regard to campaign funds received prior to January 1, 1989, such funds may be used for Mr. Walker's future election, as long as the funds were within the contribution limitations at the time received, or are brought into compliance with the limitations. If you have any questions concerning the procedures for bringing funds into compliance with the contribution limitations, please call me.

You may wish to contact the Commission in a few weeks to determine whether a final ruling has been issued by the court. Once the final ruling is issued, we can provide additional information concerning its effects on Proposition 73's provisions.

Sincerely,

Kathryn E. Donovan
General Counsel



By: Kevin Braaten-Moen
Political Reform Consultant



California Fair Political Practices Commission

May 4, 1989

Betsy Starbuck
Friends of Larry Walker
P.O. Box 968
Chino, CA 91708-0968

Re: Letter No. 89-266

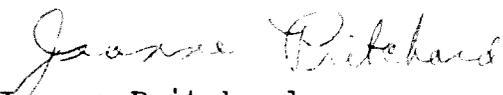
Dear Ms. Starbuck:

Your letter requesting advice under the Political Reform Act was received on May 2, 1989 by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact me directly at (916) 322-5662.

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 the 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,


Jeanne Pritchard
Chief Technical Assistance
and Analysis Division



JP:plh