



# California Fair Political Practices Commission

July 6, 1989

James D. Thomas  
5232 Calle Cristobal  
Santa Barbara, CA 93111

Re: Your Request for Advice  
Our File No. A-89-356

Dear Mr. Thomas:

You have requested confirmation of telephone advice provided to you concerning the campaign provisions of the Political Reform Act.<sup>1/</sup> You have requested this advice on behalf of Santa Barbara Councilmember Jeanne Graffy.

Your letter correctly summarizes my advice that Councilmember Graffy may use campaign funds received prior to January 1, 1989, for officeholder expenses. In addition, if the funds were received in compliance with the contribution limitations of Proposition 73 they may also be used for her mayoral race in the November 1989 election. It is also correct that if Councilmember Graffy spends these funds for officeholder and campaign related expenses and this interpretation of Proposition 73 changes, she probably will not be required to reimburse the funds. Enclosed please find Regulation 18536.2<sup>2/</sup> which discusses use of funds received prior to January 1, 1989, and the Leidigh Advice Letter, No. A-89-100, which discusses reimbursement of funds. A copy of your letter is also enclosed for your convenience.

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<sup>1/</sup> 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.

<sup>2/</sup> Regulation 18536.2 was adopted as an emergency regulation on May 2, 1989. The regulation was disapproved by the Office of Administrative Law, and an appeal to the governor is pending. In the meantime, we are advising based on that regulation, since it represents the most recent expression of Commission policy.

Please call me at (916) 322-5662 if you have additional questions.

Sincerely,

Kathryn E. Donovan  
General Counsel

A handwritten signature in cursive script that reads "Linda Moureaux".

By: Linda Moureaux  
Political Reform Consultant

Enclosures

June 6, 1989

FP  
Jun 6 3:29 PM '89

Linda Moureaux  
Fair Political Practices Commission  
428 J Street  
Sacramento, CA 95814

Dear Ms Moureaux,

As a representative of the Jeanne Graffy for Mayor of Santa Barbara Committee, this letter is to confirm our telephone conversation yesterday at 4:30 P.M.

As I said on the phone, Mrs. Graffy has approximately \$10,000 left in her political account from her successful election to City Council last year. Our previous understanding of Propositions 68 and 73 was that we would not be allowed to use that money for anything except current officeholder expenses.

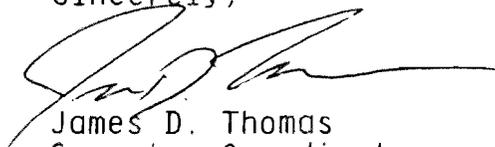
Based on our conversation, this is to confirm that the money left over from her previous election to City Council can now be used for officeholder expenses and for her campaign for Mayor in the November 1989 election. We understand that the money in question would have to still meet the current restrictions with regards to maximum contribution amounts based on the fiscal year. It is also our understanding that if Mrs. Graffy spends money from the account in question and the interpretations of the propositions change that she is not required to reimburse her previous account.

Please respond in writing for our records if the above information is correct or send information which would change our understanding of the current situation. Please send to:

James D. Thomas  
5232 Calle Cristobal  
Santa Barbara, CA 93111

Thank you for your courtesy on the telephone and for your cooperation in sending us a confirmation letter.

Sincerely,



James D. Thomas  
Campaign Coordinator  
Jeanne Graffy for Mayor Committee

REC-11  
JUN 13 3 20 PM '89

June 8, 1989

Linda Moureaux  
Fair Political Practices Commission  
428 J Street  
Sacramento, CA 95814

Dear Ms Moureaux,

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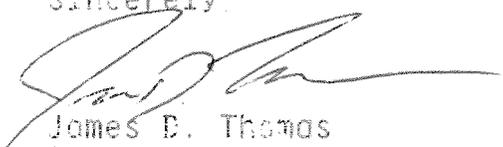
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James D. Thomas  
5232 Calle Cristobal  
Santa Barbara, CA 93111

Thank you for your courtesy on the telephone and for your cooperation in sending us a confirmation letter.

Sincerely,



James D. Thomas  
Campaign Coordinator  
Jeanne Graffy for Mayor Committee



# California Fair Political Practices Commission

June 14, 1989

James D. Thomas  
Campaign Coordinator  
Jeanne Graffy for Mayor Committee  
5232 Calle Cristobal  
Santa Barbara, CA 93111

Re: Letter No. 89-356

Dear Mr. Thomas:

We received your letter requesting confirmation of advice under the Political Reform Act on June 8, 1989. Your letter has been assigned to our Technical Assistance and Analysis Division for response. If you have any questions, you may contact that division directly at (916) 322-5662.

If the letter is appropriate for confirmation without further analysis, we will attempt to expedite our response. A confirming response will be released after it has gone through our approval process. If the letter is not appropriate for this treatment, the staff person assigned to prepare the response will contact you shortly to advise you. In such cases, the normal analysis, review and approval process will be followed.

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

Sincerely,

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

Kathryn E. Donovan  
General Counsel

KED:plh:confadv1