



# California Fair Political Practices Commission

June 21, 1989

Frederick K. Lowell  
Pillsbury, Madison & Sutro  
Post Office Box 7880  
San Francisco, CA 94120

Re: Your Request for Advice  
Our File No. A-89-368

Dear Mr. Lowell:

We have received your letter of June 20, 1989 (copy attached) seeking written confirmation of the advice I provided in our recent telephone conversation. 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,

Kathryn E. Donovan  
General Counsel

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

By: John G. McLean  
Counsel, Legal Division

KED:JGM:plh

LAW OFFICES OF  
PILLSBURY, MADISON & SUTRO

OTHER OFFICES  
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WRITER'S OFFICE AND  
DIRECT DIAL NUMBER  
235 Montgomery Street  
(415) 983-1585

June 20, 1989

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

Dear John:

Pursuant to our recent telephone conversations, this is a request for technical advice pursuant to Government Code section 83114(b).

This firm is counsel to the Marian Bergeson for Lieutenant Governor Committee (the "Committee"), a controlled committee established to further the candidacy of State Senator Marian Bergeson for the office of Lieutenant Governor in the 1990 elections. Ms. Bergeson controls another registered recipient committee, the Bergeson for Senate Committee (the "Old Committee"), which was established to finance her campaigns for the State Senate in prior years. The Old Committee holds money which was raised prior to January 1, 1989 and, in part, prior to June 8, 1988.

We would appreciate confirmation of your oral advice on the following points:

1. In light of the court's order in SEIU v. FPPC, Ms. Bergeson may transfer funds from the Old Committee to the Committee to the extent that such funds represent funds properly raised within the applicable limits of Proposition 73. The transferred funds may be spent to further Ms. Bergeson's candidacy for Lieutenant Governor. We understand that it makes no difference if the funds so transferred and spent represent monies raised prior to June 8, 1988 or were raised during the period June 8 to December 31, 1988.

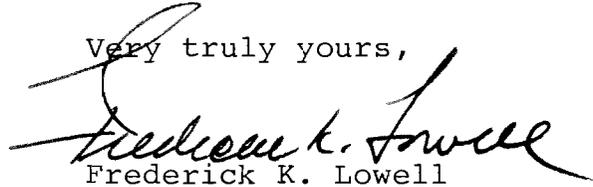
John McLean, Esq.  
June 20, 1989  
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2. The 1988 contributors whose contributions are transferred from the Old Committee to the Committee pursuant to (1) above, may still make additional contributions during the period January 1 through June 30, 1989. In other words, in this case, the transfer of contributors' 1988 contributions does not affect their fiscal year limits under Proposition 73.

3. It is not legally necessary for the Committee to obtain formal approval from 1988 contributors in order to transfer their contributions from the Old Committee to the Committee.

We appreciate your assistance on this matter.

Very truly yours,



Frederick K. Lowell

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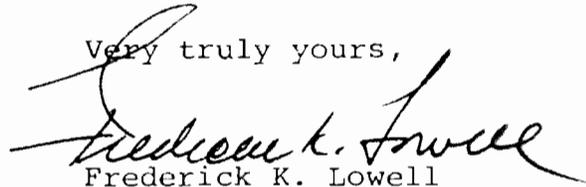
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